



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION AGENDA  
May 24, 2022, 6:00 P.M.  
Council Chambers, City Hall  
205 S. Main Street**

**WATCH THE LIVE BROADCAST**

This meeting will be broadcast live through the City's website and by telephone. Members of the public who wish to watch this meeting, and not speak or participate in the discussion, may watch the live broadcast by

1. Going to the City's website;
2. Clicking on "GOVERNMENT";
3. Clicking on "AGENDAS AND MINUTES";
4. Clicking on the "[click here](#)" link that is located to the right of "LIVE STREAMING."

**I. PRELIMINARY MATTERS**

- Call to Order, Roll Call, Prayer and Pledge of Allegiance
- Oath of Office for Re-Elected Mayor and City Councilmembers
  - a) Bryon Wiebold, Mayor
  - b) Mike Henry, City Councilmember, Place 4
- Announcements
  - a) Audie Murphy Day Flyer.
  - b) May and June calendars of upcoming holidays and meetings.
  - c) City Hall will be closed Monday, May 30<sup>th</sup> in observance of Memorial Day.

**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 Council members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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 (05-10-2022)
- B. City Council Minutes (05-14-2022)
- C. City Council Minutes (05-17-2022)
- D. Finance Report (April 2022) and Budget WorkSession

### 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 (*4<sup>th</sup> Thursday Each Month @4:00 p.m.*)
  - 1. Possible Council Liaison Report
- B. Farmersville Community Development Board Type B (*2<sup>nd</sup> Monday Each Month @ 6:00 p.m.*)
  - 1. Possible Council Liaison Report
  - 2. Financial Report (April 2022)

C. FEDC Farmersville Economic Development Board Type A (*3<sup>rd</sup> Thursday Each Month @ 6:00 p.m.*)

1. Possible council Liaison Report
2. Financial Report (April 2022)

D. Main Street Board (*2<sup>nd</sup> Monday Each Month @ 4:30 p.m.*)

1. Possible Council Liaison Report

E. Parks & Recreation Board (*1<sup>st</sup> Thursday Each Month @ 5:00 p.m.*)

1. Possible council Liaison Report

F. Planning & Zoning Commission (*3<sup>rd</sup> Tuesday Each Month @6:00 p.m.*)

1. Possible Council Liaison Report

G. TIRZ Board (*Meets As Needed*)

1. Possible Council Liaison
2. Financial Report (April 2022)

**VI. CITY MANAGER'S VERBAL REPORT**

**VII. PUBLIC HEARINGS**

- A. Conduct a Public Hearing to consider, discuss and act upon a request to change the zoning on the Subject Property from A – Agricultural District uses to Planned Development District with a Base Zoning District of SF-3 Single-Family Dwelling-3 District uses, generally to modify the Development Standards to allow the development of 231 single-family residential lots, located generally at 703 Merit Street, in the W.B Williams Survey, Abstract No. 952, of Farmersville, Collin County, Texas, and Accompanying Ordinance. (Note: This zoning change request was recommended for denial by the Planning and Zoning Commission. Approval by the City Council of this zoning change request will now require a three-fourths majority vote of the City Council. See Farmersville Code § 77-21(d)(4).)
- B. Conduct a Public Hearing to consider, discuss and act upon a petition to Annex and a request to zone certain land to LI – Light Industrial District uses, generally located at the northeast corner of East Audie Murphy Parkway (U.S. Highway 380) and County Road 653, Collin County, Texas, within the William Hemphill Survey, Abstract No. A 0448, Sheet 3 Tract 20, Collin County, Texas, and related Ordinances and Agreements.
- C. Conduct a Public Hearing to consider, discuss and act upon a petition to annex and a request to zone certain land to SF 3, Single Family Dwelling 3 District uses, generally located in an area west of State Highway 78 and north of County Road 550, Collin County, Texas, in the Elijah B. Reed Survey, Abstract No. 739, Collin County, Texas, and related Ordinances and Agreements.

**VIII. ORDINANCES**

- A. Consider, discuss and act upon an Ordinance amending Chapter 74, "Utilities," of the Farmersville Code through the amendment of Article II by

changing the name of Article II from , "Water, Sewer and Electrical Charges" to "Water, Sewer and Electrical Connections and Charges"; through the further amendment of Article II, now entitled "Water, Sewer and Electrical Connections and Charges," by amending Division 1, "Generally," by changing the name of Division 1 to "Connections" and by also adding new Sections 74-19, "Definitions," 74-20, "Purpose", 74-21, "Location of Lines; City Access; and System Protection," and 74-22, "Permit; Requirements to Connect"; through the amendment of Division 3, "Service Charges," by adding Sections 74-100, "Metering", 74-101, "Water and Sewer Connections for Multifamily Buildings, Mobile Home/Manufactured Housing Parks, and Motor Home/Recreational Vehicle Parks," and 74-102, "Restrictions And Certain Corrections"

## **IX. REGULAR AGENDA**

- A. Consider, discuss and act upon appointing a Mayor Pro-Tempore.
- B. Consider, discuss and act upon appointing a Deputy Mayor Pro-Tempore.
- C. Discussion and possible direction regarding the City's Hotel Occupancy Tax ordinance codified in Chapter 68 of the Farmersville Code.
- D. Discussion and possible direction regarding Rambler Park.
- E. Discussion and possible direction regarding streets and funding for street maintenance.
- F. Consider, discuss and act upon accepting the resignation of Tonya Mercer from the Community Development Corporation (4B), effective immediately.
- G. Consider, discuss and act upon appointing/reappointing members to City boards and commissions.
- H. Consider, discuss and act upon North Texas Share Master Interlocal Purchasing Agreement.

## **REQUESTS TO BE PLACED ON FUTURE AGENDAS**

## **X. ADJOURNMENT**

**Dated this the 20th day of May, 2022.**



**Bryon Wiebold, Mayor**

*The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any Work Session, Special or Regular Session agenda item requiring confidential, attorney/client advise necessitated by the deliberation or discussion of said items (as needed) listed on the agenda, as authorized by Texas Government code Section 551.071(a) ("Consultation with Attorney, Closed Meeting").*

*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 May 20, 2022 by 12:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

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Tabatha Monk  
City Secretary



## **I. Preliminary Matters**

JUNE 17-18, 2022



# AUDIE MURPHY DAY

FARMERSVILLE, TEXAS

FRIDAY, JUNE 17

5:30-7:30 PM QUILTS OF VALOR EXHIBIT AND RECEPTION  
FARMERSVILLE HERITAGE MUSEUM  
107 FARMERSVILLE PARKWAY

7:30-9:30 PM AUDIE MURPHY'S TO HELL AND BACK MOVIE  
FINE ARTS ON MAIN  
135 S. MAIN STREET

SATURDAY, JUNE 18

7:30 - 9:30 AM VETERANS REGISTRATION AND BREAKFAST  
FIRST BAPTIST CHURCH  
124 S WASHINGTON STREET

10 AM AUDIE MURPHY DAY PARADE  
HISTORIC DOWNTOWN

10:30 AM AUDIE MURPHY DAY CEREMONY  
HISTORIC ONION SHED  
154 S MAIN STREET

12 PM VETERANS LUNCHEON  
FIRST BAPTIST CHURCH  
124 S WASHINGTON STREET

SATURDAY, JUNE 18 - ACTIVITIES

12-3 PM AUDIE MURPHY EXHIBITION AND SISTER CITY EXHIBITION  
FARMERSVILLE HERITAGE MUSEUM  
107 FARMERSVILLE PARKWAY

12-3 PM EXHIBIT OF WOMEN IN THE MILITARY  
FARMERSVILLE HISTORIC SOCIETY - BAIN-HONAKER HOUSE  
108 COLLEGE STREET

9 AM-2 PM AUDIE MURPHY SPECIAL ARTIFACTS  
CHARLES RIKE MEMORIAL LIBRARY  
203 ORANGE STREET



CELEBRATING THE SISTER CITY PACT  
HONORING AUDIE LEON MURPHY  
FARMERSVILLE, TEXAS & HOLTZWILH, FRANCE



LET US HONOR AND REMEMBER OUR BRAVE SOLDIERS.

# MAY 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Early Voting 7am – 7pm	3 Early Voting 7am – 7pm	4	5 Parks & Recs Board Meeting 5:00 pm	6	7 Farmersville Market 9:00 am Election Day 7 am - 7 pm
8	9 Main Street Meeting FCDC (4B) Meeting 6:00 pm	10 City Council Meeting 6:00 pm	11	12	13	14
15	16	17 Canvassing Election 5:30 p.m. P&Z Meeting 6:00 pm	18	19 FEDC (4A) Meeting 6:00 pm	20	21
22	23	24 City Council Meeting 6:00 pm	25	26 City Amenities Board Meeting 4:00 pm	27	28
29	30 City Hall Closed – Memorial Day	31				



# JUNE 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2 Parks & Recs Board Meeting 5:00 pm	3	4 Farmersville Market 9:00 am
5	6	7	8	9	10	11
12	13 Main Street Meeting 4:30 pm FCDC (4B) Meeting 6:00 pm	14 City Council Meeting 6:00 pm	15	16 FEDC (4A) Meeting 6:00 pm	17 Audie Murphy Day 5:30 p.m.- 9:30 p.m.	18 Audie Murphy Day 7:30 a.m. - 3:00 p.m.-
19	20	21 P&Z Meeting 6:00 pm	22	23 City Amenities Board Meeting 4:00 pm	24	25
26	27	28 City Council Meeting 6:00 pm	29	30		

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)
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	NA
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	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 NOT ON AGENDA**

Agenda Section	cITIZEN COMMENTS ON MATTERS NOT ON AGENDA
Section Number	III
Subject	cITIZEN COMMENTS ON MATTERS NOT ON AGENDA
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	NA
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
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Action	NA

#### **IV. Consent Agenda**

Agenda Section	Consent Agenda
Section Number	IV.A
Subject	City Council Minutes 05-10-2022
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Farmersville City Council Meeting Minutes
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**FARMERSVILLE CITY COUNCIL  
REGULAR SESSION MINUTES  
May 10, 2022, 6:00 P.M.  
Council Chambers, City Hall  
205 S. Main Street**

**I. PRELIMINARY MATTERS**

- Mayor Pro-Tempore, Craig Overstreet, called the meeting to order at 6:00 p.m. Council members, Terry Williams, Ted Wagner, Mike Henry and Lance Hudson were in attendance. Mayor, Bryon Wiebold was absent. City staff members City Manager, Ben White; City Secretary, Tabatha Monk, Finance Director, Daphne Hamlin; Fire Chief, Kevin Lisman, Police Chief, Mike Sullivan, Warrant Officer, Rick Ranspot and City Attorney Alan Lathrom were also present.
- Prayer was led by Warrant Officer, Rick Ranspot and the pledges to the United States and Texas flags were led by Mayor Pro-Tempore Overstreet.
- Mayor Pro-Tempore, Overstreet advised citizens can check the City Calendar for any upcoming closings for holidays.

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

- Diane Piwko of 200 McKinney St. spoke before the Mayor Pro-Tempore and City Council.

**III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA**

- Diane Piwko of 200 McKinney St. spoke before the Mayor Pro-Tempore and City Council.

**IV. CONSENT AGENDA**

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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 (04-26-2022)
- B. Public Works Report.
- C. City Manager Report.
  - **Mayor Pro-Tempore Overstreet** requested to ask some questions regarding the City Manager Report, and last meetings property tax budgeting to be on the next City Council agenda.
  - **Councilmember Williams** made a motion to approve the Consent Agenda. **Councilmember Henry** seconded the motion to approve. The motion was approved unanimously (5-0).

## **V. INFORMATIONAL ITEMS**

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- A. City Amenities Board
  - 1. Possible Council Liaison Report: (**Councilmember Wagner** advised meeting was cancelled.)
- B. Farmersville Community Development Board (Type B)
  - 1. Possible Council Liaison Report: (**Councilmember Henry** advised they met last night, they had one of the members of the board of trustees there to talk about the possibility of doing the second phase of the parking lot behind the public works facility and are going to move forward with that project. The Onion Shed Restoration project was



discussed. They will be moving forward with that item. City Manager presented the information about open space grants that are possibilities.

- C. FEDC Farmersville Economic Development Board (Type A)
  - 1. Possible Council Liaison Report: (**Councilmember Williams** advised no meeting).
- D. Main Street Board
  - 1. Possible Council Liaison Report: (**Mayor Pro-Tempore Overstreet** advised no meeting..)
- E. Parks & Recreation Board
  - 1. Possible Council Liaison Report: (**Councilmember Wagner** advised City Manager White updated them on everything that had been done to the J.W. Spain Concession Stand. They discussed different bands/music for some of their events.
- F. Planning & Zoning Commission
  - 1. Possible Council Liaison Report: (**Councilmember Hudson** advised no meeting..)
- G. TIRZ Board
  - 1. Possible Council Liaison Report: (**Mayor Pro-Tempore Overstreet** advised no meeting.

## VI. REGULAR AGENDA

- A. "Consider, discuss and act upon a Professional Services Contract With Resource Management and Consulting Co. for the 2021 TxCDBG Main Street Contract CDM21-0423 for Street Improvements.
  - Mr. White updated the City Council on this grant.
  - Mr. Latham advised agenda items A and B can be voted on together.
  - **Mayor Pro-Tempore Overstreet** read item B on the agenda into record.
- B. "Consider, discuss and act upon a Professional Services Contract With Resource Management and Consulting Co. for the Pending 2022 TxCDBG Contract for Street Improvements."
  - **Councilmember Williams** made a motion to approve both agenda items A and B.
  - **Councilmember Henry** seconded the motion to approve both agenda items A and B.
  - The motion passed unanimously (5-0).
- C. "Consider, discuss and act upon the First Amended and Restated Assignment, Assumption or Novation, of Professional Services Contract For 2021 TxCDBG Main Street Contract CDM21-0423 for Street Improvements from Resource Management and Consulting Co. to GrantWorks, Inc."

Mr. White updated the City Council on this grant.”

- Mr. Latham advised agenda items C and D can be voted on together.
- **Mayor Pro-Tempore Overstreet** read item D on the agenda into record.

**D** “Consider, discuss and act upon the First Amended and Restated Assignment, Assumption or Novation, of Professional Services Contract for Pending 2022 TxCDBG Contract for Street Improvements from Resource Management and Consulting Co. to GrantWorks, Inc. “

- **Councilmember Williams** made a motion to approve both agenda items C and D.
- **Councilmember Henry** seconded the motion to approve both agenda items C and D.
- The motion passed unanimously (5-0).

**E.** “Consider, discuss, and act upon a Professional Services Contract with Dunaway|DBI, for the 2021 TxCDBG Main Street Contract CDM21-0423 for Street Improvements.”

- Mr. White updated the City Council regarding this contract.
- **Councilmember Williams** made a motion to approve.
- **Councilmember Wagner** seconded the motion to approve.
- The motion carried unanimously (5-0).

**F.** “Consider, discuss and act upon a Resolution of the City Council of the City of Farmersville, Texas, Expressing Support for and Requesting the Expedited Design and Construction of Segment 2 and Segment 4 of the Collin County Outer Loop.”

- Mr. White updated the City Council on this resolution to support Collin County.
- **Councilmember Henry** made a motion to approved resolution #R-2022-0510-001.
- **Councilmember Wagner** seconded the motion to approve the resolution.
- The motion carried unanimously (5-0).

**G.** “Receive, presentation, consider, discuss and provide direction regarding Fiber Project.”

- Mr. White briefed the City Council on this item and the grant to use for this item.
- Mr. James Dunn and Matt presented a slide presentation and feasibility information to City Council.
- No action was needed.

**H.** “Receive presentation consider, discuss and provide possible direction regarding Collin County Central Appraisal District’s Certified Estimates of Taxable Value.”

- **Mayor Pro-Tempore Overstreet** advised he requested this item to be placed on the agenda.
- Discussion among the City Council, City Manager and City Attorney took place.
- **Councilmember Henry** made a motion to instruct the City Attorney to draft a document of resolution to be presented to the City Council and delivered to Collin County Tax Assessors Office no later than May 15, 2022. There will be a City Council meeting held Saturday, May 14, 2022, to discuss this matter.
- **Councilmember Williams** seconded the motion.
- The motion carried unanimously (5-0).

## **VII. REQUEST TO BE PLACED ON FUTURE AGENDA**

- **Councilmember Henry** request an update on Nelson Bro.'s and where they are on finishing their office facility. Request an update on setting a date for City Council to have a budget workshop.
- **Mayor Pro-Tempore Overstreet** request an update on where we are with the Historical Overlay Presentation Ordinance, update on the Sign Ordinance. What Ordinance is currently in place regarding a hotel/motel/air B&B tax and a Rambler Park update.
- **Councilmember Williams** request an update on the Street Financing and where we are on that.

## **VIII. ADJOURNMENT**

**Mayor Pro-Tempore Overstreet** adjourned the meeting at 7:55 p.m.

APPROVE:

\_\_\_\_\_  
Bryon Wiebold, Mayor

ATTEST:

\_\_\_\_\_  
Tabatha Monk, City Secretary

Agenda Section	Consent Agenda
Section Number	IV.B
Subject	City Council Minutes 05-14-2022
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Farmersville City Council Meeting Minutes
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**FARMERSVILLE CITY COUNCIL  
SPECIAL SESSION MINUTES  
May 14, 2022, 3:00 P.M.  
Council Chambers, City Hall  
205 S. Main Street**

**I. PRELIMINARY MATTERS**

- Mayor Bryon Wiebold called the meeting to order at 3:00 p.m. Councilmembers, Craig Overstreet, Terry Williams and Ted Wagner were in attendance. Councilmembers Mike Henry and Lance Hudson were absent. City staff members City Secretary, Tabatha Monk and City Attorney Alan Lathrom were also present.
- Prayer was led by Councilmember Overstreet.
- Pledges were led by Mayor Wiebold.

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

- No one spoke.

**III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA**

- No one spoke.

**IV. REGULAR AGENDA**

- A. "Consider, discuss, and act upon a Resolution regarding the increases in appraised values of commercial properties, in particular, recently issued by the Collin Central Appraisal District."
- City Attorney, Alan Latham addressed the Council regarding on Resolution #R-2022-0514-001 regarding possible re-evaluation and reconsideration of

appraisal values assessed on Commercial properties, more specifically Commercial properties around the square.

- **Councilmember Williams** made a motion of approval of this resolution.
- **Councilmember Wagner** seconded the motion.
- The motion passed unanimously (3-0).
- **Councilmember Overstreet** requested this Resolution be delivered to Collin County Appraisal District in person on Monday, May 16, 2022.

#### **V. ADJOURNMENT**

**Mayor Wiebold** adjourned the meeting at 3:05 p.m.

APPROVE:

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Bryon Wiebold, Mayor

ATTEST:

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Tabatha Monk, City Secretary

Agenda Section	Consent Agenda
Section Number	IV.C
Subject	City Council Minutes 05-17-2022
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Farmersville City Council Meeting Minutes
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**FARMERSVILLE CITY COUNCIL  
SPECIAL SESSION MINUTES  
May 17, 2022, 5:30 P.M.  
Council Chambers, City Hall  
205 S. Main Street**

**I. PRELIMINARY MATTERS**

- Councilmember Terry Williams called the meeting to order at 5:30 p.m. Council member, Ted Wagner was in attendance. Councilmembers, Craig Overstreet, Mike Henry, Lance Hudson and Mayor, Bryon Wiebold were absent. City staff members City Secretary, Tabatha Monk and City Attorney Alan Lathrom were also present.

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

- No one spoke.

**III. CITIZEN COMMENTS ON MATTERS NOT ON AGENDA**

- No one spoke.

**IV. REGULAR AGENDA**

- A. "Consider, discuss, and act upon a Resolution regarding canvassing returns and declaring the results of the May 07, 2022, City of Farmersville General and Special Elections."
- Canvassing by Bruce Sherbet, Collin County Elections Administrator was read into record.
  - City Attorney, Alan Latham addressed the Council regarding election information.



- **Councilmember Wagner** made a motion to approve and accept the certified canvassing results of the May 7, 2022, Election of the City of Farmersville.
- **Councilmember Williams** seconded the motion.
- The motion passed unanimously (2-0).

#### **V.ADJOURNMENT**

**Councilmember Williams** adjourned the meeting at 5:34 p.m.

APPROVE:

---

Bryon Wiebold, Mayor

ATTEST:

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Tabatha Monk, City Secretary

Agenda Section	Consent Agenda
Section Number	IV.D
Subject	Finance Report April 2022 and Budget WS
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Farmersville City Council Meeting Minutes
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**City of Farmersville Operating  
April 2022  
Financial Budget Report**

## MEMO

To: Benjamin White, City Manager

From: Daphne Hamlin, City Accountant

Date: May 19th, 2022

Subject: April 2022 Budget Report (unaudited)

*Financial Reporting is available for review on the City website. [www.farmersvilletx.com](http://www.farmersvilletx.com). Press OpenGov button ;> Press Stories button at the top under City logo; Press City of Farmersville March 2022 Financial Report.*

General Fund and Enterprise Fund Budget Summary with (2) year comparison:

	2021-2022 Budget	Revenues vs. Expenses	2021-2022 to Date	2020-2021 Actual	2019-2020 Actual
General Fund Revenue	4,193,462	Revenue to Date	2,701,615	2,842,224	2,376,972
General Fund Expense	4,150,833	Expenses to Date	2,410,500	2,362,189	2,009,896
Water Fund Revenue	1,861,471	Revenue to Date	1,055,038	1,090,086	835,289
Water Fund Impact Fee Revenue	86,570	Revenue to Date	15,456	94,586	16,678
Water Fund Expense	1,948,041	Expenses to Date	972,377	918,551	1,117,356
Wastewater Fund Revenue	1,449,850	Revenue to Date	870,759	774,140	664,215
Wastewater Fund Impact Fee Revenue	275,700	Revenue to Date	740	311,273	30,437
Wastewater Fund Expense	1,834,126	Expenses to Date	746,834	671,033	768,094
Electric Fund Revenue	4,398,735	Revenue to Date	2,240,630	2,911,588	1,991,934
Electric Fund Expense	4,398,735	Expenses to Date	2,465,414	2,996,020	2,475,338
Refuse Fund Revenue	521,407	Revenue to Date	330,380	300,562	294,283
Refuse Fund Expense	521,407	Expenses to Date	319,143	263,817	260,010

### Cash Summary

The cash summary and revenue vs. expenses for the General Fund and Enterprise Funds are attached.

# SUMMARY OF CASH BALANCES APRIL 2022

ACCOUNT: CBTX (0815)

	Interest Earned	Restricted	Assigned	Account Balance
<b>Clearing Accounts</b>				
General Fund			\$ (388,323.75)	
Refuse Fund			\$ 1,768.54	
Water Fund			\$ 253,163.04	
Wastewater Fund			\$ 299,993.05	
Electric Fund			\$ (793,047.36)	
Cares Act Funding		\$ 481,364.30		
CC Child Safety		\$ 15,715.97		
Park Fund		\$ (759.32)		
Waterwaste Bond Fund		\$ (5,836.96)		
Law Enf Training		\$ 3,899.81		
Disbursement Fund		\$ 2,143.33		
LakeHaven Mud		\$ 5,000.00		
Library Donation Fund		\$ 393.36		
Court Tech/Sec		\$ 24,648.78		
JW Spain Grant		\$ 47,129.02		
Radio Note		\$ 6,082.79		
CC Bond Farmersville Parkway		\$ 130,333.11		
2019 Farmersville Parkway		\$ (31,224.07)		
Equipment Replacement		\$ 5,322.29		
Interest Earned	\$ 38.73			
<b>TOTAL:</b>	<b>\$ 38.73</b>	<b>\$ 684,212.41</b>	<b>\$ (626,446.48)</b>	<b>\$ 57,765.93</b>
<b>Debt Service Accounts</b>				
County Tax Deposit (cbtx 0807)(Debt Service)	\$ 36.39	\$ 312,286.07		
Debt Service Reserve (Texpool 0014 ) (2 months rsv )	\$ 119.96	\$ 479,852.16		
<b>TOTAL:</b>	<b>\$ 156.35</b>	<b>\$ 792,138.23</b>		<b>\$ 792,138.23</b>
<b>Appropriated Surplus Investment Accounts</b>				
Customer meter deposits (Texpool 0008)	\$ 28.48	\$ 114,054.37		
Water Dev. Board (Texstar 1110)	\$ 116.04	\$ 492,920.84		
2019 C/O Street ( Texstar 0190)	\$ 29.76	\$ 112,262.44		
Listcon Escrow(Texstar 0300)	\$ 11.35	\$ 125,168.95		
Police Seized Funds	\$ -	\$ 1,831.05		
Summit Property Sewer Escrow (cbtx 231)	\$ 0.28	\$ 16,713.36		
<b>TOTAL:</b>	<b>\$ 185.91</b>	<b>\$ 862,951.01</b>	<b>\$ -</b>	<b>\$ 862,951.01</b>
<b>Unassigned Surplus Investment Accounts</b>				
Gen Fund Acct. (Texpool 0004)( Reso. 90 Day Reserve)	\$ 546.98	\$ 1,661,485.59		
Water/WW Fund (Texpool 0003)(Operating 90 day)	\$ 144.31	\$ 577,299.66		
Water/WW Fund (Texpool 00017)(Capital)	\$ 208.12	\$ 832,520.08		
Elec. Fund (Texpool 0005) (Operating)	\$ 12.52	\$ 50,000.00		
Elec. Fund (Texpool 0016)(Capital)	\$ 159.89	\$ 639,679.13		
Elec. Surcharge (Texpool 0015)	\$ 32.07	\$ 128,178.67		
Money Market Acct. (cbtx 092)	\$ 29.93		\$ 74,425.74	
<b>TOTAL:</b>	<b>\$ 1,133.82</b>	<b>\$ 3,889,163.13</b>	<b>\$ 74,425.74</b>	<b>\$ 3,963,588.87</b>
<b>Contractor Managed Accounts Nonspendable</b>				
NTMWD Sewer Plant Maint. Fund	\$ -			
<b>TOTAL APPROPRIATED SURPLUS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL CASH &amp; INVESTMENT ACCOUNTS</b>		<b>\$ 6,228,464.78</b>	<b>\$ (552,020.74)</b>	<b>\$ 5,676,444.04</b>

## SUMMARY OF CASH BALANCES APRIL 2022

FEDC 4A Board Investment & Checking Account					
FEDC 4A Checking Account(Independent Bank 7909)	\$	89.42	\$	373,926.05	
FEDC 4A Checking Account(Independent Bank 452)	\$	472.67	\$	1,917,398.53	
FEDC 4A Investment Account (Texpool 0001)	\$	18.17	\$	72,458.86	
<b>TOTAL:</b>	<b>\$</b>	<b>580.26</b>	<b>\$</b>	<b>2,363,783.44</b>	<b>\$ - \$ 2,363,783.44</b>

FCDC 4B Board Investment & Checking Account					
FCDC 4B Checking Account (Independent Bank 9724)	\$	116.18	\$	482,454.12	
FCDC 4B Investment Account (Texpool 0001)	\$	136.79	\$	547,183.12	
<b>TOTAL:</b>	<b>\$</b>	<b>252.97</b>	<b>\$</b>	<b>1,029,637.24</b>	<b>\$ - \$ 1,029,637.24</b>

TIRZ Account					
County Tax Deposits (cbtx 01276)	\$	1.92	\$	77,911.84	
TIRZ Texpool Account ( xxx019 )	\$	154.19	\$	1,142,453.43	
<b>TOTAL:</b>	<b>\$</b>	<b>156.11</b>	<b>\$</b>	<b>1,220,365.27</b>	<b>\$ - \$ 1,220,365.27</b>

Main Street Account					
Farmersville Main Street Account (Ind Fin. 8204)	\$	-	\$	15,273.63	
<b>TOTAL:</b>	<b>\$</b>	<b>-</b>	<b>\$</b>	<b>15,273.63</b>	<b>\$ - \$ 15,273.63</b>

**Note: Standard & Poor's Rating Service assigned A+/long-term stable rating to Farmersville, Texas, 11-2018**

I hereby certify that the City of Farmersville's Investment Portfolio is in compliance with the City's investment strategy as expressed in the City's Investment Policy (Resolution 99-17, and with relevant provisions of the law.

The Public Funds Investment Act (Sec.2256.008) requires the City's Investment Officer to obtain 10 hrs. of continuing education each period from a source approved by the governing body. Listed below are courses Daphne Hamlin completed to satisfy that requirement:

Daphne Hamlin  
Daphne Hamlin, City Investment Officer

May 2-3,2022 NCTCOG - Public Funds Inv Act.

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

100-GENERAL FUND  
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
00-REVENUE	4,193,462	( 349,639.65)	2,701,615.02	0.00	1,491,846.98	64.42
TOTAL REVENUES	4,193,462	( 349,639.65)	2,701,615.02	0.00	1,491,846.98	64.42
<u>EXPENDITURE SUMMARY</u>						
00-TRANSFER OUT						
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-TRANSFER OUT	0	0.00	0.00	0.00	0.00	0.00
11-MAYOR & CITY COUNCIL						
PERSONNEL SERVICES	2,040	170.00	1,190.00	0.00	850.00	58.33
CONTRACTS & PROF. SVCS	1,000	0.00	0.00	0.00	1,000.00	0.00
MAINTENANCE	500	0.00	0.00	0.00	500.00	0.00
PERSONNEL RELATED ITEMS	14,123	0.00	5,845.00	0.00	8,278.00	41.39
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 11-MAYOR & CITY COUNCIL	17,663	170.00	7,035.00	0.00	10,628.00	39.83
12-ADMINISTRATION						
PERSONNEL SERVICES	251,321	27,329.87	169,126.38	0.00	82,194.62	67.29
CONTRACTS & PROF. SVCS	276,933	28,704.50	160,916.55	0.00	116,036.45	58.10
CONST. MATL./TOOLS/EQP	0	0.00	0.00	0.00	0.00	0.00
MAINTENANCE	143,748	11,428.46	79,122.09	0.00	64,625.91	55.04
UTILITIES	25,450	4,525.34	21,130.67	0.00	4,319.13	83.03
SUPPLIES	38,300	38,547.24	54,243.90	0.00	15,943.90	141.63
PERSONNEL RELATED ITEMS	62,000	10,048.67	32,342.83	0.00	29,657.17	52.17
CAPITAL EXPENDITURES	0	0.00	0.00	0.01	0.01	0.00
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 12-ADMINISTRATION	797,772	120,584.08	516,882.62	( 0.01)	280,889.39	64.75
13-DEVELOPMENT SERVICES						
PERSONNEL SERVICES	156,803	13,644.88	87,669.75	0.00	69,133.25	55.91
CONTRACTS & PROF. SVCS	7,100	0.00	0.00	0.00	7,100.00	0.00
MAINTENANCE	3,635	370.00	2,272.29	0.00	1,362.71	62.51
UTILITIES	360	0.00	0.00	0.00	360.00	0.00
SUPPLIES	4,000	61.71	516.53	0.00	3,483.47	12.91
PERSONNEL RELATED ITEMS	5,000	0.00	608.00	0.00	4,392.00	12.16
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 13-DEVELOPMENT SERVICES	176,898	14,076.59	91,066.57	0.00	85,831.43	51.48
14-MUNICIPAL COURT						
PERSONNEL SERVICES	162,894	11,246.06	94,123.51	0.00	68,760.49	57.79
CONTRACTS & PROF. SVCS	26,400	1,700.00	13,352.30	0.00	13,047.70	50.58
MAINTENANCE	18,527	1,447.75	11,484.64	0.00	7,042.36	61.99
UTILITIES	1,740	112.05	792.37	0.00	947.63	45.54

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

PAGE: 2

100-GENERAL FUND  
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<b>100-GENERAL FUND</b>						
<b>FINANCIAL SUMMARY</b>						
SUPPLIES	7,500	200.91	3,291.74	0.00	4,208.26	43.89
PERSONNEL RELATED ITEMS	11,330	290.53	6,243.34	0.00	5,086.66	55.10
CAPITAL EXPENDITURES	1,750	0.00	0.00	0.00	1,750.00	0.00
TOTAL 100-GENERAL FUND	200,131	14,997.30	129,287.90	0.00	100,843.10	56.18
<b>101-LIBRARY</b>						
PERSONNEL SERVICES	106,695	7,921.90	57,345.71	0.00	49,349.29	53.75
CONTRACTS & PROF. SVCS	200	0.00	0.00	0.00	200.00	0.00
MAINTENANCE	24,045	1,164.88	11,501.70	0.00	12,543.30	47.83
UTILITIES	13,540	1,087.19	7,517.44	0.00	6,022.56	55.52
SUPPLIES	3,650	0.00	1,263.26	0.00	2,386.74	34.61
PERSONNEL RELATED ITEMS	6,684	0.00	5,222.00	0.00	1,462.00	78.13
CAPITAL EXPENDITURES	15,000	1,447.13	7,993.50	0.00	7,006.50	53.29
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 101-LIBRARY	169,814	11,621.10	90,843.61	0.00	78,970.39	53.50
<b>102-CIVIC/CENTER</b>						
CONTRACTS & PROF. SVCS	0	0.00	0.00	0.00	0.00	0.00
UTILITIES	17,450	988.43	9,817.87	0.00	7,632.13	56.26
TOTAL 102-CIVIC/CENTER	17,450	988.43	9,817.87	0.00	7,632.13	56.26
<b>103-POLICE DEPT.</b>						
PERSONNEL SERVICES	989,982	73,248.63	529,575.71	0.00	460,406.29	53.49
CONTRACTS & PROF. SVCS	98,855	25,730.55	67,889.33	0.00	30,965.67	68.68
CONST. MATL./TOOLS/EQUIP	1,000	390.00	484.59	0.00	515.41	48.46
MAINTENANCE	91,800	9,794.99	62,198.21	6,604.70	22,997.09	74.95
UTILITIES	43,628	3,029.71	22,447.47	0.00	21,180.53	51.45
SUPPLIES	72,100	9,019.64	39,137.54	0.00	32,962.46	54.28
PERSONNEL RELATED ITEMS	39,272	2,421.71	22,178.59	0.00	17,093.41	56.47
CAPITAL EXPENDITURES	17,000	0.00	1,201.28	0.00	15,798.72	7.07
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 103-POLICE DEPT.	1,353,637	123,635.23	745,112.72	6,604.70	601,919.58	55.53
<b>104-FIRE DEPT.</b>						
PERSONNEL SERVICES	235,363	12,860.92	143,643.07	0.00	91,719.93	61.03
CONTRACTS & PROF. SVCS	72,560	15,100.05	22,669.89	0.00	49,890.11	31.24
CONST. MATL./TOOLS/EQUIP	0	0.00	464.33	0.00	464.33	0.00
MAINTENANCE	28,840	1,597.64	13,179.30	83.52	15,577.18	45.99
UTILITIES	2,640	105.98	741.86	0.00	1,898.14	28.10
SUPPLIES	26,200	826.07	8,820.10	0.00	17,379.90	33.66
PERSONNEL RELATED ITEMS	26,205	2,662.17	20,503.72	0.00	5,701.28	78.24
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 104-FIRE DEPT.	391,808	33,152.83	210,022.27	83.52	181,702.21	53.62
<b>105-STREET</b>						
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 105-STREET	0	0.00	0.00	0.00	0.00	0.00



CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

PAGE: 3

100-GENERAL FUND  
FINANCIAL SUMMARY

AS OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<b>34-STREET SYSTEM</b>						
PERSONNEL SERVICES	86,125	11,565.62	44,189.61	0.00	41,935.39	51.31
CONTRACTS & PROF. SVCS	14,800	0.00	0.00	0.00	14,800.00	0.00
CONST. MATL./TOOLS/EQUIP	215,013	10,282.43	69,972.80	6,978.99	138,061.21	35.79
MAINTENANCE	3,500	0.00	699.91	0.00	2,800.09	20.00
UTILITIES	6,350	425.06	4,438.51	0.00	1,911.49	69.90
SUPPLIES	6,150	990.30	4,553.29	0.00	1,596.71	74.04
PERSONNEL RELATED ITEMS	1,500	0.00	0.00	0.00	1,500.00	0.00
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL 34-STREET SYSTEM</b>	<b>333,438</b>	<b>23,263.41</b>	<b>123,854.12</b>	<b>6,978.99</b>	<b>202,604.89</b>	<b>39.24</b>
<b>60-PUBLIC WORKS BLDG</b>						
PERSONNEL SERVICES	92,324	3,827.55	90,312.59	0.00	2,011.41	97.82
CONTRACTS & PROF. SVCS	23,500	3,615.00	11,455.00	0.00	12,045.00	48.74
CONST. MATL./TOOLS/EQUIP	102,272	829.36	86,170.30	0.00	16,101.37	84.26
MAINTENANCE	11,799	245.00	3,120.91	0.00	8,678.42	26.45
UTILITIES	23,268	1,828.49	17,440.60	0.00	5,827.40	74.96
SUPPLIES	1,000	0.00	344.50	0.00	655.50	34.45
PERSONNEL RELATED ITEMS	1,000	0.00	868.49	0.00	131.51	86.85
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL 60-PUBLIC WORKS BLDG</b>	<b>255,163</b>	<b>10,345.40</b>	<b>209,712.39</b>	<b>0.00</b>	<b>45,450.61</b>	<b>82.19</b>
<b>39-PARKS</b>						
PERSONNEL SERVICES	81,952	22,004.24	57,433.73	0.00	24,518.27	70.08
CONTRACTS & PROF. SVCS	51,750	11,825.00	43,240.75	0.00	8,509.25	83.56
CONST. MATL./TOOLS/EQUIP	20,125	224.25	8,806.71	0.00	11,318.29	43.76
MAINTENANCE	16,500	1,026.00	7,750.29	0.00	8,749.71	46.97
UTILITIES	75,885	3,384.42	24,579.03	0.00	51,305.97	32.39
SUPPLIES	4,500	0.00	982.54	0.00	3,517.46	21.83
PERSONNEL RELATED ITEMS	500	0.00	0.00	0.00	500.00	0.00
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL 39-PARKS</b>	<b>251,212</b>	<b>38,463.91</b>	<b>142,793.05</b>	<b>0.00</b>	<b>108,418.95</b>	<b>56.84</b>
<b>71-DEBT SERVICE</b>						
DEBT SERVICE	155,847	4,384.43	134,072.47	0.00	21,774.53	86.03
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL 71-DEBT SERVICE</b>	<b>155,847</b>	<b>4,384.43</b>	<b>134,072.47</b>	<b>0.00</b>	<b>21,774.53</b>	<b>86.03</b>
<b>TOTAL EXPENDITURES</b>	<b>4,150,833</b>	<b>395,682.71</b>	<b>2,410,500.59</b>	<b>13,667.20</b>	<b>1,726,665.21</b>	<b>58.40</b>
<b>REVENUE OVER/(UNDER) EXPENDITURES</b>	<b>42,629</b>	<b>( 745,322.36)</b>	<b>291,114.43</b>	<b>( 13,667.20)</b>	<b>234,818.23</b>	<b>650.84</b>

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

## 100-GENERAL FUND

% OF YEAR COMPLETED: 58.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
00-REVENUE						
100.00.5711.000 AD VALOREM TAX	1,707,900	16,332.43	1,452,014.48	0.00	255,885.52	85.02
100.00.5712.000 CC CONV FEE COURT	0	409.92	1,513.58	0.00	1,513.58	0.00
100.00.5713.000 DEL. TAX, PEN. & INT.	39,500	2,732.71	13,527.48	0.00	25,972.52	34.25
100.00.5714.000 CC CONV FEE UTILITY	0	0.00	0.00	0.00	0.00	0.00
100.00.5715.000 TIRZ	0	0.00	0.00	0.00	0.00	0.00
100.00.5721.000 SALES TAX	625,000	55,938.25	427,831.09	0.00	197,168.91	68.45
100.00.5722.000 BEVERAGE TAX	8,500	805.86	4,515.84	0.00	3,984.16	53.13
100.00.5723.000 HOTEL OCCUPANCY TAX	0	0.00	542.66	0.00	542.66	0.00
100.00.5730.000 FRANCHISE FEES - GARBAGE	35,100	3,176.80	22,019.26	0.00	13,080.74	62.73
100.00.5731.000 FRANCHISE FEES - GAS	29,000	0.00	28,928.33	0.00	71.67	99.75
100.00.5732.000 SKYBEAM	58,320	4,836.30	33,854.10	0.00	24,465.90	58.05
100.00.5733.000 ELEC. FUND FRANCHISE FEE	10,800	2,767.01	11,776.93	0.00	976.93	109.05
100.00.5734.000 FRANCHISE FEES - TELE.	3,000	1,576.22	9,456.77	0.00	6,456.77	315.23
100.00.5735.000 FRANCHISE FEES - CABLE	19,000	0.00	6,232.41	0.00	12,767.59	32.80
100.00.5736.000 FRANCHISE FEES - OTHER	0	0.00	0.00	0.00	0.00	0.00
100.00.5740.000 ANNEXATION FEE	0	0.00	0.00	0.00	0.00	0.00
100.00.5741.000 PERMITS & INSPECTIONS	150,000	19,577.00	62,954.34	0.00	87,045.66	41.97
100.00.5741.001 ALCOHOL BEVERAGE PERMIT	350	0.00	67.50	0.00	282.50	19.29
100.00.5742.000 PLANNING & ZONING FEES	54,097	2,000.00	9,022.50	0.00	45,074.50	16.68
100.00.5743.000 FEES (ANIMAL REG)	50	0.00	45.00	0.00	5.00	90.00
100.00.5744.000 PENALTIES	125,000	11,134.73	59,263.06	0.00	65,736.94	47.41
100.00.5745.000 CNTY FIRE RUNS	113,272	0.00	113,338.44	0.00	66.44	100.06
100.00.5746.000 UNION SHED RENTAL	500	0.00	300.00	0.00	200.00	60.00
100.00.5747.000 COUNTY LIBRARY FUND	31,378	0.00	15,689.42	0.00	15,688.58	50.00
100.00.5748.000 MICRO CHIP PROGRAM	0	23.05	23.05	0.00	23.05	0.00
100.00.5752.000 SENIOR CENTER DONATIONS	0	0.00	0.00	0.00	0.00	0.00
100.00.5753.000 DONATIONS	0	0.00	0.00	0.00	0.00	0.00
100.00.5754.000 GRANT PROCEEDS	0	0.00	14,005.00	0.00	14,005.00	0.00
100.00.5758.000 T-MOBILE LEASE	16,747	1,500.74	10,505.18	0.00	6,241.82	62.73
100.00.5759.000 GAMING MACHINE LICENSE	0	0.00	0.00	0.00	0.00	0.00
100.00.5762.000 INTEREST EARNED	1,200	585.71	1,533.22	0.00	333.22	127.77
100.00.5763.000 FEDC 4A STAFF SUPPORT	1,000	0.00	0.00	0.00	1,000.00	0.00
100.00.5765.000 RENT E. TX. MED CTR.	12,000	1,000.00	7,000.00	0.00	5,000.00	58.33
100.00.5766.000 FEDC IMPROVEMENT FUND	0	0.00	0.00	0.00	0.00	0.00
100.00.5767.000 OTHER REVENUE	0	0.00	0.00	0.00	0.00	0.00
100.00.5768.000 S W BELL LEASE	2,055	0.00	584.31	0.00	1,470.69	28.43
100.00.5769.000 OTHER INCOME	30,000	16,836.12	21,617.81	0.00	8,382.19	72.06
100.00.5769.001 CARES ACT REFUND	0	0.00	0.00	0.00	0.00	0.00
100.00.5769.002 FARMERSVILLE LIGHTS DONA	66,671	0.00	66,670.99	0.00	0.01	100.00
100.00.5769.003 FVILLE LIGHT CARRIAGE RI	331	0.00	331.00	0.00	0.00	100.00
100.00.5769.004 CHRISTMAS TREE SALE	24,052	0.00	22,177.49	0.00	1,874.51	92.21
100.00.5771.000 ATHLETIC COMPLEX	0	0.00	0.00	0.00	0.00	0.00
100.00.5772.000 PUBLIC WORKS REVENUE	0	0.00	0.00	0.00	0.00	0.00
100.00.5774.000 ALARM FEE	500	0.00	50.00	0.00	450.00	10.00
100.00.5775.000 TEXAS FOREST SERVICE GRA	0	0.00	0.00	0.00	0.00	0.00
100.00.5777.000 BRICK CAMPAIGN	0	0.00	0.00	0.00	0.00	0.00
100.00.5778.000 PARK DEDICATION FEE	0	0.00	0.00	0.00	0.00	0.00

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

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## 100-GENERAL FUND

% OF YEAR COMPLETED: 58.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
100.00.5779.000 TIRZ ADMIN. REIMBURSEMENT	0	0.00	0.00	0.00	0.00	0.00
100.00.5791.000 4B SUPPORT REVENUE	1,000	0.00	0.00	0.00	1,000.00	0.00
100.00.5792.000 ADM.SUPPORT CHARGES	20,710	1,725.82	12,080.77	0.00	8,629.23	58.33
100.00.5793.000 RENT RECEIVED	3,600	300.00	2,100.00	0.00	1,500.00	58.33
100.00.5794.000 CIVIC RENT	5,500	800.00	3,262.50	0.00	2,237.50	59.32
100.00.5795.000 4B SALARY	84,635	0.00	0.00	0.00	84,635.00	0.00
100.00.5799.000 CAPITAL LEASE REFUNDING	0	0.00	0.00	0.00	0.00	0.00
100.00.5899.000 SALE OF EQUIPMENT	0	0.00	0.00	0.00	0.00	0.00
100.00.5939.000 FORESTRY SVC GRANT	0	0.00	0.00	0.00	0.00	0.00
100.00.5940.000 INSURANCE CLAIM REFUND	0	0.00	1,059.42	0.00	1,059.42	0.00
100.00.5991.000 TRANSFERS IN-OTHER FUNDS	1,464,286	118,690.49	830,833.40	0.00	633,452.60	56.74
100.00.5992.000 SALE OF FIXED ASSETS	65,300	0.00	47,276.50	0.00	18,023.50	72.40
100.00.5994.000 LEASE PURCHASE PROCEEDS	0	0.00	0.00	0.00	0.00	0.00
100.00.5995.000 TRANSFERS-RESERVE	0	0.00	0.00	0.00	0.00	0.00
100.00.5998.000 TRANS.IN- GEN.END. SURPLU	0	0.00	0.00	0.00	0.00	0.00
100.00.5999.000 TRANS.IN-PARK IMP. SURPLU	0	0.00	0.00	0.00	0.00	0.00
100.00.5999.001 TIRZ TRANSFER OUT	( 616,892)	( 612,388.81)	( 612,388.81)	0.00	( 4,503.19)	99.27
TOTAL 00-REVENUE	4,193,462	( 349,639.65)	2,701,615.02	0.00	1,491,846.98	64.42
TOTAL REVENUE	4,193,462	( 349,639.65)	2,701,615.02	0.00	1,491,846.98	64.42

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

700-WATER FUND  
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<b>REVENUE SUMMARY</b>						
00-REVENUE	1,948,041	176,883.18	1,070,494.32	0.00	877,546.68	54.95
TOTAL REVENUES	1,948,041	176,883.18	1,070,494.32	0.00	877,546.68	54.95
<b>EXPENDITURE SUMMARY</b>						
<b>00-TRANSFER OUT</b>						
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-TRANSFER OUT	0	0.00	0.00	0.00	0.00	0.00
<b>12-ADMINISTRATION</b>						
PERSONNEL SERVICES	153,494	10,857.78	70,336.84	0.00	83,157.16	45.82
CONTRACTS & PROF. SVCS	650	0.00	114.60	0.00	535.40	17.63
MAINTENANCE	29,705	3,786.88	24,528.00	0.00	5,177.00	82.57
UTILITIES	5,750	614.07	2,741.82	0.00	3,008.18	47.68
SUPPLIES	3,000	101.43	1,516.29	0.00	1,483.71	50.54
PERSONNEL RELATED ITEMS	25,313	1,492.77	16,937.90	0.00	8,375.10	66.91
TOTAL 12-ADMINISTRATION	217,912	16,852.93	116,175.45	0.00	101,736.55	53.31
<b>52-STORM WATER SYSTEM</b>						
PERSONNEL SERVICES	0	0.00	0.00	0.00	0.00	0.00
CONTRACTS & PROF. SVCS	0	0.00	0.00	0.00	0.00	0.00
CONST. MATL./TOOLS/EQUIP	0	0.00	0.00	0.00	0.00	0.00
UTILITIES	0	0.00	0.00	0.00	0.00	0.00
SUPPLIES	0	0.00	0.00	0.00	0.00	0.00
PERSONNEL RELATED ITEMS	0	0.00	0.00	0.00	0.00	0.00
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 52-STORM WATER SYSTEM	0	0.00	0.00	0.00	0.00	0.00
<b>35-WATER DEPT.</b>						
PERSONNEL SERVICES	233,703	13,951.70	151,881.62	0.00	81,821.38	64.99
CONTRACTS & PROF. SVCS	134,155	6,612.69	39,705.93	0.00	94,449.07	29.60
CONST. MATL./TOOLS/EQUIP	264,686	13,394.52	117,344.89	15,738.00	131,603.11	50.28
MAINTENANCE	20,120	1,593.88	18,284.69	0.00	1,835.31	90.88
UTILITIES	40,364	2,624.24	20,933.98	0.00	19,430.02	51.86
SUPPLIES	845,136	70,993.66	426,408.46	0.00	418,727.54	50.45
PERSONNEL RELATED ITEMS	20,150	0.00	10,513.03	0.00	9,636.97	52.17
CAPITAL EXPENDITURES	49,941	0.00	36.36	0.00	49,904.64	0.07
TRANSFERS	121,874	10,156.17	71,093.19	0.00	50,780.81	58.33
TOTAL 35-WATER DEPT.	1,730,129	119,326.86	856,202.15	15,738.00	858,188.85	50.40
<b>TOTAL EXPENDITURES</b>						
	1,948,041	136,179.79	972,377.60	15,738.00	959,925.40	50.72
<b>REVENUE OVER/(UNDER) EXPENDITURES</b>						
	0	40,703.39	98,116.72	( 15,738.00)	( 82,378.72)	0.00

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

## 700-WATER FUND

% OF YEAR COMPLETED: 58.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
00-REVENUE						
700.00.5714.000 CC CONV. FEE	13,000	5,432.95	22,873.30	0.00	9,873.30	175.95
700.00.5743.000 CONNECT FEE	21,000	735.00	7,145.00	0.00	13,855.00	34.02
700.00.5744.000 PENALTIES	0	1,849.36	10,749.60	0.00	10,749.60	0.00
700.00.5745.000 AGREEMENTS AND CONTRACTS	188,000	14,875.29	108,169.86	0.00	79,830.14	57.54
700.00.5746.000 IMPACT FEE	86,570	13,909.00	15,456.00	0.00	71,114.00	17.85
700.00.5751.000 CITY WATER SALES	1,628,551	137,543.91	901,349.86	0.00	727,201.14	55.35
700.00.5752.000 CHANGE IN UTILITY DEPOSIT	0	0.00	0.00	0.00	0.00	0.00
700.00.5753.000 WATER TAP FEES	10,570	2,300.00	4,200.00	0.00	6,370.00	39.74
700.00.5762.000 INTEREST EARNED	350	237.67	550.70	0.00	200.70	157.34
700.00.5767.000 OTHER REVENUE	0	0.00	0.00	0.00	0.00	0.00
700.00.5769.000 OTHER REVENUE	0	0.00	0.00	0.00	0.00	0.00
700.00.5800.000 CONTRIBUTED CAPITAL	0	0.00	0.00	0.00	0.00	0.00
700.00.5993.000 TRANSFER IN	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-REVENUE	1,948,041	176,883.18	1,070,494.32	0.00	877,546.68	54.95
TOTAL REVENUE	1,948,041	176,883.18	1,070,494.32	0.00	877,546.68	54.95

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

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705-WASTEWATER  
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
00-REVENUE	1,725,620	129,353.09	871,499.68	0.00	854,120.32	50.50
TOTAL REVENUES	1,725,620	129,353.09	871,499.68	0.00	854,120.32	50.50
<u>EXPENDITURE SUMMARY</u>						
<u>00-TRANSFER OUT</u>						
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-TRANSFER OUT	0	0.00	0.00	0.00	0.00	0.00
<u>12-ADMINISTRATION</u>						
PERSONNEL SERVICES	135,219	6,845.38	47,385.83	0.00	87,833.17	35.04
TOTAL 12-ADMINISTRATION	135,219	6,845.38	47,385.83	0.00	87,833.17	35.04
<u>36-WASTEWATER SYSTEM</u>						
PERSONNEL SERVICES	179,566	1,438.08	76,530.53	0.00	103,035.47	42.62
CONTRACTS & PROF. SVCS	41,170	1,581.57	24,460.60	0.00	16,709.40	59.41
CONST. MATL./TOOLS/EQUIP	74,441	0.00	34,791.04	0.00	39,649.96	46.74
MAINTENANCE	654,380	52,111.77	360,436.41	0.00	293,943.59	55.08
UTILITIES	26,660	2,029.07	14,150.93	0.00	12,509.07	53.08
SUPPLIES	5,500	990.30	5,364.63	0.00	135.37	97.54
PERSONNEL RELATED ITEMS	5,000	0.00	1,755.00	0.00	3,245.00	35.10
DEBT SERVICE	359,410	0.00	34,505.00	0.00	324,905.00	9.60
CAPITAL EXPENDITURES	100,000	0.00	0.00	0.00	100,000.00	0.00
TRANSFERS	252,780	21,065.00	147,455.00	0.00	105,325.00	58.33
TOTAL 36-WASTEWATER SYSTEM	1,698,907	79,215.79	699,449.14	0.00	999,457.86	41.17
<u>TOTAL EXPENDITURES</u>						
TOTAL EXPENDITURES	1,834,126	86,061.17	746,834.97	0.00	1,087,291.03	40.72
REVENUE OVER/(UNDER) EXPENDITURES	( 108,506)	43,291.92	124,664.71	0.00 (	233,170.71)	114.89-

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

## 705-WASTEWATER

% OF YEAR COMPLETED: 58.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
00-REVENUE						
705.00.5741.000 SEWER SALES	1,431,050	127,106.72	858,723.59	0.00	572,326.41	60.01
705.00.5743.000 FEES	0	0.00	0.00	0.00	0.00	0.00
705.00.5744.000 PENALTIES	15,000	2,038.21	10,974.81	0.00	4,025.19	73.17
705.00.5745.000 AGREEMENTS AND CONTRACTS	0	0.00	0.00	0.00	0.00	0.00
705.00.5746.000 IMPACT FEE	275,770	0.00	740.00	0.00	275,030.00	0.27
705.00.5753.000 SEWER TAP FEE	3,600	0.00	600.00	0.00	3,000.00	16.67
705.00.5762.000 INTEREST EARNED	200	208.16	461.28	0.00	261.28	230.64
705.00.5767.000 OTHER REVENUE	0	0.00	0.00	0.00	0.00	0.00
705.00.5800.000 CONTRIBUTED CAPITAL	0	0.00	0.00	0.00	0.00	0.00
705.00.5995.000 TRANSFER IN RESERVES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-REVENUE	1,725,620	129,353.09	871,499.68	0.00	854,120.32	50.50
TOTAL REVENUE	1,725,620	129,353.09	871,499.68	0.00	854,120.32	50.50

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

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715-ELECTRIC FUND  
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
00-REVENUE	4,398,735	297,527.33	2,240,630.26	0.00	2,158,104.74	50.94
TOTAL REVENUES	4,398,735	297,527.33	2,240,630.26	0.00	2,158,104.74	50.94
<u>EXPENDITURE SUMMARY</u>						
00-TRANSFER OUT						
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-TRANSFER OUT	0	0.00	0.00	0.00	0.00	0.00
12-ADMINISTRATION						
PERSONNEL SERVICES	134,874	4,518.77	33,351.67	0.00	101,522.33	24.73
TOTAL 12-ADMINISTRATION	134,874	4,518.77	33,351.67	0.00	101,522.33	24.73
37-ELECTRIC DEPT.						
PERSONNEL SERVICES	520,705	35,767.58	317,549.20	0.00	203,155.80	60.98
CONTRACTS & PROF. SVCS	89,000	268.52	13,197.71	0.00	75,802.29	14.83
CONST. MATL./TOOLS/EQUIP	109,321	15,053.58	54,243.91	30,091.66	24,985.43	77.14
MAINTENANCE	22,773	1,907.72	16,701.38	0.00	6,071.62	73.34
UTILITIES	14,375	1,091.73	7,218.26	0.00	7,156.74	50.21
SUPPLIES	2,161,974	224,405.16	1,362,961.15	0.00	799,012.85	63.04
PERSONNEL RELATED ITEMS	36,000	2,300.44	9,188.06	0.00	26,811.94	25.52
DEBT SERVICE	220,507	0.00	61,883.73	0.00	158,623.27	28.06
CAPITAL EXPENDITURES	150,000	16,542.79	41,249.36	24,034.64	84,716.00	43.52
TRANSFERS	939,206	78,267.16	547,870.12	0.00	391,335.88	58.33
TOTAL 37-ELECTRIC DEPT.	4,263,861	375,604.68	2,432,062.88	54,126.30	1,777,671.82	58.31
TOTAL EXPENDITURES	4,398,735	380,123.45	2,465,414.55	54,126.30	1,879,194.15	57.28
REVENUE OVER/(UNDER) EXPENDITURES	0	( 82,596.12) (	224,784.29) (	54,126.30)	278,910.59	0.00



CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

## 715-ELECTRIC FUND

% OF YEAR COMPLETED: 58.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
00-REVENUE						
715.00.5743.000 FEES	7,900	450.00	3,756.78	0.00	4,143.22	47.55
715.00.5744.000 PENALTIES	40,000	4,630.16	23,829.69	0.00	16,170.31	59.57
715.00.5745.000 AGREEMENTS AND CONTRACTS	0	0.00	0.00	0.00	0.00	0.00
715.00.5751.000 ELECTRICITY SALES	3,400,535	216,088.37	1,635,059.62	0.00	1,765,475.38	48.08
715.00.5752.000 CHANGE IN ELECTRIC DEPOS	0	0.00	0.00	0.00	0.00	0.00
715.00.5755.000 SURCHARGE	150,000	9,159.12	69,182.43	0.00	80,817.57	46.12
715.00.5757.000 PCA (POWER COST ADJ)	800,000	66,995.20	508,375.97	0.00	291,624.03	63.55
715.00.5762.000 INTEREST	300	204.48	425.77	0.00	125.77)	141.92
715.00.5767.000 OTHER REVENUE	0	0.00	0.00	0.00	0.00	0.00
715.00.5770.000 SALES TAX REVENUE	0	0.00	0.00	0.00	0.00	0.00
715.00.5991.000 TRANSFER IN	0	0.00	0.00	0.00	0.00	0.00
715.00.5995.000 TRANSFER IN ELEC NOTE	0	0.00	0.00	0.00	0.00	0.00
715.00.5998.000 TRANSFER IN RESERVES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-REVENUE	4,398,735	297,527.33	2,240,630.26	0.00	2,158,104.74	50.94
TOTAL REVENUE	4,398,735	297,527.33	2,240,630.26	0.00	2,158,104.74	50.94

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

720-REFUSE FUND  
FINANCIAL SUMMARY

% OF YEAR COMPLETED: 58.33

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>REVENUE SUMMARY</u>						
00-REVENUE	521,407	47,824.89	330,380.46	0.00	191,026.54	63.36
TOTAL REVENUES	521,407	47,824.89	330,380.46	0.00	191,026.54	63.36
<u>EXPENDITURE SUMMARY</u>						
32-REFUSE DEPT.						
PERSONNEL SERVICES	0	0.00	0.00	0.00	0.00	0.00
CONTRACTS & PROF. SVCS	408,581	58,399.27	253,328.73	0.00	155,252.27	62.00
CONST. MATL./TOOLS/EQUIP	110,426	9,202.16	55,212.96	0.00	55,213.04	50.00
MAINTENANCE	0	0.00	0.00	0.00	0.00	0.00
UTILITIES	2,400	200.00	10,602.16	0.00	8,202.16	441.76
PERSONNEL RELATED ITEMS	0	0.00	0.00	0.00	0.00	0.00
CAPITAL EXPENDITURES	0	0.00	0.00	0.00	0.00	0.00
TRANSFERS	0	0.00	0.00	0.00	0.00	0.00
TOTAL 32-REFUSE DEPT.	521,407	67,801.43	319,143.85	0.00	202,263.15	61.21
35-WATER DEPT.						
SUPPLIES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 35-WATER DEPT.	0	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	521,407	67,801.43	319,143.85	0.00	202,263.15	61.21
REVENUE OVER/(UNDER) EXPENDITURES	0	19,976.54	11,236.61	0.00	11,236.61	0.00

CITY OF FARMERSVILLE  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: APRIL 30TH, 2022

## 720-REFUSE FUND

% OF YEAR COMPLETED: 58.33

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
00-REVENUE						
720.00.5743.000 FEES	0	0.00	0.00	0.00	0.00	0.00
720.00.5744.000 PENALTIES	6,260	608.72	3,409.28	0.00	2,850.72	54.46
720.00.5745.000 AGREEMENTS AND CONTRACTS	0	0.00	0.00	0.00	0.00	0.00
720.00.5751.000 RESIDENTIAL TRASH COLL	243,372	22,592.33	157,498.01	0.00	85,873.99	64.71
720.00.5752.000 COMMERCIAL TRASH COLLECT	180,426	16,222.86	110,850.78	0.00	69,575.22	61.44
720.00.5755.000 RECYCLE	84,005	7,724.98	53,909.89	0.00	30,095.11	64.17
720.00.5755.001 RECYCLE FRANCHISE FEE	7,344	676.00	4,712.50	0.00	2,631.50	64.17
720.00.5762.000 INTEREST EARNED	0	0.00	0.00	0.00	0.00	0.00
720.00.5767.000 OTHER REVENUE	0	0.00	0.00	0.00	0.00	0.00
720.00.5768.000 BRUSH AND CHIPPING AND P	0	0.00	0.00	0.00	0.00	0.00
720.00.5770.000 HHW	0	0.00	0.00	0.00	0.00	0.00
720.00.5995.000 TRANSFER IN RES	0	0.00	0.00	0.00	0.00	0.00
TOTAL 00-REVENUE	521,407	47,824.89	330,380.46	0.00	191,026.54	63.36
TOTAL REVENUE	521,407	47,824.89	330,380.46	0.00	191,026.54	63.36

## **V. Informational Items**

Agenda Section	Informational Items
Section Number	V.A
Subject	City Amenities Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**Farmersville Community Development Corp 4B**  
**April 2022**  
**Financial Report**

**Daphne Hamlin**  
[d.hamlin@farmersvilletx.com](mailto:d.hamlin@farmersvilletx.com)

**Farmersville Community Development Corp 4B**  
**April 2022**

<b>Statement Balance 4-1-2022</b>	<b>\$454,378.80</b>
Deposits:	\$-
Sales Tax:	\$27,969.14
Now Checking Int. .05%	\$116.18
Wire Fee	\$(10.00)
<b>Balance 4-28-2022</b>	<b>\$482,454.12</b>

**Outstanding Transactions**

Sales Tax	
O/S Check 3083	\$(450.00)
CD Interest	
<b>Balance 5-11-2022</b>	<b>\$482,004.12</b>

Farmersville Community Development Corporation  
Financial Statement  
For the Fiscal Year Ended September 30, 2022

	FY2022												Actual	%	
	Budget	October	November	December	January	February	March	April	May	June	July	August	September	YTD	
Revenue:															
Sales Tax Collections	\$300,000	\$25,431	\$33,747	\$30,194	\$32,479	\$34,279	\$29,815	\$27,969						\$ 213,914	71.30%
Interest Income	\$ 150	\$ 13	\$ 79	\$ 92	\$ 100	\$ 95	\$ 101	\$ 116						\$ 596	
Total Revenue	\$ 300,150	\$ 25,444	\$ 33,826	\$ 30,286	\$ 32,579	\$ 34,374	\$ 29,916	\$ 28,085	\$ -	\$ -	\$ -	\$ -	\$ 0.00	\$214,510	71.47%
Expenses															
Admin Fee	\$ 500	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10						\$ 70	
Sound System Monthly Subscription (PJ255)	\$ 500		\$ 82	\$ 41										\$ 123	24.60%
Total Main Street Program	\$ 500													\$ -	0.00%
Parks and Recreation															
City Park planning and Bridge Repair	\$ 70,000													\$ -	0.00%
Chaparral Trail Upgrade Project MM5.1 to MM11.2 (PJ246)	\$ 150,000													\$ -	
Chaparral Trail Upgrade Project MM11.2 to MM13.2 (PJ237)	\$ 50,000													\$ -	
Total Parks and Recreation	\$ 270,000													\$ -	0.00%
Museum														\$ -	
Bain Honaker Painting	\$ 10,000													\$ -	0.00%
Total Museum	\$ 10,000													\$ -	0.00%
Civic Organizations															
COC Events, promotions, and Publications (PJ237)	\$ 3,600													\$ -	0.00%
COC Tourism, Infrastructure and Job Retention (PJ259)	\$ 21,400													\$ -	0.00%
NETT Grant (PJ251)	\$ 5,000													\$ -	0.00%
Rotary Club	\$ 550													\$ -	0.00%
Total Civic Organizations	\$ 30,550													\$ -	0.00%
Special Events															
Sparks of Freedom (PJ238)	\$ 8,000													\$ -	0.00%
Music in the Park 2022 (PJ265)	\$ 3,500													\$ -	0.00%
Cops & Rodders/National Night Out (PJ241/281)	\$ 5,530													\$ -	0.00%
Chaparral Trail Open Day Even (PJ266)	\$ 500													\$ -	0.00%
Total Special Events	\$ 17,530													\$ -	0.00%
FCDC Projects															
Billboard Promotion (PJ252)														\$ -	
The Reiss Group	\$ 5,400	\$ 450	\$ 450	\$ 450			\$ 1,350	\$ 450						\$ 2,700	50.00%
Texas Bulletins	\$ 3,000	\$ -	\$ -	\$ 500			\$ 500							\$ 1,000	33.33%
Total FCDC Projects	\$ 8,400													\$ -	0.00%
Maintenance/Professional Services/Marketing															
Reimburse City for Accounting Services	\$ 2,500													\$ -	0.00%
Legal Services	\$ 7,500						\$ 823							\$ -	0.00%
Mays Building Taxes	\$ 2,000													\$ -	0.00%
Total Maintenance/Professional Svc./Main.	\$ 12,000													\$ -	0.00%
Total Expenses	\$ 348,980	\$ 10	\$ 542	\$ 1,001	\$ 10	\$ 10	\$ 2,683	\$ 460	\$ -	\$ -	\$ -	\$ -	\$ -	\$3,893	1.12%
Excess Revenue Over Expenses															
	(48,830)	25,434	33,284	29,285	32,569	34,364	27,234	27,625	-	-	-	-	-	210,617	
TEXPOOL Balance															
Interest Income-TEXPOOL	\$ 546,880.10	\$ 546,896.52	\$ 546,913.61	\$ 546,931.03	\$ 546,948.48	\$ 546,974.97	\$ 547,046.33	\$ 547,136.79						\$ -	
Total Available Texpool Funds	\$ 546,880.10	\$ 546,896.52	\$ 546,913.61	\$ 546,931.03	\$ 546,948.48	\$ 546,974.97	\$ 547,046.33	\$ 547,136.79						\$ -	



FY2021/2022		October	November	December	January	February	March	April	May	June	July	August	September	Actual YTD	%
Budget															
Revenue:															
Sales Tax Collections	\$300,000	\$25,431	\$33,747	\$30,194	\$32,479	\$31,278	\$28,815	\$27,969						\$ 210,914	70.30%
Interest Income	150		79	92	100	95	101	116						\$ 583	388.67%
<b>Total Revenue</b>	<b>\$300,150</b>	<b>\$25,431</b>	<b>\$33,826</b>	<b>\$30,286</b>	<b>\$32,579</b>	<b>\$31,374</b>	<b>\$28,916</b>	<b>\$28,085</b>	\$-	\$0	\$-	\$-	<b>\$0.00</b>	<b>\$ 211,497</b>	
Expenses															
Admin Fee	\$	10	10	10	10	10	10	10						\$	
Sound System Monthly Subscription (PJ255)	\$ 500		82	41										\$	70
<b>Total Main Street Program</b>	<b>\$ 500</b>													\$	123
Parks and Recreation															
City Park planning and Bridge Repair	\$ 70,000													\$	
Chaparral Trail Upgrade Project MM5.1 to MM11.2 (PJ246)	\$													\$	
Chaparral Trail Upgrade Project MM11.2 to MM13.2 (PJ237)	\$ 150,000													\$	
MM13.2 (PJ237)	\$ 50,000													\$	
<b>Total Parks and Recreation</b>	<b>\$ 270,000</b>													\$	
Museum															
Bain Honaker Painting	\$ 10,000													\$	
<b>Total Museum</b>	<b>\$ 10,000</b>													\$	
Civic Organizations															
COC Events, promotions, and Publications (PJ237)	\$ 3,600													\$	
COC Tourism, Infrastructure and Job Retention (PJ239)	\$ 21,400													\$	
NETT Grant (PJ251)	\$ 5,000													\$	
Rotary Club	\$ 550													\$	
<b>Total Civic Organizations</b>	<b>\$ 30,550</b>													\$	
Special Events															
Sparks of Freedom (PJ238)	\$ 8,000													\$	
Music in the Park 2022 (PJ265)	\$ 3,500													\$	
Cops & Rodders/National Night Out (PJ241/281)	\$ 5,530													\$	
Chaparral Trail Open Day Even (PJ266)	\$ 900													\$	
<b>Total Special Events</b>	<b>\$ 17,530</b>													\$	
FCDC Projects															
Billboard Promotion (PJ252)	\$ 5,400		\$450.00	\$450.00			1350	450						\$	2,700
The Reiss Group	\$ 3,000			\$500.00			500							\$	1,000
Texas Bulletins	\$ 8,400													\$	
<b>Total FCDC Projects</b>	<b>\$ 16,800</b>													\$	
Maintenance/Professional Services/Marketing															
Reimburse City for Accounting Services	\$ 2,500														

5-12-2022 10:43 AM  
FUND : 250-EDC/CDC  
DEPT : N/A

D E T A I L L I S T I N G

PAGE: 1

PERIOD TO USE: Apr-2022 THRU Apr-2022  
ACCOUNTS: .00.1112.000 THRU .00.1112.000

POST DATE TRAN # REFERENCE PACKET=====DESCRIPTION===== VEND INV/JE # NOTE =====AMOUNT=====

.00.1112.000 CASH ACCT #B B E G I N N I N G B A L A N C E 454,378.84  
4/12/22 4/12 B31245 Deposit 042022 07201 CDC SALES TAX MARCH 2022 JE# 008450 27,969.14 482,347.98  
4/27/22 4/27 A24354 CHK: 003083 07351 THE REISS GROUP 8429 JE# 008505 450.00CR 481,897.98  
4/28/22 5/12 B31624 Interest042022 07253 CDC IND BANK INT 04282022 JE# 008505 116.18 482,014.16  
4/28/22 5/12 B31624 Interest042022 07253 WIRE FEE JE# 008505 10.00CR 482,004.16  
===== APRIL ACTIVITY DB: 28,085.32 CR: 460.00CR 27,625.32

\*\*\*\*\* 000 ERRORS IN THIS REPORT! \*\*\*\*\*

\*\* REPORT TOTALS \*\*  
BEGINNING BALANCES: 454,378.84  
REPORTED ACTIVITY: 28,085.32  
ENDING BALANCES: 482,464.16  
TOTAL FUND ENDING BALANCE: 482,004.16  
--- DEBITS ---  
--- CREDITS ---  
0.00  
460.00CR  
460.00CR

Agenda Section	Informational Items
Section Number	V.C
Subject	FEDC Farmersville Economic Development Board (Type A)
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	1. Possible Council Liaison Report 2. Finance Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**Farmersville Economic Development Corp 4A**

**April 2022**

**Financial Budget Report**

**Daphne Hamlin**

**[d.hamlin@farmersvilletx.com](mailto:d.hamlin@farmersvilletx.com)**

# ***Farmersville Economic Development Corp 4A***

***April 2022***

Statement Balance 4-01-2022	\$345,867.49
Deposits:	
Sales Tax:	\$27,969.14
Cking Int .27%	\$89.42
Cleared Checks	
Ending Balance:	<u>\$373,926.05</u>

## **Outstanding Transactions**

Sales Tax	
Transfer to Texpool	
CD Interest	
Oustanding checks	
<b>Balance 5-13-2022</b>	<b><u>\$373,926.05</u></b>

FY 2021														
	Budget	October	November	December	January	February	March	April	May	June	July	August	September	YTD
Beginning Bank Balance		\$159,643.94	\$187,742.02	\$221,600.51	\$253,716.99	\$288,888.24	\$318,738.08	\$ 345,867.49						
Deposits														
Sales Tax Collections	\$304,800.00	\$25,431.45	\$33,746.85	\$30,193.53	\$32,479.37	\$34,279.41	\$29,815.65	\$ 27,966.14						\$213,915.40
Interest Income (eking (7909)	\$5,200.00	\$44.59	\$47.91	\$60.91	\$68.84	\$70.43	\$76.27	\$ 89.42						\$459.37
Loan Repayment	\$7,866.00	\$2,622.04	\$2,622.04	\$2,622.04	\$2,622.04									\$10,488.16
Transfer to now account														
Transfer to Texpool														
Prior year expenses			\$ (2,357.06)	\$ (760.00)										
Now Account Interest (8452)		\$975.16	\$472.09	\$487.95	\$488.08	\$440.95	\$437.90	\$ 472.67						\$3,774.80
Texpool Interest		\$2.12	\$2.29	\$2.38	\$2.35	\$3.51	\$9.46	\$ 18.17						\$40.28
Total Revenue	\$317,866.00	\$ 187,742.02	\$ 221,801.76	\$ 253,716.99	\$ 288,888.24	\$ 323,238.08	\$ 348,630.00	\$ 373,926.05	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 228,678.01
Expenses:														
Administration Expenses														
Administration	\$1,000.00													\$-
Meeting Expenses	\$1,000.00		\$201.25											\$-
Dues/School/Travel	\$5,200.00													\$-
EDC Position	\$40,000.00													\$-
TEX 21	\$2,500.00													\$-
Office Supplies	\$200.00													\$-
Legal Service	\$2,500.00						\$2,500.00							\$2,500.00
Total Administration	\$52,400.00						\$262.50							\$262.50
Marketing/promotion Expenses														\$-
Marketing/Promotion	\$8,000.00													\$-
Expenses/Advertising	\$7,500.00													\$-
Website update	\$500.00													\$-
Rotary Sponsorship	\$1,000.00													\$-
Chamber Sponsorship														\$-
Small Business	\$500.00													\$-
Entrepreneurship Conf						\$1,000.00								\$1,000.00
Collin College Sponsorship	\$3,500.00					\$3,500.00								\$-
Total Expenditures	\$73,400.00	\$-	\$201.25	\$-	\$-	\$4,500.00	\$2,762.50	\$-	\$-	\$-	\$-	\$-	\$-	\$3,500.00
Directive Business Incentives														\$7,463.75
Edic Action Plan	\$30,000.00													\$-
Collin College Road	\$244,000.00													\$-
Facade Grant Program	\$40,000.00													\$-
Total Development Cost	\$314,000.00													\$-
Total Expenditures	\$397,400.00	\$-	\$201.25	\$-	\$-	\$4,500.00	\$2,762.50	\$-	\$-	\$-	\$-	\$-	\$-	\$7,463.75
Revenue vs Expenditures	(\$69,534)													
From Reserves	\$69,534.00													
Total Expenditures		\$-	\$201.25		\$-	\$4,500.00	\$2,762.50							\$7,463.75
Ending Bank Balance		\$187,742.02	\$221,600.51	\$253,716.99	\$288,888.24	\$318,738.08	\$345,867.50	\$373,926.05						
Now Account	\$1,914,588.89	\$1,915,070.98	\$1,915,558.93	\$1,916,047.01	\$1,916,487.96	\$1,916,925.86	\$1,917,398.53							

PAGE: 1  
 PERIOD TO USE: Apr-2022 THRU Apr-2022  
 ACCOUNTS: .00.1111.000 THRU .00.1111.000  
 NOTE =====AMOUNT=====BALANCE=====

345,867.50

DB: 28,058.56

	*** REPORT TOTALS ***	DEBITS	CREDITS
BEGINNING BALANCES:		345,867.50	0.00
REPORTED ACTIVITY:		28,058.56	0.00
ENDING BALANCES:		373,926.06	0.00
TOTAL FUND ENDING BALANCE:		373,926.06	

Agenda Section	Informational Items
Section Number	V.D
Subject	Main Street Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



Agenda Section	Informational Items
Section Number	V.D
Subject	Main Street Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Informational Items
Section Number	V.E
Subject	Parks & Recreation Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Informational Items
Section Number	V.F
Subject	Planning & Zoning Commission
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	1. Possible Council Liaison Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Informational Items
Section Number	V.G
Subject	TIRZ Board
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	1. Possible Council Liaison Report 2. Finance Report
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



**TIRZ**  
**April 2022**  
**Financial Report**

**Daphne Hamlin**  
[d.hamlin@farmersvilletx.com](mailto:d.hamlin@farmersvilletx.com)

**TIRZ**  
**April 2022**

<b>Statement Balance 03-31-2022</b>	<b>\$1,649.21</b>
<b>Deposits:</b>	
<b>Cking Int CBTX</b>	<b>\$1.92</b>
<b>Wire Fee</b>	
<b>Collin County Tirz Deposit</b>	<b>\$76,260.71</b>
<b>Statement balance 4-29-2022</b>	<b>\$77,911.84</b>

**Outstanding Transactions**

<b>Balance 5-13-2022</b>	<b>\$77,911.84</b>
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TIRZ  
Cumulative Income Statement  
For the 12 Months Ended, September 30, 2022

	FY 2021	October	November	December	January	February	March	April	May	June	July	August	September	YTD
<b>Beginning Bank Balance</b>														
<b>Deposits</b>		\$31,560.81	\$25,033.43	\$25,034.91	\$25,035.12	\$24,285.64	\$1,649.21	\$1,649.21						
Ad Valorem Tax Collection	\$617,200.00							\$612,388.81						
County Tax Collection	\$74,737.00							\$76,250.71						
Interest Income eking	\$250.00	\$1.36	\$1.48	\$1.21	\$0.52	\$0.06		\$1.92						\$6.57
Misc deposit														
wire fee														
Transfer to Texpool														
Transfer From Texpool						\$5,000.00		\$ (612,388.81)						
<b>Texpool Interest</b>		\$16.09	\$16.71	\$17.10	\$17.02	\$25.71	\$69.17	\$154.19						
<b>Total Revenue</b>	<b>\$692,187.00</b>	<b>\$31,562.17</b>	<b>\$25,034.91</b>	<b>\$25,036.12</b>	<b>\$25,036.64</b>	<b>\$29,312.43</b>	<b>\$1,649.21</b>	<b>\$77,911.84</b>	<b>\$-</b>	<b>\$-</b>				<b>\$315.99</b>
<b>Expenses:</b>														
Administration	\$2,000.00													
Meeting Expenses	\$2,000.00													
Dues/School/Travel	\$2,000.00													\$-
Office Supplies														
Legal Service	\$7,500.00	\$6,528.74												\$6,528.74
<b>Debt Service</b>														
Interest Payment (PJ116)	\$55,275.00				\$750.00	\$27,637.51								\$27,637.51
Principal Payment (PJ116)	\$65,000.00													
<b>Directive Business Incentives</b>														
Street Construction, Concrete														
Welch Drive, Panel Replacement (PJ122)	\$300,000.00													
Economic Development	\$200,000.00													
TIRZ General Fund Transfer (PJ261)	\$40,000.00													
<b>Total Expenditures</b>	<b>\$673,775.00</b>	<b>\$6,528.74</b>			<b>\$750.00</b>	<b>\$27,637.51</b>	<b>\$-</b>	<b>\$-</b>	<b>\$-</b>					<b>\$34,916.25</b>
Revenue vs Expenditures														<b>(\$34,916)</b>
From Reserves														
<b>Ending Bank Balance</b>		\$25,033.43	\$25,034.91	\$25,036.12	\$24,286.64	\$1,674.92	\$1,649.21	\$77,911.84						
<b>Texpool Balance</b>		\$534,764.72	\$534,781.43	\$534,798.53	\$534,815.55	\$529,841.28	\$529,910.43	\$1,142,456.43						
<b>Total Available Funds</b>		<b>\$559,798.15</b>	<b>\$559,816.34</b>	<b>\$559,834.65</b>	<b>\$559,102.19</b>	<b>\$531,516.18</b>	<b>\$531,559.64</b>	<b>\$1,220,368.27</b>						

5-13-2022 8:28 AM  
FUND : 409-TIRZ FUND  
DEPT : N/A  
POST DATE TRAN # REFERENCE

D E T A I L L I S T I N G  
PAGE: 1  
PERIOD TO USE: Apr-2022 THRU Apr-2022  
ACCOUNTS: .00.1100.000 THRU .00.1100.000  
NOTE =====AMOUNT=====BALANCE=====

CASH ACCOUNT				B E G I N N I N G B A L A N C E			
POST	DATE	TRAN #	REFERENCE	PACKET=====DESCRIPTION=====	VEND	INV/JE #	
4/28/22	4/28	B31451	Deposit 042022	07242 TIRZ FUND FROM CITY		JE# 008494	1,649.21
4/28/22	4/28	B31453	Deposit 042022	07244 MOVE TO TXPL		JE# 008496	612,388.81
4/28/22	5/13	B31644	Interest042022	07270 TIRZ CTX INT 04-2022		JE# 008521	612,388.81CR
4/28/22	5/13	B31645	Deposit 042022	07271 TIRZ COUNTY FUNDS 042022		JE# 008522	1.92
				APRIL ACTIVITY DB: 688,651.44		CR: 612,388.81CR	76,260.71
							76,262.63

\*\*\*\*\*  
000 ERRORS IN THIS REPORT!  
\*\*\*\*\*  
\*\* REPORT TOTALS \*\*  
BEGINNING BALANCES: 1,649.21  
REPORTED ACTIVITY: 688,651.44  
ENDING BALANCES: 690,300.65  
TOTAL FUND ENDING BALANCE: 77,911.84  
--- DEBITS ---  
--- CREDITS ---  
0.00  
612,388.81CR  
612,388.81CR



## **VI. CITY MANAGERS VERBAL REPORT**

## **VII. PUBLIC HEARING**

Agenda Section	Public Hearing
Section Number	VII. A
Subject	Zoning )
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Ordinance
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	<ul style="list-style-type: none"> <li>• City Council discussion as required</li> </ul>
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

**CITY OF FARMERSVILLE  
ORDINANCE #2022-0524-001**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 2018-0508-001, AS AMENDED, BY CHANGING THE ZONING ON APPROXIMATELY 53.274 ACRES OF LAND GENERALLY SITUATED AT 703 MERIT STREET, IN THE W.B WILLIAMS SURVEY, ABSTRACT NO. 952, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, FROM A – AGRICULTURAL DISTRICT USES TO PLANNED DEVELOPMENT DISTRICT (PD-2022-0524-\_\_\_-SF-3) WITH A BASE ZONING DESIGNATION OF SF-3 SINGLE-FAMILY DWELLING-3 DISTRICT USES SUBJECT TO THE CONDITIONS AND REQUIREMENTS STATED HEREIN AND EXHIBITS ATTACHED HERETO; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR PUBLICATION; PROVIDING ENGROSSMENT AND ENROLLMENT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, after public notice and public hearing as required by law, the Planning and Zoning Commission of the City has recommended denial of a change in zoning classification of the property described herein and has recommended against amending the official zoning map of the City regarding the rezoning of the property hereinafter described; and

**WHEREAS**, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the City Council of the City of Farmersville, Texas ("City Council"); and

**WHEREAS**, the Planning and Zoning Commission's recommendation that the requested zoning change be denied triggers a three-fourths super-majority vote of the City Council to approve the requested zoning change under Farmersville Code § 77-21(d)(4); and

**WHEREAS**, the City Council, after public notice and public hearing as required by law, and upon due deliberation and consideration of the negative recommendation of the Planning and Zoning Commission of the City and of all testimony and information submitted during said public hearings, has determined that in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, the zoning of the property described herein shall be changed and that the official zoning map of the City of Farmersville, Texas, should be amended to reflect the rezoning of the property herein described.

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

## **SECTION 1. FINDINGS INCORPORATED**

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

## **SECTION 2. PROPERTY REZONED**

From and after the effective date of this Ordinance, the City Council does hereby rezone the property described herein as set forth in this section, and the Official Zoning Map of the Comprehensive Zoning Ordinance, Ordinance No. 2018-0508-001, as amended, of the City of Farmersville, Texas, is hereby amended and changed in the following particulars to reflect the action taken herein, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases, and words of the City's Zoning Ordinance are not amended but shall remain intact and are hereby ratified, verified, and affirmed, in order to create a change in the zoning classification of the property described herein, as follows:

That certain tract of land containing approximately 53.274 acres of land generally situated at 703 Merit Street, in the W.B Williams Survey, Abstract No. 952, in the City of Farmersville, Collin County, Texas, and more fully described on the "Zoning Exhibit" attached hereto as Exhibit "A" and incorporated herein by reference for all purposes allowed by law (the "Property"), presently zoned A – Agricultural District uses is hereby rezoned to PD-Planned Development District (PD-2022-0524-\_\_\_\_-SF-3) with a base zoning designation of SF-3 - Single-Family Dwelling-3 District Uses and as stated herein and in the exhibits attached hereto.

## **SECTION 4. CONDITIONS AND REQUIREMENTS APPLICABLE TO REZONING**

The change in the zoning classification established and described in Section 3 herein shall be and is hereby made subject to the following conditions and requirements without which the requested zoning change would not have been approved:

- A. The Property is hereby limited to not more than two hundred nineteen (219) residential units.
- B. If the gross acreage of the Property is reduced below its current gross area of approximately 53.274 acres of land, the number of residential units allowed shall be reduced proportionately so that the Property contains no more than 4.1 residential units per gross acre.
- C. The minimum front yard setback is hereby reduced from twenty-five feet (25') to twenty feet (20').

- D. The maximum lot coverage for Single-Family (Detached) lots is hereby increased from fifty percent (50%) to sixty percent (60%).
- E. The ordinances, rules, regulations, and standards applicable to the base zoning classification of SF-3 – Single-Family Dwelling-3 as contained in the Farmersville Code specifically including, but not limited to, Chapter 77, “Zoning,” of the Farmersville Code shall apply to all other development aspects of the tract of land identified on the attached map.
- F. The requirement for submission of a Concept Plan is hereby waived by the City Council because sufficient information exists to evaluate the proposed Planned Development district for this single-family project.

In the event of any conflict between any exhibit attached hereto and this Ordinance, the language and contents of this Ordinance shall control.

## **SECTION 5. OFFICIAL ZONING MAP TO BE MODIFIED**

It is directed that the official zoning map of the City of Farmersville be changed to reflect the zoning classification established by this Ordinance.

## **SECTION 6. REPEALER**

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

## **SECTION 7. SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared to be illegal, invalid, unenforceable, or unconstitutional by any court of competent jurisdiction, such determination shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the City Council without the incorporation in this Ordinance of any such illegal, invalid, unenforceable, or unconstitutional phrase, clause, sentence, paragraph, or section, and said remaining portions shall remain in full force and effect.

## **SECTION 8. PENALTIES FOR VIOLATION**

Any person, firm, corporation, or business entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Farmersville from filing suit to enjoin the violation. The City of Farmersville retains all legal rights and remedies available to it pursuant to local, state and federal law.

## **SECTION 9. INJUNCTIVE RELIEF**

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

## **SECTION 10. PUBLICATION**

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

## **SECTION 11. ENGROSSMENT AND ENROLLMENT**

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

## **SECTION 12. SAVINGS**

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

## **SECTION 13. EFFECTIVE DATE**

This ordinance shall take effect immediately from and after its passage and publication as provided by law.

**PASSED** by a three-fourths super-majority vote of the City Council ( \_\_\_\_ votes in favor, \_\_\_\_ votes opposed) in accordance with Farmersville Code § 77-21(d)(4) on first and

final reading on the 24<sup>th</sup> day of May 2022, at a properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS 24<sup>th</sup> DAY OF MAY, 2022.**

**APPROVED:**

BY: \_\_\_\_\_  
BRYON WIEBOLD  
Mayor

**ATTEST:**

\_\_\_\_\_  
TABATHA MONK  
City Secretary



## Exhibit "A"

### Description and Depiction of the Property

All that certain lot, tract or parcel of land situated in the W.B. Williams Survey, Abstract No. 952, Collin County, Texas, and being known as that tract of land described in a Deed to Nerwich Family Limited Partnership as recorded in Doc. No. 20090211000147930 of the Official Public Records of Collin County, Texas, (hereinafter called Tract 1), and being part of that tract of land described in a Deed to Nerwich Family Limited Partnership as recorded in Doc. No. 20090211000147920 of the Official Public Records of Collin County, Texas, (hereinafter called Tract 2), and being all of that tract of land described in a Deed to Nerwich Loving Trust Dated October 9, 1990 as recorded in Doc. No. 20090211000147940 of the Official Public Records of Collin County, Texas, (hereinafter called Tract 3) and being all of a tract of land described in a Deed to J.L. Nerwich as recorded in Doc. No. 20130509000638130 and Doc. No. 20130509000638140 of the Official Public Records of Collin County, Texas, (hereinafter called Tract 4) and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner near a fence corner post at the Northwest corner of said Tract 1;

THENCE N. 89 deg. 33 min. 53 sec. E. with the North line of said Tract 1 and along a fence line, a distance of 850.47 feet to a 1/2" iron rod found for corner at a fence corner post at the Southwest corner of a called 8.9526 acre tract of land described in a Deed recorded in Vol. 5694, Pg. 2921 of the Official Public Records of Collin County, Texas;

THENCE N. 89 deg. 39 min. 24 sec. E. with the South line of said 8.9526 acre tract, passing 0.57 feet North of a 1/2" iron rod found at a distance of 623.97 feet and continuing for a total distance of 651.21 feet to a 3/8" iron rod found in the centerline of Merit Street and being at the Southeast corner of said 8.9526 acre tract and at the Northeast corner of said Tract 1;

THENCE S. 00 deg. 06 min. 51 sec. E. along the centerline of said street, a distance of 584.98 feet to a PK nail found in the East line of said Tract 4;

THENCE S. 00 deg. 21 min. 55 sec. E. along the centerline of said street, a distance of 671.97 feet to a 1/2" iron rod found for corner at the Southeast corner of said Tract 2 and being in the Northwest line of a tract of land described in a Deed to the City of Farmersville as recorded in Vol. 5201, Pg. 398 of the O.P.R.C.C.T.;

THENCE in a Southwesterly direction with the Northwest line of said City of Farmersville tract as follows:  
S. 55°44'05"W. 266.00 feet;  
S. 54°26'05"W. 300.00 feet;  
S. 52°10'49"W. 77.68 feet to a 1/2" iron rod with cap stamped "Owens" found for corner at the Northeast corner of a called 3.754 acre tract of land described in a Deed recorded in Doc. No. 20160505000551490 of the O.P.R.C.C.T.;

THENCE N. 88 deg. 05 min. 40 sec. W. along a fence line and with the North line of said 3.754 acre tract, a distance of 354.72 feet to a fence corner post found for corner at a turn in the North line of said 3.754 acre tract;

THENCE N. 87 deg. 19 min. 48 sec. W. along a fence line and with the North line of said 3.754 acre tract, a distance of 636.37 feet to a fence corner post found for corner at the Northwest corner of said 3.754 acre tract;

THENCE N. 00 deg. 38 min. 59 sec. E. along a fence line, a distance of 144.81 feet to a 3/4" iron rod found for corner at the Southwest corner of a tract of land deeded from W.L. Gunnell, Sr. to the City of Farmersville on July 22, 1961, said point also being a corner in the East line of a called 2.233 acre tract of land described in a Deed recorded in Doc. No. 20120319000312930 of the O.P.R.C.C.T.;

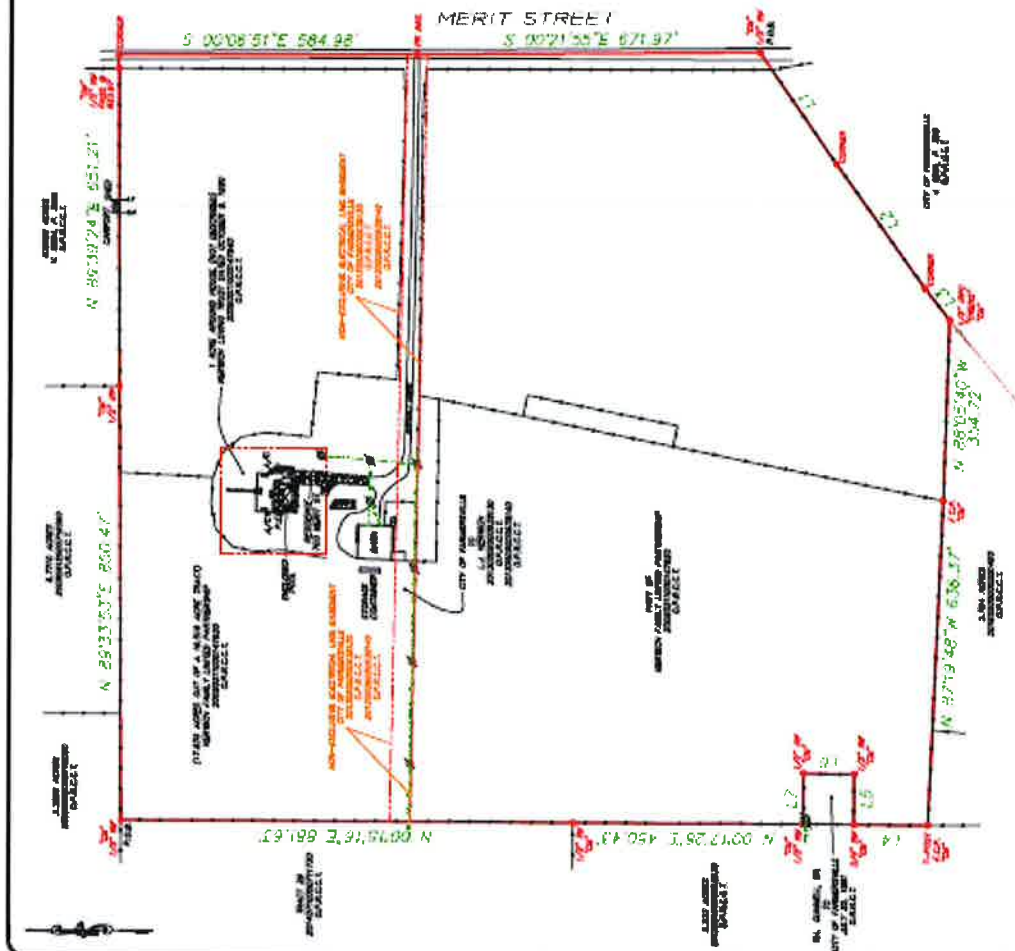
THENCE S. 89 deg. 19 min. 11 sec. E. along a fence line, a distance of 98.54 feet to a 1/2" iron rod found for corner at the Southeast corner of said City of Farmersville tract;

THENCE N. 01 deg. 07 min. 38 sec. E. along a fence line, a distance of 100.18 feet to a 1/2" iron rod found for corner at the Northeast corner of said City of Farmersville tract;

THENCE N. 89 deg. 19 min. 11 sec. W. along a fence line, a distance of 100.00 feet to a 1/2" iron rod found for corner at the Northwest corner of said City of Farmersville tract and being in the East line of said 2.233 acre tract;

THENCE N. 00 deg. 17 min. 26 sec. E. with the East line of said 2.233 acre tract and along a fence line, a distance of 450.43 feet to a 1/2" iron rod found for corner at a fence corner post at the Northeast corner of said 2.233 acre tract;

THENCE N. 00 deg. 15 min. 16 sec. E. along a fence line and with the West line of said Tract 2, Tract 4 and Tract 1, a distance of 881.63 feet to the POINT OF BEGINNING and containing 53.274 acres of land more or less.



Colony	Booster drug	Elimination
1.1	25 mg/kg, 100 mg/kg	2.84, 2.52
1.2	50 mg/kg, 100 mg/kg	3.22, 2.52
1.3	50 mg/kg, 100 mg/kg	3.3, 3.06
1.4	50 mg/kg, 100 mg/kg	3.44, 3.1
1.5	50 mg/kg, 100 mg/kg	3.6, 3.4
1.6	50 mg/kg, 100 mg/kg	3.62, 3.4
1.7	50 mg/kg, 100 mg/kg	3.93, 3.5
1.8	50 mg/kg, 100 mg/kg	4.0, 3.5

[illegible]

Ordinance #2022-0524-001  
(PD-Planned Development District (PD-2022-0524-001-SF-3))



Agenda Section	Public Hearing
Section Number	VII.B
Subject	Annexation and Zoning
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Ordinance and Service Plan
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

**CITY OF FARMERSVILLE  
ORDINANCE #O-2022-0524-002**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, ANNEXING UPON THE PETITION OF THE PROPERTY OWNERS CERTAIN ADJACENT AND CONTIGUOUS TERRITORY, AS HEREINAFTER DESCRIBED, CONTAINING APPROXIMATELY 8.153 ACRES OF LAND, MORE OR LESS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY NOW IN EFFECT AND TO BE HEREAFTER ADOPTED; ADOPTING A SERVICE PLAN; FURTHER PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED; PROVIDING THAT THE CITY MANAGER UNDERTAKE CERTAIN ACTIONS RELATIVE TO SAID ANNEXATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE.**

**WHEREAS**, the City of Farmersville, Texas has received a petition seeking annexation of a certain tract of land (identified below) that has been duly signed and acknowledged by each owner of the land proposed to be annexed; and

**WHEREAS**, the City accepted the Petition pursuant to Chapter 43 of the Texas Local Government Code and has instituted annexation proceedings to annex the territory covered by such petition for annexation; and

**WHEREAS**, the City published notice of the required public hearing on said annexation in a newspaper of general circulation in the City and in the territory proposed to be annexed not more than twenty (20) days nor less than ten (10) days prior to the day of such public hearing and held the public hearing in accordance with Chapter 43 of the Texas Local Government Code; and

**WHEREAS**, the public hearing was conducted and held in accordance with Chapter 43 of the Texas Local Government Code; and

**WHEREAS**, all required statutory notices pursuant to the Chapter 43 of the Texas Local Government Code have been accomplished; and

**WHEREAS**, in accordance with Chapter 43 of the Texas Local Government Code, an agreement regarding the provision of services to the land, attached hereto as Exhibit "B" and incorporated herein for all purposes, was negotiated with the owners of the subject land detailing the services that will be provided by the City; and

**WHEREAS**, the tract of land proposed to be annexed is adjacent to and adjoins or abuts properties within the City of Farmersville, Texas.

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

**SECTION 1:** All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2:** The following described land shall be and is hereby annexed into the corporate limits of the City of Farmersville, Collin County, Texas:

An approximately 8.153-acre tract of land located on the northeast quadrant of U.S. Highway 380 and County Road 653, Collin County, Texas, and being situated in the William Hemphill Survey, Abstract No. A 0448, Sheet 3 Tract 20, Collin County, Texas, and as further described in Exhibit "A" attached hereto and incorporated herein for all purposes allowed by law.

**SECTION 3:** The municipal services for the herein annexed land will be provided in accordance with the Agreement, attached hereto as Exhibit "B" and incorporated herein by reference for all purposes in accordance with Chapter 43 of the Texas Local Government Code, that is hereby approved as part of this Ordinance, and is made a part hereof.

**SECTION 4:** The land described in Exhibit "A" shall bear its pro rata share of the taxes levied by the City, and the inhabitants of the land herein annexed shall be entitled to all of the rights, privileges, and responsibilities of other citizens of the City and are hereby bound by all acts, ordinances and all other legal action of the City now in full force and effect and all those which may be hereafter adopted.

**SECTION 5:** The official map and boundaries of the City heretofore adopted and amended shall be and are hereby amended so as to include the land described in Exhibit "A" as part of the City.

**SECTION 6:** The City Manager is hereby directed and authorized to perform or cause to be performed all acts necessary to effectuate this Ordinance including, but not limited to, making any corrections to the official map of the City to add the land hereby annexed as required by law.

**SECTION 7:** The City Manager is hereby directed and authorized to file or cause to be filed a certified copy of this Ordinance with the necessary governmental agencies, including the United States Department of Justice.

**SECTION 8:** If any section, subsection, sentence, phrase, or word be found to be illegal, invalid or unconstitutional, or if any portion of said properties is incapable of being annexed by the City of Farmersville, Texas, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or

provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision to any other person or portion of said properties, situation or circumstance, nor shall the adjudication affect any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City of Farmersville, Texas. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid properties without the invalid part and invalid properties and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 9:** This Ordinance shall take effect and be in full force from and after its passage, as provided by the laws of the State of Texas.

**PASSED** on first and only reading on the 24<sup>th</sup> day of May 2022, at a properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS 24<sup>th</sup> DAY OF MAY 2022**

BY: \_\_\_\_\_  
BRYON WEIBOLD  
Mayor

**ATTEST:**

\_\_\_\_\_  
TABATHA MONK  
City Secretary

**EXHIBIT "A"**

***LEGAL DESCRIPTION***



**REQUEST FOR ANNEXATION**

TO THE MAYOR AND CITY COUNCIL OF FARMERSVILLE, TEXAS:

I, Thomas Dodge, in my capacity as President of the Thomas Dodge Company and represent the owner of the hereinafter described tract of land (the "Property"), which Property is vacant and without residents, or on which Property fewer than three qualified voters reside, hereby requests that the City of Farmersville, Texas annex the Property into the City's corporate limits so as to include as part of the City of Farmersville, Texas, the following described Property, to wit:

A tract of land situated within the ABS A0448 WILLIAM HEMPHILL SURVEY, SHEET 3, TRACT 20, 8.153 ACRES, in Geographic ID R-6448-003-0200-1, Collin County, Texas and being the same tract of land Conveyed to The Thomas Dodge Company by a deed filed for record at Collin County Clerk's Document No. 2012-0175150 in the Deed Records of Collin County, Texas and said tract of land being more particularly described by metes and bounds as follows:

"BEGINNING at a 5/8" iron rod with cap stamped "Jones Carter" set for the southwest corner of said 8.153 acre tract and the north right-of-way line of U. S. Highway No. 380, and the center of County Road No. 653;

THENCE North 01 Degrees 07 Minutes 25 Seconds East, along the center of County Road No. 653, a distance of 862.63 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

THENCE departing the center of County Road No. 653, over and across said 8.153 acre tract and the, the following courses:

---

South 84 Degrees 10 Minutes 05 Seconds East, a distance of 26.41 feet to a 5/8" iron rod with cap stamped "Jones Carter" set at the beginning of a non-tangent curve to the left;

Southeasterly, along said non-tangent curve to the left having a central angle of 30 Degrees 52 Minutes 30 Seconds, a radius of 806.78 feet, an arc distance of 434.75 feet and a chord bearing and distance South 34 Degrees 26 Minutes 43 Seconds East, 429.51 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

South 49 Degrees 52 Minutes 58 Seconds East, a distance of 405.94 feet to 5/8" iron rod with cap stamped "Jones Carter" set at the beginning of a tangent curve to the left;

Southeasterly, along said tangent curve to the left having a central angle of 12 Degrees 03 Minutes 23 Seconds, a radius of 806.78 feet, an arc distance of 169.77 feet and a chord bearing and distance of South 55 Degrees 54 Minutes 39 Seconds East, 169.45 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

South 04 Degrees 53 Minutes 51 Seconds East, a distance of 181.30 feet to a 5/8" iron rod with cap stamped "Jones Carter" set in the north line of said U. S. Highway No. 380;

---

Thomas Dodge Company  
PO Box 601796 Dallas, TX 75360

---

THENCE along the south line of said 103.534 acre tract and the north line of said U. S. Highway No. 380, the following courses:

South 80 Degrees 41 Minutes 54 Seconds West, a distance of 29.98 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

North 89 Degrees 29 Minutes 25 Seconds West, a distance of 672.01 feet to a TxDOT aluminum disc found for corner;

North 44 Degrees 19 Minutes 25 Seconds West, a distance of 42.30 feet to a TxDOT aluminum disc found for corner;

North 89 Degrees 29 Minutes 25 Seconds West, a distance of 20.00 feet to the POINT OF BEGINNING and containing 355,138 square feet or 8.153 acres of land more or less."

I hereby certify that the Property is contiguous and adjacent to the City of Farmersville, Texas, and that this Request for Annexation is signed and duly acknowledged by each and every person having an interest in said land.

BY:

Thomas F. Dodge

NAME:

Thomas F Dodge

TITLE:

President

DATE:

3/16/22

Thomas Dodge Company  
PO Box 601796 Dallas, TX 75360

**EXHIBIT "B"**

**ANNEXATION SERVICE AGREEMENT**

*(Consisting of the following 8 pages.)*

AFTER RECORDING, RETURN TO:

City Manager  
City of Farmersville  
205 S. Main Street  
Farmersville, Texas 75442

**ANNEXATION SERVICE AGREEMENT BY AND BETWEEN THE CITY OF  
FARMERSVILLE, TEXAS AND THOMAS DODGE COMPANY**

This Annexation Service Agreement ("Service Agreement") is made and entered into pursuant to Texas Local Government Code § 43.0672 as of this \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the CITY OF FARMERSVILLE, TEXAS, ("City") and THOMAS DODGE COMPANY, a Texas corporation, (hereinafter referred to as "Owner") on the terms and conditions hereinafter set forth. The City and Owner may hereafter be referred to collectively as the "Parties" or individually as a "Party" from time to time.

**WHEREAS**, Owner has submitted a petition for the annexation of the 8.153 acre tract of land, described in Exhibit "A", (the "Annexed Area") that has been accepted by City; and

**WHEREAS**, Texas Local Government Code § 43.0672 now requires the Owner of land that petitions for annexation into a city and the City to enter into an agreement that details the manner in which municipal services will be provided to such land upon its annexation;

**NOW, THEREFORE**, in consideration of the mutual benefits and premises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Owner agree as follows:

1. **Findings Incorporated.** All of the above premises are found to be true and correct and are incorporated into the body of this Service Agreement as if copied in their entirety.
2. **Agreed Service Plan for Providing Municipal Services.** Municipal services will be provided to the Annexed Area, by the City in accordance with the following provisions and Texas Local Government Code § 43.065.

A. **Police Protection.**

1. Police personnel and equipment from the Farmersville Police Department will be provided to the Annexed Area on the effective date of this ordinance.
2. Police protection services will be provided at a level of services equal to current services available in the City, or equal to the level of

services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever is applicable.

B. Fire Protection.

1. Fire protection and Emergency Medical Services (EMS) from the Farmersville Volunteer Fire Department will be provided to the Annexed Area on the effective date of this ordinance.

2. Fire protection services will be provided at a level of services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever is applicable.

C. Fire Prevention.

The services of the Collin County Fire Marshal, pursuant to a contract with the City, will be provided to the Annexed Area upon the effective date of this ordinance.

D. Solid Waste Collection.

1. Solid waste collection will be provided to the Annexed Area upon the effective date of this ordinance. However, for the first two years following annexation, a person in the area who used the services of a privately-owned solid waste management service provider prior to the effective date of the annexation may continue to utilize the services of privately-owned solid waste providers in accordance with Texas Local Government Code § 43.0661 rather than immediately converting to the City's provider.

2. Solid waste collection services will be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

3. The collection of refuse from individual properties will be made in accordance with the usual Sanitation Department scheduling.

E. Water Service.

1. For portions of the Annexed Area within the City's legally certificated area (CCN), the City will provide water services to this

Annexed Area by any of the methods by which it extends the services to any other area of the municipality. For portions of the Annexed Area within the City's legally certificated area (CCN), water services will be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

2. When new development occurs, the City of Farmersville requires a developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include the construction of off-site improvements.

3. The responsibility for construction of the infrastructure by a developer is described in the City's Subdivision Regulations.

4. For portions of the annexed area within the City's legally certificated area (CCN), the City will allow the provision of extensions of water facilities to the Annexed Area on the effective date of this ordinance. Such extensions shall be in accordance with the Farmersville Code and the City's Design Standards, and as amended.

5. Connection to existing city water mains for water service will be provided in accordance with existing City Policies. Upon connection to existing mains, water will be provided at rates established by City Ordinance.

6. Water mains installed or improved to City standards within the Annexed Area which are part of the City of Farmersville water system and are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, will be maintained by the City upon the effective date of this ordinance.

7. Maintenance of private lines shall continue to be the responsibility of the owner or occupant of property situated within the Annexed Area.

8. Where other water districts provide water service, any development that occurs will still meet the City of Farmersville standards for the sizing and construction of utilities.

9. For portions of the Annexed Area which are not solely within the City's legally certificated area (CCN), water services shall continue to be provided in the same manner that is described in an approved Judgment, Agreement, Decree or other legal document as of the effective date of this ordinance and as it may thereafter be adopted or amended.

F. Sanitary Sewer Service.

1. The City will provide sewer services to the Annexed Area by any of the methods by which it extends the services to any other area of the municipality. Upon annexation, sanitary sewer services will be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.
2. When new development occurs, the City of Farmersville requires a developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include the construction of off-site improvements.
3. The responsibility for construction of the infrastructure by a developer is described in the City's Subdivision Regulations.
4. The City will allow the provision of extensions of sanitary sewer facilities to the Annexed Area upon the effective date of this ordinance. Such extensions shall be in accordance with the Farmersville Code and the City's Design Standards, and as amended.
5. Connection to existing city sanitary sewer mains for sewage service will be provided in accordance with existing City Policies. Upon connection to existing mains, sanitary sewer collection will be provided at rates established by City Ordinances.
6. Sanitary sewer mains and lift stations installed or improved to City Standards within the Annexed Area which are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, will be maintained by the City of Farmersville upon the effective date of this ordinance.

G. Streets.

1. Emergency street maintenance will be provided for publicly dedicated streets or roads within the Annexed Area upon the effective date of this ordinance. Routine maintenance will be scheduled as part of the City's annual street maintenance program in accordance with the then current policies and procedures defined by ordinance.
2. Street services will be provided at a level of services at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and

population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

H. Parks and Recreation.

1. The City of Farmersville will provide parks and recreation services to the Annexed Area by any of the methods by which it extends the services to any other area of the municipality. For new development, the City requires developers to construct hike/bike trails in keeping with the Parks Master Plan. Additionally, new developments must still satisfy the parkland dedication requirements that call for the dedication of land or the payment of fees in lieu of land for park uses.

2. Residents within the Annexed Area may utilize all existing park and recreation facilities upon the effective date of this Ordinance. Fees for such usage shall be in accordance with current fees established by ordinance.

3. Additional park and recreation facilities will be constructed based on Park policies defined in the City's Comprehensive Plan, as amended, and the Farmersville Code. The general planned locations and classifications of parks will ultimately serve residents from the current city limits and residents from areas being considered for annexation.

I. Environmental Health and Code Enforcement Services.

1. Enforcement of current environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicles ordinances and animal control ordinances, will begin within the Annexed Area upon the effective date of this annexation ordinance.

2. Inspection services, including but not limited to, the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical, and electrical work to ensure compliance with City Codes and Ordinances will be provided within the Annexed Area upon the effective date of this ordinance.

3. The City will provide the level of Environmental Health and Code Enforcement Services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.



J. Planning and Zoning.

The Annexed Area shall be zoned in conjunction with the annexation pursuant to the City's Comprehensive Zoning Ordinance (Chapter 77 of the Farmersville Code, as amended). The Future Land Use Plan and Future Land Use Plan Modules Diagram contained within the Comprehensive Plan, as amended, will serve as a guide for consideration of future (re)zoning requests.

K. Miscellaneous.

Any city owned facility, building, or service located within the Annexed Area will be operated and maintained by the City upon the effective date of the annexation ordinance.

L. Capital Improvements Program.

The Annexed Area is eligible for Capital Improvement Program consideration upon the effective date of the annexation ordinance.

M. Other Municipal Services.

Other municipal services not specifically listed in Sections A-L shall be provided to the Annexed Area no later than two and one-half years after the effective date of the annexation, unless certain services cannot reasonably be provided within two and one-half years. In that case, the City shall propose a schedule for providing certain services, and the schedule shall provide for the provision of full municipal services no later than four and one-half years after the effective date of the annexation ordinance.

3. **Term and Renewal.** This Service Agreement is valid for ten years. Renewal of the Service Agreement is at the discretion of the City of Farmersville.

4. **Level of Services.** This Service Agreement does not require a uniform level of full municipal services to each area of the City, including the Annexed Area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

5. **Amendments.** This Service Agreement shall not be amended unless public hearings are held in accordance with Texas Local Government Code, § 43.052.

6. **Entire Agreement.** This Service Agreement contains the entire agreement of the parties with respect to the matters contained herein and may not be modified or terminated except upon the mutual written agreement of the parties hereto save and except for the termination rights set forth herein.

7. **Venue.** This Service Agreement shall be construed in accordance with the laws of the State of Texas and shall be performable in Collin County, Texas. Exclusive venue shall be in Collin County, Texas.

8. **Binding Effect.** This Service Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.

9. **Savings/Severability.** In case any one or more of the provisions contained in this Service Agreement shall for any reason be held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Service Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

10. **Construction.** This Service Agreement shall be construed fairly and simply, and not strictly for or against any party. Headings used throughout this Service Agreement are for convenience and reference only, and the words contained therein shall in no way be interpreted or held to explain, restrict, modify, amplify or aid in the interpretation or construction of the meaning of the provisions of this Service Agreement.

11. **Multiple Counterparts.** This Service Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, the parties have executed this Service Agreement and caused this Service Agreement to be effective on the latest date as reflected by the signatures below.

***CITY OF FARMERSVILLE***

By: \_\_\_\_\_  
BRYON WEIBOLD  
Mayor

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
TABATHA MONK  
City Secretary

THE STATE OF TEXAS           §  
COUNTY OF COLLIN           §

BEFORE ME, the undersigned authority, in and for said County, Texas, on this day personally appeared BRYON WEIBOLD, Mayor of the **CITY OF FARMERSVILLE**, a Texas Municipal Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he has executed the same on City's behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_  
DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County, Texas  
My commission expires \_\_\_\_\_

**THOMAS DODGE COMPANY**, a Texas  
corporation

By: \_\_\_\_\_  
THOMAS DODGE  
President and Director

Date Signed: \_\_\_\_\_

THE STATE OF TEXAS           §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this day by THOMAS DODGE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he is the President and Director of **THOMAS DODGE COMPANY**, a Texas corporation and that he executed the same on behalf of **THOMAS DODGE COMPANY** for the purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_  
DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County, Texas  
My commission expires \_\_\_\_\_

**CITY OF FARMERSVILLE  
ORDINANCE #2022-0524-003**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. O-2018-0508-001, AS AMENDED, SO THAT AN APPROXIMATELY 8.153 ACRES OF LAND LOCATED ON THE NORTHEAST QUADRANT OF U.S. HIGHWAY 380 AND COUNTY ROAD 653, COLLIN COUNTY, TEXAS, AND BEING SITUATED IN THE WILLIAM HEMPHILL SURVEY, ABSTRACT NO. A 0448, SHEET 3 TRACT 20, COLLIN COUNTY, TEXAS, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, IS ZONED TO LI – LIGHT INDUSTRIAL 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.**

**WHEREAS**, after public notice and public hearing as required by law, the Planning and Zoning Commission of the City of Farmersville, Texas, (the "Planning and Zoning Commission") has recommended a change in zoning classification of the property described herein and has recommended amending the official zoning map of the City of Farmersville, Texas, regarding the rezoning of the property hereinafter described; and

**WHEREAS**, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the City Council of the City of Farmersville (the "City Council"); and

**WHEREAS**, the City Council after public notice and public hearing as required by law and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission and of all testimony and information submitted during said public hearings, has determined that in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, the zoning of the property described herein shall be established and that the official zoning map of the City of Farmersville, Texas, should be amended to reflect the zoning of the property herein described;

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

**SECTION 1. FINDINGS INCORPORATED**

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

## **SECTION 2. PROPERTY ZONED**

From and after the effective date of this Ordinance, the property described herein shall be zoned as set forth in this section, and the Official Zoning Map of the Comprehensive Zoning Ordinance, Ordinance No. O-2018-0508-001, as amended, of the City of Farmersville, Texas, is hereby amended and changed in the following particulars to reflect the action taken herein, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases, and words of the City's Zoning Ordinance are not amended but shall remain intact and are hereby ratified, verified, and affirmed, in order to create a change in the zoning classification of the property described herein, as follows:

That certain tract of land containing approximately 8.153 acres of land located on the northeast quadrant of U.S. Highway 380 and County Road 653, Collin County, Texas, and being situated in the William Hemphill Survey, Abstract No. A 0448, Sheet 3 Tract 20, Collin County, Texas, and more fully described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes allowed by law (the "Property") is hereby zoned to LI – Light Industrial District Uses in accordance with the specific requirements contained in the City's Master Plan and Zoning Ordinance.

## **SECTION 3. OFFICIAL ZONING MAP TO BE MODIFIED**

It is directed that the official zoning map of the City of Farmersville be changed according to its legend to reflect the zoning classification established by this Ordinance.

## **SECTION 4: REPEALER**

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

## **SECTION 5: SEVERABILITY**

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

## **SECTION 6: PENALTIES FOR VIOLATION**

Any person, firm, corporation, or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this

Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Farmersville from filing suit to enjoin the violation. The City of Farmersville retains all legal rights and remedies available to it pursuant to local, state, and federal law.

#### **SECTION 7: INJUNCTIVE RELIEF**

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

#### **SECTION 8: PUBLICATION**

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

#### **SECTION 9: ENGROSSMENT AND ENROLLMENT**

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

#### **SECTION 10: SAVINGS**

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

#### **SECTION 11: EFFECTIVE DATE**

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

**APPROVED THIS 24<sup>th</sup> DAY OF MAY 2022.**

**APPROVED:**

BY: \_\_\_\_\_  
BRYON WIEBOLD  
Mayor

**ATTEST:**

---

TABATHA MONK  
City Secretary

## Exhibit "A"

### *Description of Property*

#### REQUEST FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF FARMERSVILLE, TEXAS:

I, Thomas Dodge, in my capacity as President of the Thomas Dodge Company and represent the owner of the hereinafter described tract of land (the "Property"), which Property is vacant and without residents, or on which Property fewer than three qualified voters reside, hereby requests that the City of Farmersville, Texas annex the Property into the City's corporate limits so as to include as part of the City of Farmersville, Texas, the following described Property, to wit:

A tract of land situated within the ABS A0448 WILLIAM MEMPHILL SURVEY, SHEET 3, TRACT 20, 8.153 ACRES, in Geographic ID R-6448-003-0200-1, Collin County, Texas and being the same tract of land Conveyed to The Thomas Dodge Company by a deed filed for record at Collin County Clerk's Document No. 2012-0175150 in the Deed Records of Collin County, Texas and said tract of land being more particularly described by metes and bounds as follows:

"BEGINNING at a 5/8" iron rod with cap stamped "Jones Carter" set for the southwest corner of said 8.153 acre tract and the north right-of-way line of U. S. Highway No. 380, and the center of County Road No. 653;

THENCE North 01 Degrees 02 Minutes 25 Seconds East, along the center of County Road No. 653, a distance of 862.63 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

THENCE departing the center of County Road No. 653, over and across said 8.153 acre tract and the, the following courses:

---

South 84 Degrees 10 Minutes 05 Seconds East, a distance of 26.41 feet to a 5/8" iron rod with cap stamped "Jones Carter" set at the beginning of a non-tangent curve to the left;

Southeasterly, along said non-tangent curve to the left having a central angle of 30 Degrees 52 Minutes 30 Seconds, a radius of 806.78 feet, an arc distance of 434.75 feet and a chord bearing and distance South 34 Degrees 26 Minutes 43 Seconds East, 429.51 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

South 49 Degrees 52 Minutes 58 Seconds East, a distance of 405.94 feet to 5/8" iron rod with cap stamped "Jones Carter" set at the beginning of a tangent curve to the left;

Southeasterly, along said tangent curve to the left having a central angle of 12 Degrees 03 Minutes 23 Seconds, a radius of 806.78 feet, an arc distance of 169.77 feet and a chord bearing and distance of South 55 Degrees 54 Minutes 39 Seconds East, 169.45 feet to a 5/8" iron rod with cap stamped "Jones Carter" set for corner;

South 04 Degrees 53 Minutes 51 Seconds East, a distance of 181.30 feet to a 5/8" iron rod with cap stamped "Jones Carter" set in the north line of said U. S. Highway No. 380;

---

Thomas Dodge Company  
PO Box 601796 Dallas, TX 75360

---



THENCE along the south line of said 103.534 acre tract and the north line of said U. S. Highway No. 380, the following courses:

South 80 Degrees 41 Minutes 54 Seconds West, a distance of 29.98 feet to a 3/8" iron rod with cap stamped "Jones Carter" set for corner;

North 89 Degrees 29 Minutes 25 Seconds West, a distance of 672.01 feet to a TxDOT aluminum disc found for corner;

North 44 Degrees 19 Minutes 25 Seconds West, a distance of 42.30 feet to a TxDOT aluminum disc found for corner;

North 89 Degrees 29 Minutes 25 Seconds West, a distance of 20.00 feet to the POINT OF BEGINNING and containing 355,138 square feet or 8.153 acres of land more or less."

I hereby certify that the Property is contiguous and adjacent to the City of Farmersville, Texas, and that this Request for Annexation is signed and duly acknowledged by each and every person having an interest in said land.

BY:



NAME:

Thomas F Dodge

TITLE:

President

DATE:

3/16/22

Thomas Dodge Company  
PO Box 601796 Dallas, TX 75360

Agenda Section	Public Hearing
Section Number	VII.C
Subject	Annexation and Zoning
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Ordinance and Service Plan
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

**CITY OF FARMERSVILLE  
ORDINANCE #O-2022-0524-004**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, ANNEXING UPON THE PETITION OF THE PROPERTY OWNERS CERTAIN ADJACENT AND CONTIGUOUS TERRITORY, AS HEREINAFTER DESCRIBED, CONTAINING APPROXIMATELY 26.0183 ACRES OF LAND, MORE OR LESS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY NOW IN EFFECT AND TO BE HEREAFTER ADOPTED; ADOPTING A SERVICE PLAN; FURTHER PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED; PROVIDING THAT THE CITY MANAGER UNDERTAKE CERTAIN ACTIONS RELATIVE TO SAID ANNEXATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE.**

**WHEREAS**, the City of Farmersville, Texas has received a petition seeking annexation of a certain tract of land (identified below) that has been duly signed and acknowledged by each owner of the land proposed to be annexed; and

**WHEREAS**, the City accepted the Petition pursuant to Chapter 43 of the Texas Local Government Code and has instituted annexation proceedings to annex the territory covered by such petition for annexation; and

**WHEREAS**, the City published notice of the required public hearing on said annexation in a newspaper of general circulation in the City and in the territory proposed to be annexed not more than twenty (20) days nor less than ten (10) days prior to the day of such public hearing and held the public hearing in accordance with Chapter 43 of the Texas Local Government Code; and

**WHEREAS**, the public hearing was conducted and held in accordance with Chapter 43 of the Texas Local Government Code; and

**WHEREAS**, all required statutory notices pursuant to the Chapter 43 of the Texas Local Government Code have been accomplished; and

**WHEREAS**, in accordance with Chapter 43 of the Texas Local Government Code, an agreement regarding the provision of services to the land, attached hereto as Exhibit "B" and incorporated herein for all purposes, was negotiated with the owners of the subject land detailing the services that will be provided by the City; and

**WHEREAS**, the tract of land proposed to be annexed is adjacent to and adjoins or abuts properties within the City of Farmersville, Texas.

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

**SECTION 1:** All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2:** The following described land shall be and is hereby annexed into the corporate limits of the City of Farmersville, Collin County, Texas:

An approximately 26.0183-acre tract of land located in an area west of State Highway 78 and north of County Road 550, Collin County, Texas, and situated within the Elijah B. Reed Survey, Abstract No. 739, Collin County, Texas, and as further described in Exhibit "A" attached hereto and incorporated herein for all purposes allowed by law.

**SECTION 3:** The municipal services for the herein annexed land will be provided in accordance with the Agreement, attached hereto as Exhibit "B" and incorporated herein by reference for all purposes in accordance with Chapter 43 of the Texas Local Government Code, that is hereby approved as part of this Ordinance, and is made a part hereof.

**SECTION 4:** The land described in Exhibit "A" shall bear its pro rata share of the taxes levied by the City, and the inhabitants of the land herein annexed shall be entitled to all of the rights, privileges, and responsibilities of other citizens of the City and are hereby bound by all acts, ordinances and all other legal action of the City now in full force and effect and all those which may be hereafter adopted.

**SECTION 5:** The official map and boundaries of the City heretofore adopted and amended shall be and are hereby amended so as to include the land described in Exhibit "A" as part of the City.

**SECTION 6:** The City Manager is hereby directed and authorized to perform or cause to be performed all acts necessary to effectuate this Ordinance including, but not limited to, making any corrections to the official map of the City to add the land hereby annexed as required by law.

**SECTION 7:** The City Manager is hereby directed and authorized to file or cause to be filed a certified copy of this Ordinance with the necessary governmental agencies, including the United States Department of Justice.

**SECTION 8:** If any section, subsection, sentence, phrase, or word be found to be illegal, invalid or unconstitutional, or if any portion of said properties is incapable of being annexed by the City of Farmersville, Texas, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase,

word, paragraph or provision to any other person or portion of said properties, situation or circumstance, nor shall the adjudication affect any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City of Farmersville, Texas. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid properties without the invalid part and invalid properties and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 9:** This Ordinance shall take effect and be in full force from and after its passage, as provided by the laws of the State of Texas.

**PASSED** on first and only reading on the 24<sup>th</sup> day of May 2022, at a properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS 24<sup>th</sup> DAY OF MAY 2022**

BY: \_\_\_\_\_  
BRYON WEIBOLD  
Mayor

**ATTEST:**

\_\_\_\_\_  
TABATHA MONK  
City Secretary

**EXHIBIT "A"**

***LEGAL DESCRIPTION***

# REQUEST FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF FARMERSVILLE, TEXAS:

I, Casey Moran in my capacity as an Owner of PCRE LLC represent the owners of the hereinafter described tract of land (the "Property"), which Property is vacant and without residents, or on which Property fewer than three qualified voters reside, hereby requests the City of Farmersville, Texas annex the Property into the City's corporate limits so as to include as part of the City of Farmersville, Texas, the following described Property, to wit:

Being a tract of land situated in the Elijah B. Reed Survey, Abstract No. 739, in the City of Farmersville, Collin County, Texas, being part of a called 9.99 acre tract of land tract of land described in a deed to Frank H. Moore, Jr., as recorded in Clerk's File No. 97-0043989, in the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being part of a called 33.183 acre tract of land described in deed to Frank H. Moore, Jr., as recorded in Instrument No. 20031007002016290, O.P.R.C.C.T., said tract being more particularly described as follows: BEGINNING at a 1-inch iron pipe (controlling monument) found at the northernmost northeast corner of said Moore 33.183 acre tract and the northwest corner of a tract of land described in deed to Charles W. Stepan and wife, Sarah J. Stepan, as recorded in Volume 938, Page 766, of the Deed Records of Collin County, Texas (D.R.C.C.T.), being in the south line of a tract of land described in deed to BHMM Group Family Partnership, Ltd., as recorded in Instrument No.20190828001055580, O.P.R.C.C.T.; THENCE South 00 degrees 39 minutes 42 seconds West, departing the south line of said BHMM Group Family Partnership tract, with an east line of said Moore 33.183 acre tract and a west line of said

Stepan tract, a distance of 186.00 feet to a 1/2-inch iron rod found at an interior corner of

said Moore 33.183 acre tract and the southwest corner said Stepan tract, being the point of curvature of a non-tangent curve to the right, having a radius of 290.00 feet and a chord that bears South 43 degrees 07 minutes 32 seconds East, a distance of 410.49 feet; THENCE with said curve to the right, through a central angle of 90 degrees 06 minutes 10 seconds and an arc distance of 456.05 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set; THENCE South 01 degree 55 minutes 33 seconds West, at a distance of 79.47 feet passing the south line of said Moore 33.183 acre tract and the north line of said Moore 9.99 acre tract, continuing a total distance of 762.32 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the southeast line of said Moore 9.99 acre tract and the northwest line of a tract of land described in deed to the United States of America (USA) as recorded in Volume 756, Page 379, D.R.C.C.T., also being in the northwest line of County Road 550 (C.R. 550) (by use and occupation); THENCE South 56 degrees 49 minutes 03 seconds West, with the southeast line of said Moore 9.99 acre tract, the northwest line of said USA tract and said C.R. 550, a distance of 97.79 feet to a 1/2-Inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Moore 9.99 acre tract and the southeast corner of a tract of land described as Tract 1 in a deed to Meritage Homes of Texas, LLC and GRBK Edgewood LLC, as recorded in Instrument No. 20210602001110090, O.P.R.C.C.T., from which, a 5/8-inch iron rod with cap bears North 82 degrees 00 minutes 04 seconds East – 2.98 feet; THENCE North 01 degree 55 minutes 33 seconds East, with the west line of said 9.99 acre tract and the east line of said Tract 1, a distance of 735.57 feet a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northwest corner of said Moore 9.99 acre tract and an interior corner of said Tract 1, being in the south line of said Moore 33.183 acre tract,; THENCE South 89 degrees 24 minutes 05 seconds West, with the south line of said Moore 33.183 acre tract and a north line of said Tract 1, a distance of 146.07 feet a 1/2-inch iron rod with red cap stamped "PJB



SURVEYING" set; THENCE South 87 degrees 48 minutes 35 seconds West, continuing with the south line of said Moore 33.183 acre tract and a north line of said Tract 1, a distance of 1,751.04 feet to a 1/2-inch

iron rod found at the southwest corner of said Moore 33.183 acre tract and an interior corner of said Tract 1; THENCE North 00 degrees 32 minutes 03 seconds East, with the west line of said Moore 33.183 acre tract and an east line of said Tract 1, a distance of 596.17 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northwest corner of said Moore 33.183 acres and the southwest corner of said BHMM Group Family Partnership tract ; THENCE North 88 degrees 42 minutes 38 seconds East, departing an east line of said Tract 1, with the north line of Moore 33.183 acre tract and the south line of said BHMM Group Family Partnership tract, a distance of 1,694.98 feet to the POINT OF BEGINNING and containing 26.0183 acres of land.

I hereby certify that the Property is contiguous and adjacent to the City of Farmersville, Texas, and that this Request for Annexation is signed and duly acknowledged by each person having an interest in said land.

By:



Name:

Casey Morgan

Title:

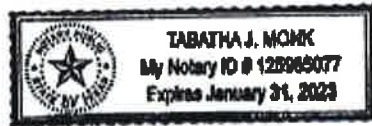
Vice President

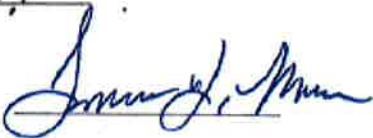
3

THE STATE OF TEXAS  
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared Casey Moma  
in his capacity as Vice President of PCRE, a \_\_\_\_\_, known to me to be  
the person whose name is subscribed to the foregoing instrument and acknowledge to me that  
he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this 6 day of April.





Notary Public in and for  
Collin County, Texas.

**EXHIBIT "B"**

**ANNEXATION SERVICE AGREEMENT**

*(Consisting of the following 8 pages.)*

**AFTER RECORDING, RETURN TO:**

City Manager  
City of Farmersville  
205 S. Main Street  
Farmersville, Texas 75442

**ANNEXATION SERVICE AGREEMENT BY AND BETWEEN THE CITY OF  
FARMERSVILLE, TEXAS AND PCRE, LLC**

This Annexation Service Agreement ("Service Agreement") is made and entered into pursuant to Texas Local Government Code § 43.0672 as of this \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the CITY OF FARMERSVILLE, TEXAS, ("City") and PCRE, LLC, a Texas limited liability company, (hereinafter referred to as "Owner") on the terms and conditions hereinafter set forth. The City and Owner may hereafter be referred to collectively as the "Parties" or individually as a "Party" from time to time.

**WHEREAS**, Owner has submitted a petition for the annexation of the 26.0183-acre tract of land, described in Exhibit "A", (the "Annexed Area") that has been accepted by City; and

**WHEREAS**, Texas Local Government Code § 43.0672 now requires the Owner of land that petitions for annexation into a city and the City to enter into an agreement that details the manner in which municipal services will be provided to such land upon its annexation.

**NOW, THEREFORE**, in consideration of the mutual benefits and premises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Owner agree as follows:

1. **Findings Incorporated.** All of the above premises are found to be true and correct and are incorporated into the body of this Service Agreement as if copied in their entirety.
2. **Agreed Service Plan for Providing Municipal Services.** Municipal services will be provided to the Annexed Area, by the City in accordance with the following provisions and Texas Local Government Code § 43.065.

A. **Police Protection.**

1. Police personnel and equipment from the Farmersville Police Department will be provided to the Annexed Area on the effective date of this ordinance.
2. Police protection services will be provided at a level of services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and

population density similar to those contemplated or projected in the Annexed Area, whichever is applicable.

B. Fire Protection.

1. Fire protection and Emergency Medical Services (EMS) from the Farmersville Volunteer Fire Department will be provided to the Annexed Area on the effective date of this ordinance.

2. Fire protection services will be provided at a level of services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever is applicable.

C. Fire Prevention.

The services of the Collin County Fire Marshal, pursuant to a contract with the City, will be provided to the Annexed Area upon the effective date of this ordinance.

D. Solid Waste Collection.

1. Solid waste collection will be provided to the Annexed Area upon the effective date of this ordinance. However, for the first two years following annexation, a person in the area who used the services of a privately-owned solid waste management service provider prior to the effective date of the annexation may continue to utilize the services of privately-owned solid waste providers in accordance with Texas Local Government Code § 43.0661 rather than immediately converting to the City's provider.

2. Solid waste collection services will be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

3. The collection of refuse from individual properties will be made in accordance with the usual Sanitation Department scheduling.

E. Water Service.

1. For portions of the Annexed Area within the City's legally certificated area (CCN), the City will provide water services to this Annexed Area by any of the methods by which it extends the services to

any other area of the municipality. For portions of the Annexed Area within the City's legally certificated area (CCN), water services will be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

2. When new development occurs, the City of Farmersville requires a developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include the construction of off-site improvements.

3. The responsibility for construction of the infrastructure by a developer is described in the City's Subdivision Regulations.

4. For portions of the annexed area within the City's legally certificated area (CCN), the City will allow the provision of extensions of water facilities to the Annexed Area on the effective date of this ordinance. Such extensions shall be in accordance with the Farmersville Code and the City's Design Standards, and as amended.

5. Connection to existing city water mains for water service will be provided in accordance with existing City Policies. Upon connection to existing mains, water will be provided at rates established by City Ordinance.

6. Water mains installed or improved to City standards within the Annexed Area which are part of the City of Farmersville water system and are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, will be maintained by the City upon the effective date of this ordinance.

7. Maintenance of private lines shall continue to be the responsibility of the owner or occupant of property situated within the Annexed Area.

8. Where other water districts provide water service, any development that occurs will still meet the City of Farmersville standards for the sizing and construction of utilities.

9. For portions of the Annexed Area which are not solely within the City's legally certificated area (CCN), water services shall continue to be provided in the same manner that is described in an approved Judgment, Agreement, Decree or other legal document as of the effective date of this ordinance and as it may thereafter be adopted or amended.

F. Sanitary Sewer Service.

1. The City will provide sewer services to the Annexed Area by any of the methods by which it extends the services to any other area of the municipality. Upon annexation, sanitary sewer services will be provided at a level of service at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.
2. When new development occurs, the City of Farmersville requires a developer to construct the necessary infrastructure to meet the needs of the development. This requirement may also include the construction of off-site improvements.
3. The responsibility for construction of the infrastructure by a developer is described in the City's Subdivision Regulations.
4. The City will allow the provision of extensions of sanitary sewer facilities to the Annexed Area upon the effective date of this ordinance. Such extensions shall be in accordance with the Farmersville Code and the City's Design Standards, and as amended.
5. Connection to existing city sanitary sewer mains for sewage service will be provided in accordance with existing City Policies. Upon connection to existing mains, sanitary sewer collection will be provided at rates established by City Ordinances.
6. Sanitary sewer mains and lift stations installed or improved to City Standards within the Annexed Area which are located within dedicated easements, rights-of-way, or any other acceptable location approved by the City Engineer, will be maintained by the City of Farmersville upon the effective date of this ordinance.

G. Streets.

1. Emergency street maintenance will be provided for publicly dedicated streets or roads within the Annexed Area upon the effective date of this ordinance. Routine maintenance will be scheduled as part of the City's annual street maintenance program in accordance with the then current policies and procedures defined by ordinance.
2. Street services will be provided at a level of services at least equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and

population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.

H. Parks and Recreation.

1. The City of Farmersville will provide parks and recreation services to the Annexed Area by any of the methods by which it extends the services to any other area of the municipality. For new development, the City requires developers to construct hike/bike trails in keeping with the Parks Master Plan. Additionally, new developments must still satisfy the parkland dedication requirements that call for the dedication of land or the payment of fees in lieu of land for park uses.

2. Residents within the Annexed Area may utilize all existing park and recreation facilities upon the effective date of this Ordinance. Fees for such usage shall be in accordance with current fees established by ordinance.

3. Additional park and recreation facilities will be constructed based on Park policies defined in the City's Comprehensive Plan, as amended, and the Farmersville Code. The general planned locations and classifications of parks will ultimately serve residents from the current city limits and residents from areas being considered for annexation.

I. Environmental Health and Code Enforcement Services.

1. Enforcement of current environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicles ordinances and animal control ordinances, will begin within the Annexed Area upon the effective date of this annexation ordinance.

2. Inspection services, including but not limited to, the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical, and electrical work to ensure compliance with City Codes and Ordinances will be provided within the Annexed Area upon the effective date of this ordinance.

3. The City will provide the level of Environmental Health and Code Enforcement Services equal to current services available in the City, or equal to the level of services available in other parts of the City with topography, land use and population density similar to those contemplated or projected in the Annexed Area, whichever may be applicable.



J. Planning and Zoning.

The Annexed Area shall be zoned in conjunction with the annexation pursuant to the City's Comprehensive Zoning Ordinance (Chapter 77 of the Farmersville Code, as amended). The Future Land Use Plan and Future Land Use Plan Modules Diagram contained within the Comprehensive Plan, as amended, will serve as a guide for consideration of future (re)zoning requests.

K. Miscellaneous.

Any city owned facility, building, or service located within the Annexed Area will be operated and maintained by the City upon the effective date of the annexation ordinance.

L. Capital Improvements Program.

The Annexed Area is eligible for Capital Improvement Program consideration upon the effective date of the annexation ordinance.

M. Other Municipal Services.

Other municipal services not specifically listed in Sections A-L shall be provided to the Annexed Area no later than two and one-half years after the effective date of the annexation, unless certain services cannot reasonably be provided within two and one-half years. In that case, the City shall propose a schedule for providing certain services, and the schedule shall provide for the provision of full municipal services no later than four and one-half years after the effective date of the annexation ordinance.

3. **Term and Renewal.** This Service Agreement is valid for ten years. Renewal of the Service Agreement is at the discretion of the City of Farmersville.

4. **Level of Services.** This Service Agreement does not require a uniform level of full municipal services to each area of the City, including the Annexed Area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

5. **Amendments.** This Service Agreement shall not be amended unless public hearings are held in accordance with Texas Local Government Code, § 43.052.

6. **Entire Agreement.** This Service Agreement contains the entire agreement of the parties with respect to the matters contained herein and may not be modified or terminated except upon the mutual written agreement of the parties hereto save and except for the termination rights set forth herein.

7. **Venue.** This Service Agreement shall be construed in accordance with the laws of the State of Texas and shall be performable in Collin County, Texas. Exclusive venue shall be in Collin County, Texas.

8. **Binding Effect.** This Service Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.

9. **Savings/Severability.** In case any one or more of the provisions contained in this Service Agreement shall for any reason be held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Service Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

10. **Construction.** This Service Agreement shall be construed fairly and simply, and not strictly for or against any party. Headings used throughout this Service Agreement are for convenience and reference only, and the words contained therein shall in no way be interpreted or held to explain, restrict, modify, amplify or aid in the interpretation or construction of the meaning of the provisions of this Service Agreement.

11. **Multiple Counterparts.** This Service Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, the parties have executed this Service Agreement and caused this Service Agreement to be effective on the latest date as reflected by the signatures below.

***CITY OF FARMERSVILLE***

By: \_\_\_\_\_  
BRYON WEIBOLD  
Mayor

Date Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
TABATHA MONK  
City Secretary

THE STATE OF TEXAS           §  
COUNTY OF COLLIN           §

BEFORE ME, the undersigned authority, in and for said County, Texas, on this day personally appeared BRYON WEIBOLD, Mayor of the **CITY OF FARMERSVILLE**, a Texas Municipal Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he has executed the same on City's behalf.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_  
DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County, Texas  
My commission expires \_\_\_\_\_

**PCRE, LLC**, a Texas limited liability company

By: \_\_\_\_\_  
CASEY MORAN  
Vice President

Date Signed: \_\_\_\_\_

THE STATE OF TEXAS           §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this day by CASEY MORAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he is the Vice President of **PCRE, LLC**, a Texas limited liability company and that he executed the same on behalf of **PCRE, LLC** for the purposes set forth therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_\_  
DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County, Texas  
My commission expires \_\_\_\_\_

**CITY OF FARMERSVILLE  
ORDINANCE #2022-0524-005**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. O-2018-0508-001, AS AMENDED, SO THAT AN APPROXIMATELY 26.0183 ACRES OF LAND LOCATED IN AN AREA WEST OF STATE HIGHWAY 78 AND NORTH OF COUNTY ROAD 550, COLLIN COUNTY, TEXAS, AND SITUATED IN THE ELIJAH B. REED SURVEY, ABSTRACT NO. 739, IN THE CITY OF FARMERSVILLE, COLLIN COUNTY, TEXAS, IS ZONED TO SF 3, SINGLE FAMILY DWELLING 3 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.**

**WHEREAS**, after public notice and public hearing as required by law, the Planning and Zoning Commission of the City of Farmersville, Texas, (the "Planning and Zoning Commission") has recommended a change in zoning classification of the property described herein and has recommended amending the official zoning map of the City of Farmersville, Texas, regarding the rezoning of the property hereinafter described; and

**WHEREAS**, all legal requirements, conditions, and prerequisites have been complied with prior to this case coming before the City Council of the City of Farmersville (the "City Council"); and

**WHEREAS**, the City Council after public notice and public hearing as required by law and upon due deliberation and consideration of the recommendation of the Planning and Zoning Commission and of all testimony and information submitted during said public hearings, has determined that in the public's best interest and in support of the health, safety, morals, and general welfare of the citizens of the City, the zoning of the property described herein shall be established and that the official zoning map of the City of Farmersville, Texas, should be amended to reflect the zoning of the property herein described;

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

**SECTION 1. FINDINGS INCORPORATED**

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

## **SECTION 2. PROPERTY ZONED**

From and after the effective date of this Ordinance, the property described herein shall be zoned as set forth in this section, and the Official Zoning Map of the Comprehensive Zoning Ordinance, Ordinance No. O-2018-0508-001, as amended, of the City of Farmersville, Texas, is hereby amended and changed in the following particulars to reflect the action taken herein, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases, and words of the City's Zoning Ordinance are not amended but shall remain intact and are hereby ratified, verified, and affirmed, in order to create a change in the zoning classification of the property described herein, as follows:

That certain tract of land containing approximately 26.0183 acres of land located in an area west of State Highway 78 and north of County Road 550, Collin County, Texas, and situated within the Elijah B. Reed Survey, Abstract No. 739, Collin County, Texas, and more fully described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes allowed by law (the "Property") is hereby zoned to Sf 3, Single Family Dwelling 3 District Uses in accordance with the specific requirements contained in the City's Master Plan and Zoning Ordinance.

## **SECTION 3. OFFICIAL ZONING MAP TO BE MODIFIED**

It is directed that the official zoning map of the City of Farmersville be changed according to its legend to reflect the zoning classification established by this Ordinance.

## **SECTION 4: REPEALER**

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

## **SECTION 5: SEVERABILITY**

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

## **SECTION 6: PENALTIES FOR VIOLATION**

Any person, firm, corporation, or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this

Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Farmersville from filing suit to enjoin the violation. The City of Farmersville retains all legal rights and remedies available to it pursuant to local, state, and federal law.

#### **SECTION 7: INJUNCTIVE RELIEF**

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

#### **SECTION 8: PUBLICATION**

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

#### **SECTION 9: ENGROSSMENT AND ENROLLMENT**

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

#### **SECTION 10: SAVINGS**

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

#### **SECTION 11: EFFECTIVE DATE**

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

**APPROVED THIS 24<sup>th</sup> DAY OF MAY 2022.**

**APPROVED:**

BY: \_\_\_\_\_  
BRYON WIEBOLD  
Mayor

**ATTEST:**

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TABATHA MONK  
City Secretary

## Exhibit "A"

### *Description of Property*

## REQUEST FOR ANNEXATION

TO THE MAYOR AND CITY COUNCIL OF FARMERSVILLE, TEXAS:

I, Casey Moran in my capacity as an Owner of PCRE LLC represent the owners of the hereinafter described tract of land (the "Property"), which Property is vacant and without residents, or on which Property fewer than three qualified voters reside, hereby requests the City of Farmersville, Texas annex the Property into the City's corporate limits so as to include as part of the City of Farmersville, Texas, the following described Property, to wit:

Being a tract of land situated in the Elijah B. Reed Survey, Abstract No. 739, in the City of Farmersville, Collin County, Texas, being part of a called 9.99 acre tract of land tract of land described in a deed to Frank H. Moore, Jr., as recorded in Clerk's File No. 97-0043989, in the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), and being part of a called 33.183 acre tract of land described in deed to Frank H. Moore, Jr., as recorded in Instrument No. 20031007002016290, O.P.R.C.C.T., said tract being more particularly described as follows: BEGINNING at a 1-inch iron pipe (controlling monument) found at the northernmost northeast corner of said Moore 33.183 acre tract and the northwest corner of a tract of land described in deed to Charles W. Stepan and wife, Sarah J. Stepan, as recorded in Volume 938, Page 766, of the Deed Records of Collin County, Texas (D.R.C.C.T.), being in the south line of a tract of land described in deed to BHMM Group Family Partnership, Ltd., as recorded in Instrument No.20190828001055580, O.P.R.C.C.T.; THENCE South 00 degrees 39 minutes 42 seconds West, departing the south line of said BHMM Group Family Partnership tract, with an east line of said Moore 33.183 acre tract and a west line of said



Stepan tract, a distance of 186.00 feet to a 1/2-inch iron rod found at an interior corner of

said Moore 33.183 acre tract and the southwest corner said Stepan tract, being the point of curvature of a non-tangent curve to the right, having a radius of 290.00 feet and a chord that bears South 43 degrees 07 minutes 32 seconds East, a distance of 410.49 feet; THENCE with said curve to the right, through a central angle of 90 degrees 06 minutes 10 seconds and an arc distance of 456.05 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set; THENCE South 01 degree 55 minutes 33 seconds West, at a distance of 79.47 feet passing the south line of said Moore 33.183 acre tract and the north line of said Moore 9.99 acre tract, continuing a total distance of 762.32 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the southeast line of said Moore 9.99 acre tract and the northwest line of a tract of land described in deed to the United States of America (USA) as recorded in Volume 756, Page 379, D.R.C.C.T., also being in the northwest line of County Road 550 (C.R. 550) (by use and occupation); THENCE South 56 degrees 49 minutes 03 seconds West, with the southeast line of said Moore 9.99 acre tract, the northwest line of said USA tract and said C.R. 550, a distance of 97.79 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said Moore 9.99 acre tract and the southeast corner of a tract of land described as Tract 1 in a deed to Meritage Homes of Texas, LLC and GRBK Edgewood LLC, as recorded in Instrument No. 20210602001110090, O.P.R.C.C.T., from which, a 5/8-inch iron rod with cap bears North 82 degrees 00 minutes 04 seconds East – 2.98 feet; THENCE North 01 degree 55 minutes 33 seconds East, with the west line of said 9.99 acre tract and the east line of said Tract 1, a distance of 735.57 feet a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northwest corner of said Moore 9.99 acre tract and an interior corner of said Tract 1, being in the south line of said Moore 33.183 acre tract,; THENCE South 89 degrees 24 minutes 05 seconds West, with the south line of said Moore 33.183 acre tract and a north line of said Tract 1, a distance of 146.07 feet a 1/2-inch iron rod with red cap stamped "PJB

SURVEYING" set; THENCE South 87 degrees 48 minutes 35 seconds West, continuing with the south line of said Moore 33.183 acre tract and a north line of said Tract 1, a distance of 1,751.04 feet to a 1/2-inch

iron rod found at the southwest corner of said Moore 33.183 acre tract and an interior corner of said Tract 1; THENCE North 00 degrees 32 minutes 03 seconds East, with the west line of said Moore 33.183 acre tract and an east line of said Tract 1, a distance of 596.17 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northwest corner of said Moore 33.183 acres and the southwest corner of said BHMM Group Family Partnership tract ; THENCE North 88 degrees 42 minutes 38 seconds East, departing an east line of said Tract 1, with the north line of Moore 33.183 acre tract and the south line of said BHMM Group Family Partnership tract, a distance of 1,694.98 feet to the POINT OF BEGINNING and containing 26.0183 acres of land.

I hereby certify that the Property is contiguous and adjacent to the City of Farmersville, Texas, and that this Request for Annexation is signed and duly acknowledged by each person having an interest in said land.

By: 

Name: Casey Moran

Title: Vice President

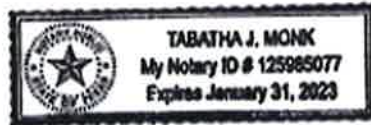
3

THE STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared Casey Moma  
in his capacity as Vice President of PCRE, a \_\_\_\_\_, known to me to be  
the person whose name is subscribed to the foregoing instrument and acknowledge to me that  
he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this 6 day of April.



A handwritten signature in blue ink, appearing to read "Tabatha J. Monk".

Notary Public in and for  
Collin County, Texas.

## **VIII. ORDINANCES**

Agenda Section	Ordinances
Section Number	VIII. A.
Subject	Meters
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Ordinance
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	<ul style="list-style-type: none"> <li>• City Council discussion as required</li> </ul>
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Approve with Updates</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

**CITY OF FARMERSVILL  
ORDINANCE # O-2022-0524-006**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING CHAPTER 74, ENTITLED "UTILITIES," OF THE CODE OF ORDINANCES, CITY OF FARMERSVILLE, TEXAS, THROUGH THE AMENDMENT OF ARTICLE II BY CHANGING THE NAME OF ARTICLE II FROM , "WATER, SEWER AND ELECTRICAL CHARGES" TO "WATER, SEWER AND ELECTRICAL CONNECTIONS AND CHARGES"; THROUGH THE FURTHER AMENDMENT OF ARTICLE II, NOW ENTITLED "WATER, SEWER AND ELECTRICAL CONNECTIONS AND CHARGES," BY AMENDING DIVISION 1, "GENERALLY," BY CHANGING THE NAME OF DIVISION 1 TO "CONNECTIONS" AND BY ALSO ADDING NEW SECTIONS 74-19, "DEFINITIONS," 74-20, "PURPOSE", 74-21, "LOCATION OF LINES; CITY ACCESS; AND SYSTEM PROTECTION," AND 74-22, "PERMIT; REQUIREMENTS TO CONNECT"; THROUGH THE AMENDMENT OF DIVISION 3, "SERVICE CHARGES," BY ADDING SECTIONS 74-100, "METERING", 74-101, "WATER AND SEWER CONNECTIONS FOR MULTIFAMILY BUILDINGS, MOBILE HOME/MANUFACTURED HOUSING PARKS, AND MOTOR HOME/RECREATIONAL VEHICLE PARKS," AND 74-102, "RESTRICTIONS AND CERTAIN CORRECTIONS" AS SET FORTH HEREIN BELOW; REPEALING ALL CONFLICTING ORDINANCES; RESERVING ALL EXISTING RIGHTS AND REMEDIES; PROVIDING FOR IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING A PENALTY; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Farmersville, Texas (the "City Council") enacted Chapter 74 of the Farmersville Code to provide an equitable charge for the extension of water and sanitary sewer mains and connections and related appurtenances necessary to serve customers in the area covered by the City's Certificate of Convenience and Necessity both within the City's corporate limits and its extraterritorial jurisdiction (collectively the "Certificated Area"); and

**WHEREAS**, Section 552.001(d) of the Texas Local Government Code specifically empowers a city that owns or operates a utility system including a water system or sewer system to prescribe the kind of water mains and sewer pipes that may be used inside or outside the city; and

**WHEREAS**, Section 552.001(d) of the Texas Local Government Code also allows a city to inspect those facilities, and require that they be kept in good condition at all times and prescribe the necessary rules, which may include penalties, concerning such water and sewer facilities; and

**WHEREAS**, the City Council recognizes that additional requirements are necessary for persons desiring to connect to the City's water and sanitary sewer systems; and

**WHEREAS**, the City Council finds and determines that it is in the best interest of the public health, safety and general welfare of the citizens of Farmersville, Texas, to amend certain provisions of Chapter 74, entitled "Utilities," of the Farmersville Code of Ordinances as provided herein below.

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

**SECTION 1. FINDINGS INCORPORATED.**

All of the above premises are found to be true and correct legislative determinations and are incorporated into the body of this Ordinance as if set forth in their entirety.

**SECTION 2. AMENDMENT OF CHAPTER 74, "UTILITIES", OF THE FARMERSVILLE CODE THROUGH THE AMENDMENT OF ARTICLE II BY AMENDING BY CHANGING THE NAME OF ARTICLE II FROM "WATER, SEWER AND ELECTRICAL CHARGES" TO "WATER, SEWER AND ELECTRICAL CONNECTIONS AND CHARGES"**

From and after the effective date of this Ordinance, Chapter 74, "Utilities," of the Farmersville Code is hereby amended through the amendment of Article II by changing the name of Article II from "Water, Sewer and Electrical Charges" to "Water, Sewer and Electrical Connections and Charges" to hereafter read as follows:

**"ARTICLE II. - WATER, SEWER AND ELECTRICAL CONNECTIONS AND CHARGES"**

**SECTION 3. AMENDMENT OF CHAPTER 74, "UTILITIES", OF THE FARMERSVILLE CODE THROUGH THE FURTHER AMENDMENT OF ARTICLE II, NOW ENTITLED "WATER, SEWER AND ELECTRICAL CONNECTIONS AND CHARGES," BY AMENDING DIVISION 1, "GENERALLY," BY CHANGING THE NAME OF DIVISION 1 TO "CONNECTIONS" AND BY ALSO ADDING NEW SECTIONS 74-19, "DEFINITIONS," 74-20, "PURPOSE", 74-21, "LOCATION OF LINES; CITY ACCESS; AND SYSTEM PROTECTION," AND 74-22, "PERMIT; REQUIREMENTS TO CONNECT"**

From and after the effective date of this Ordinance, Chapter 74, "Utilities," of the Farmersville Code is amended by amending Article II, now entitled "Water, Sewer and Electrical Connections and Charges," by amending Division 1, "Generally," by changing the name of Division 1 to "Connections" and by adding new Sections 74-19, "Definitions,"

74-20, "Purpose", 74-21, "Location of Lines; City Access; and System Protection," and 74-22, "Permit; Requirements to Connect" to hereafter read as follows:

## **"DIVISION 1. – CONNECTIONS**

### **Sec. 74-19. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*City* means the City of Farmersville, Texas, together with all its governing and operating bodies.

*Consumer* means the actual user of a City water or sanitary sewer connection.

*Extraterritorial Jurisdiction* or *ETJ*, as defined by Texas Local Government Code § 42.021, means the unincorporated area of land that is contiguous to the corporate boundaries of the City and within one mile of those boundaries.

*Frontage* means the distance of the lot line or tract side to which water and/or sewer mains are connected.

*Off-site main* means water and/or sewer mains totally outside of and not adjacent to a tract of land to be subdivided and developed for resale.

*On-site main* means water and/or sewer mains totally within or adjacent to a tract of land to be subdivided and developed for resale.

*Plumbing Code* means the most recent edition of the *International Plumbing Code* as adopted and amended by the City.

*Pro rata* means a charge made against the consumer or property owner to pay for a portion of the cost of installation or extension of water and sanitary sewer mains, as provided for in this chapter or the Subdivision Ordinance.

*Property owner* means the record title holder of premises served with water from a connection by the City.

*Qualified licensed inspector* means a person who is licensed by the State of Texas to perform the type of examination(s) and test(s) called for in this Chapter as determined by the City. Depending on



the type of inspection involved, persons with one or more of the following credentials may be considered a *qualified licensed inspector*.

“Plumbing inspectors” and “water supply protection specialists” licensed by the Texas State Board of Plumbing Examiners (“TSBPE”) or “customer service inspectors” who are currently licensed by the Texas Commission on Environmental Quality (“TCEQ”).

*Retail utility service* means potable water service or sanitary sewer service or both provided by the City to a consumer for compensation.

*Service* means any act performed, anything furnished or supplied, and any facilities or lines committed or used by the City in the performance of its duties under this Chapter to its patrons, employees, other retail public utilities, and the public, as well as the interchange of facilities between the City and another retail public utility.

#### **Sec. 74-20. - Purpose.**

The intention and purpose of this article is to provide an equitable charge for water and sanitary sewer connections and a proportionate distribution of the cost of potable water and sanitary sewer facilities to serve the City’s customers within the certificated area. This article is also intended to require that all extensions of and connections to the City’s water and sewer utilities comply with and conform to the minimum requirements of Texas and federal law in addition to the City’s regulations to protect the City’s public drinking water supply and drinking water supply system (collectively “Water System”) from contamination or pollution including, but not limited to, proper system construction or configuration on the Customer’s side of the meter.

#### **Sec. 74-21. – Location of Lines; City Access; and System Protection.**

(a) No water or sewer service line shall be laid except in a dedicated street, alley or easement in favor of the City. The City shall have the right to approve the location of, and inspect, the water service meter, pipe, and appurtenant equipment on customer’s property necessary to connect customer to the Water and Sewer Systems.

(b) City shall have access to its meter(s) and equipment located upon customer’s property at all reasonable and/or necessary times for any purpose connected with or in the furtherance of its business operations,

and upon disconnection or discontinuance of services, the City shall have the right to remove any of its equipment from customer's property.

(c) Customer shall install, at customer's own expense, any necessary service lines from the City's facilities and equipment to the point of use, including any customer service isolation valves, backflow prevention devices, clean-outs, and other equipment as may be specified by the City.

(d) City shall also have access to customer's property for the purpose of inspecting for possible cross-connections, potential contamination hazards, illegal lead materials, other unauthorized plumbing practices and any other violations or possible violations of state and federal statutes and regulations relating to the federal Safe Drinking Water Act, Chapter 341 of the Texas Health & Safety Code and/or Title 30, Chapter 290 of the Texas Administrative Code during the City's regular business hours. These inspections shall be conducted by the City or its designated agent prior to initiating service and periodically thereafter; when there is reason to believe that cross-connections or other potential contamination hazards exist; or after any major changes to the private water distribution facilities."

#### **Sec. 74-22. – Permit; Requirements to Connect.**

(a) It shall be unlawful for any person to tie onto any water line or sewer line belonging to the City without first complying with the provisions of this Chapter, securing a permit from the City, and paying the fees as provided for in this Chapter.

(b) All persons desiring retail utility services from the City or desiring to transfer service from a service location to another service location shall file an application with the City at the City's designated location. No connection to the City's utility system shall be made before the person has met the application, fee, and extension requirements of this chapter and, if applicable, the City's subdivision regulations.

(c) The City shall provide utility service to only "qualified service applicants," defined below, and no utility service application shall be accepted by the City unless the application is submitted by a qualified service applicant. The request by a qualified service applicant shall be filled within five (5) working days unless the City and the qualified service applicant have entered into a utility improvement agreement. If the City and the qualified service applicant have entered into a utility improvement agreement, service will be provided in accordance with that utility improvement agreement.

(d) A person is a "qualified service applicant" if the person has met the following conditions:

- (1) The person has submitted a completed and signed utility service application and service agreement to the City, has presented a driver's license or social security card to the City, a copy of which the City shall keep on file, and has provided the City with verifiable proof of the applicant's right to occupy the service address. For retail service to a corporation, organization, government or political subdivision or agency, business trust, partnership, association, or any other legal entity, the person shall also provide verifiable documentation of the person's authority to request service on behalf of the entity.
- (2) For developers in the City limits or ETJ of the City desiring retail utility service from the City, the developer has complied with the City's subdivision regulations to obtain retail utility service from the City for the subdivision.
- (3) For persons required to obtain a building permit from the City, the person has paid all the required building permitting fees and applicable impact fees.
- (4) For persons desiring utility service for property or service connections located outside the City limits of the City, the person has complied with the requirements of subsection (k) of this Section.
- (5) The person has paid all applicable charges and fees prescribed by the City's fee schedules, including any tapping and metering charges, all security deposits, construction investigation fees, and utility connection and plumbing code inspection fees.
- (6) The person has complied with the City's extension of utility facilities requirements, if necessary, and the facilities have been extended, inspected, and accepted by the City.
- (7) The person has paid all the pro rata charges as required by this chapter and the City's subdivision regulations, if applicable.
- (8) There is capacity to serve the person or development, or, if the City Manager or the City's Engineer, upon request of the City Manager, determines there is not capacity to service the person or development, the person or developer has entered into a development agreement or utility improvement agreement, as applicable, with the City for the expansion of the City's utility facilities, and complied with the terms of that agreement.

(9) The person requesting utility services has provided a service address to which utility service will be provided.

(10) If required, an inspection of the utility connection has been conducted by a Plumbing Inspector or a Water Supply Protection Specialist licensed by the TSBPE or by a Customer Service Inspector licensed by the TCEQ, and such inspection has been approved by the City.

All references in this Chapter to “applicant” or “Applicant” means a “Qualified Service Applicant.”

(e) The City may refuse service to a person if, at the time of the application, the person is indebted to the City, or if that person is indebted to another retail public utility, for the same kind of service for which the person has applied from the City. However, if the person is disputing the indebtedness and is otherwise in compliance with the depository requirements, service shall not be refused.

(f) No application shall be approved if the City determines that the requested service is for unreasonable consumer uses that will threaten or endanger the City’s utility system or threaten the City’s ability to provide continuous and adequate service.

(g) Any person denied service under this ordinance may request review of the City’s decision. The request shall be made to the City Manager, who shall place the request before the City Council. The City Manager may request additional information of the person denied service. The City Council may grant or deny service, after review of the request, in accordance with the provisions of this chapter.

(h) It shall be unlawful for any person not employed by the City to uncover and make any connection with the utility systems of the City without first obtaining the consent of the City.

(i) If a utility improvement agreement is required by the City in order to obtain utility services from the City, or the City and a developer desire to enter into a development agreement, the agreement, at a minimum, shall incorporate the requirements outlined in this chapter and shall include the following:

(1) Provide all costs associated with required administration, design, construction, and inspection of facilities for utility service to the applicant’s service address and terms by which these costs are to be paid, and specify that the City is under no obligation to provide

service to the applicant unless and until all required fees have been paid by the applicant.

(2) Describe all fees and costs to be paid to the City, including construction investigation fees, tapping and metering fees, and pro rata reimbursement charges, if applicable.

(3) Describe the facilities that are required to be constructed and the materials to be used in the construction of the facilities, state the size of each meter to be installed, define who will be responsible for the construction of those projects, and require the facilities to be sized and constructed in accordance with the City's standards and as determined by the City Manager or the City's Engineer.

(4) If the facilities are to be constructed by the City, prescribe the procedures by which the applicant shall accept or deny a contractor's bid for facilities to be constructed by the City, thereby committing to continue or discontinue the project.

(5) Describe the terms and conditions by which the City may terminate its obligations to provide service.

(6) Outline how the City will administer the applicant's project with respect to:

- a. Design of the applicant's onsite utility facilities;
- b. Securing and qualifying bids;
- c. Selection of a qualified bidder for construction for facilities the City intends to construct;
- d. Dispensing advanced funds for construction of facilities required for the applicant's service;
- e. Inspecting construction of facilities; and
- f. Testing facilities and closing the project.

(7) Define the terms by which the applicant shall indemnify the City from all third-party claims or lawsuits in connection with the project contemplated.

(8) Define the terms by which the applicant shall deed all constructed facilities to the City and by which the City shall assume operation and maintenance responsibility, including any enforcement

of warranties in connection with construction of the applicant's project.

(9) Define the terms by which the applicant shall grant title or easement for utilities, constructed facilities, and facility sites and terms by which the applicant shall provide for the securing of required utility easements and sites.

(10) Provide termination date.

(11) If applicable, provide for pro rata reimbursement by the owners of all intervening property served by such extension of facilities constructed by or paid for by the applicant. Such pro rata reimbursement provisions shall comply with this Chapter.

(j) All customers of the City's utility system, including those customers located in whole or in part outside the corporate limits of the City, shall comply with the cross-contamination and backflow prevention requirements of the City.

(k) In addition to the other provisions of this Chapter, this subsection applies to any retail utility service provided and requested to be provided by the City to premises that are located, in whole or in part, outside the corporate limits of the City.

(1) Any customer receiving utility services outside the City limits may not maintain connection to the City's utility system or connect to the City's utility system unless the customer is in compliance with the applicable utility regulations, state law, the Plumbing Code, and other City requirements relating to the provision of utility service. Any customer failing to be in compliance or refusing reasonable requests for inspection of facilities connected or to be connected to the City's utilities may be disconnected or declined services.

(2) No retail utility service shall be provided at premises located in whole or part outside the corporate limits of the City unless the person desiring such service has filed an application with the City, the City has determined the application meets the requirements of this chapter, and if applicable the City's subdivision regulations, and approved such application, and the person is a Qualified Service Applicant as defined by this Section.

(3) The application for service to property located outside the corporate limits of the City shall include the following statement:

THE APPLICANT UNDERSTANDS AND AGREES THAT ALL ORDINANCES OF THE CITY (AS NOW WRITTEN AND AS HEREINAFTER AMENDED) RELATING TO UTILITY SERVICES OR TO PLUMBING MATTERS, INCLUDING BUT NOT LIMITED TO CROSS-CONNECTION AND BACK-FLOW PROTECTION REQUIREMENTS, AND INCLUDING ORDINANCES THAT IMPOSE CRIMINAL SANCTIONS, APPLY TO UTILITY SERVICES PROVIDED BY THE CITY TO PREMISES OUTSIDE OF THE CITY'S CORPORATE LIMITS. THE APPLICANT ALSO UNDERSTANDS AND AGREES THAT THE CITY MAY SUSPEND OR DISCONNECT SUCH SERVICES IN THE EVENT THAT THE APPLICANT OR ANY OTHER PERSON AT THE PREMISES TO BE SERVED FAILS TO COMPLY WITH SUCH ORDINANCES.

(4) No utility services application shall be accepted by the City unless a completed and signed application is submitted to the City that meets the requirements described in this section, the person is a Qualified Service Applicant, and the person has complied with the following requirements:

a. The person has paid the prescribed utility connection fee, if required, paid the plumbing code or customer service inspection fees and has presented to the City written evidence from a qualified licensed inspector that the plumbing system at the premises to be served has been inspected and is in compliance with the Plumbing Code;

b. The person has complied with the City's utility facilities extension requirements, if necessary."

(l) All customers of the City's utility systems, including those customers located in whole or in part outside the corporate limits of the City, shall have a customer service inspection performed by a Customer Service Inspector approved by the City, and obtain a customer service inspection certificate completed on TCEQ Form 20699 or an equivalent form approved by the TCEQ, prior to the City providing continuous water service to new construction, or to any existing service either when the City has reason to believe that cross-connections or other potential contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities serving the customer.

(1) Individuals with the following credentials and who are approved by the City shall be recognized as capable of conducting a customer service inspection certification.

a. Plumbing Inspectors and Water Supply Protection Specialists licensed by the TSBPE.

b. Customer Service Inspectors who are currently licensed by the TCEQ.

(2) As potential contaminant hazards are discovered, they shall be promptly eliminated to prevent possible contamination of the water supplied by the Water System. The existence of a health hazard, as identified in 30 Tex. Admin. Code § 290.47(f), shall be considered sufficient grounds for immediate termination of water service. Service can be restored only when the health hazard no longer exists, or until the health hazard has been isolated from the Water System in accordance with 30 Tex. Admin. Code § 290.44(h).

(3) These customer service inspection requirements are not considered acceptable substitutes for and shall not apply to the sanitary control requirements stated in 30 Tex. Admin. Code § 290.102(a)(5).

(4) A customer service inspection is an examination of the private water distribution facilities for the purpose of providing or denying water service. This inspection is limited to the identification and prevention of cross-connections, potential contaminant hazards, and illegal lead materials. If a customer service inspection is performed by a customer service inspector, the customer service inspector shall report any violations immediately to the City Manager or the City's Building Inspection Department.

(5) A customer service inspection is not a plumbing inspection as defined and regulated by the TSBPE. The City's Plumbing Code requires that TSBPE licensed plumbing inspectors perform plumbing inspections of all new plumbing and alterations or additions to existing plumbing within the City's corporate limits. A customer service inspection may be performed by a plumbing inspector licensed by the TSBPE as a part of the more comprehensive plumbing inspection under the Plumbing Code. (As noted above, customer service inspections that are required in the City's ETJ may be performed by a Customer Service Inspector who is currently licensed by the TCEQ.)"

**SECTION 3. AMENDMENT OF CHAPTER 74, "UTILITIES", OF THE FARMERSVILLE CODE THROUGH THE AMENDMENT OF ARTICLE II, NOW ENTITLED "WATER, SEWER AND ELECTRICAL CONNECTIONS AND CHARGES," BY AMENDING DIVISION 3**



**“SERVICE CHARGES”, BY ADDING SECTIONS 74-100, “METERING”, 74-101, “WATER AND SEWER CONNECTIONS FOR MULTIFAMILY BUILDINGS, MOBILE HOME/MANUFACTURED HOUSING PARKS, AND MOTOR HOME/RECREATIONAL VEHICLE PARKS” AND 74-102, “RESTRICTIONS AND CERTAIN CORRECTIONS”**

From and after the effective date of this Ordinance, Chapter 74, “Utilities,” of the Farmersville Code is amended by amending Article II, now entitled “Water, Sewer and Electrical Connections and Charges,” by amending Division 3, “Service Charges,” by adding Sections 74-100, “Metering”, 74-101, “Water and Sewer Connections for Multifamily Buildings, Mobile Home/Manufactured Housing Parks, and Motor Home/Recreational Vehicle Parks,” and 74-102, “Restrictions and Certain Corrections”, to hereafter read as follows:

**“Sec. 74-100. - Metering.**

(a) All water furnished by the City shall be metered by meters that are maintained and owned by the City. Unless otherwise provided for herein, the meter and connection is for the sole use of customer and will be used to provide service to ONLY one (1) dwelling or one (1) business authorized to receive such service by City

(b) *When more than one building, apartment, etc., is served through one meter.* Where more than one building or apartment or other subdivision of space in any residence or commercial building is served through one meter, each such additional building, apartment, or other subdivision of space shall be deemed a separate service and a separate minimum charge shall be made therefor and collected by the City, but in any such case, each such minimum shall be the regular minimum prescribed for a single service through a like meter.

(c) *Determination of meter sizes.* The City Manager or the City Engineer shall determine the size and type of meter installed or used on any water service, and where more than one service is furnished through any one meter, he shall determine the number of minimum rates, which shall apply to such meter account.

(d) *Several owners served by one meter.* Where water is supplied to more than one family or occupant through a single service pipe on which there is a meter, the City will not undertake to apportion the charge for such use of water among the several owners, occupants or families; but the bill for such use of water will be charged against the owner or such occupant, through whose premises such service pipes pass and in such case each separate owner, occupant or family shall be subject to the minimum charge hereinafter specified.

(e) Any attempt to tamper with or to by-pass a meter, or to divert water utility service from one property to another, or to share, resell, or submeter water to any other person, dwelling, business, or property is prohibited.

(f) Unauthorized users of City services shall be prosecuted to the extent allowed by law under Texas Penal Code § 28.03.

**Sec. 74-101. - Water and Sewer Connections for Multifamily Buildings, Mobile Home/Manufactured Housing Parks, and Motor Home/Recreational Vehicle Parks.**

(a) *Definitions.* For purposes of this section, the following words shall have the following definitions:

*Multifamily building:* An apartment building or condominium.

*Mobile home/manufactured housing park:* A unified development of home spaces arranged on a tract of land or site under single ownership, and designed to accommodate mobile homes or manufactured housing, as those terms are defined in V.T.C.A., Occupations Code Chapter 1201, as amended, to be utilized as dwellings.

*Motor Home/Recreational Vehicle Park:* A unified development of parking slips or spaces or plots arranged on a tract of land or site under single ownership, and designed to accommodate motor homes or recreational vehicles, as those terms are defined in V.T.C.A., Occupations Code Chapter 2301, as amended, to be utilized for sleeping accommodations or as temporary, transient or semi-permanent accommodations in which to park or place such vehicles for which a fee is exchanged.

(b) *One meter per individual dwelling unit.* A separate water meter shall be provided for each individual dwelling unit in a multifamily building or mobile home/manufactured housing park or motor home/recreational vehicle park. Not more than one individual dwelling unit in a multifamily building or mobile home/manufactured housing park or motor home/recreational vehicle park shall be connected to one meter.

(c) *Penalty for violation.* It is unlawful for any person to connect a meter to more than one individual dwelling unit in a multifamily building or mobile home/manufactured housing park or motor home/recreational vehicle park.

**Sec. 74-102. – Restrictions and Certain Corrections.**

- (a) No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an airgap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices must be in compliance with state plumbing codes.
- (b) No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the proper installation of an airgap or a reduced pressure-zone backflow prevention assembly and a service agreement must exist for annual inspection and testing by a certified backflow prevention device tester.
- (c) No connection which allows water of any kind or nature (including but not limited to condensing, cooling, or industrial process water) to be returned to the public drinking water supply is permitted.
- (d) No pipe or pipe fitting which contains more than 0.25 % lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- (e) No solder or flux that contains more than 0.2 % lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- (f) No installation of any plumbing fixture that is not in compliance with state-approved plumbing regulation is permitted."

#### **SECTION 4. CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance and such ordinances shall remain intact and are hereby ratified, verified and affirmed.

#### **SECTION 5. SEVERABILITY**

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

#### **SECTION 6. SAVINGS**

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

## **SECTION 7. IMMUNITY**

All of the regulations provided in this Ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this Ordinance, acting for the City of Farmersville in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his said duties.

## **SECTION 8. INJUNCTIONS**

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

## **SECTION 9. PENALTY**

Any person, firm or corporation violating any of the provisions of this Ordinance shall be subject to the penalty provisions set forth in Section 1-3 of the Farmersville Code of Ordinances; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

## **SECTION 10. PUBLICATION**

The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of Farmersville following the City Council's adoption hereof as provided by law.

## **SECTION 11. EFFECTIVE DATE**

This Ordinance shall become effective from and after the date of its final passage and publication as provided by law, and it is accordingly so ordained.

**PASSED** on first and only reading on the 24<sup>th</sup> day of May 2022, at properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

**APPROVED THIS 24<sup>th</sup> DAY OF MAY 2022.**

**APPROVED:**

By: \_\_\_\_\_  
BRYON WIEBOLD  
Mayor

**ATTEST:**

\_\_\_\_\_  
TABATHA MONK  
City Secretary

## **IX. REGULAR AGENDA**

Agenda Section	Regular Agenda
Section Number	IX. A.
Subject	Appointing Mayor Pro Tempore
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Regular Agenda
Section Number	IX. B.
Subject	Appointing Deputy Mayor Pro Tempore
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>



Agenda Section	Regular Agenda
Section Number	IX. C.
Subject	Hotel Occupancy Tax
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Past Ordinance
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

**CITY OF FARMERSVILLE  
ORDINANCE # 2007-33**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, AMENDING ARTICLE 5 OF THE CODE OF ORDINANCES, ENTITLED "BUSINESS AND COMMERCE," BY REPLACING CURRENT SECTION 5.110 ENTITLED "RESERVED" WITH A NEW SECTION 5.110 ENTITLED "HOTEL OCCUPANCY TAX;" PROVIDING FOR THE LEVY OF A HOTEL OCCUPANCY TAX AT THE RATE OF SEVEN PERCENT FOR THE PRICE PAID FOR A HOTEL ROOM; PROVIDING FOR THE FILING OF QUARTERLY REPORTS; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, chapter 351 of the Texas Tax Code authorizes the City Council of the City of Farmersville, Texas, to impose a hotel occupancy tax at the rate of seven percent (7.0%); and

**WHEREAS**, the City Council of the City of Farmersville, Texas, finds and determines the ordinance is in the best interest and public health, safety, and welfare of the citizens of the City of Farmersville, Texas.

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

**SECTION I:** Incorporation of premises. The above and foregoing premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION II:** That Article 5 of the City Code of the City of Farmersville, Texas, is hereby amended by replacing current Section 5.110 in its entirety with a new Section 5.110 entitled "Hotel Occupancy Tax" which shall read as follows:

**"Sec. 5.110. Hotel Occupancy Tax.**

**Sec. 5.110.1. Definitions.**

In this article:

- (1) *Consideration* means the cost of a hotel room only if the room is ordinarily used for sleeping, and does not include the cost of any food served or personal

services rendered to the room or a person in the room unless related to the cleaning and readying of the room for occupancy.

- (2) *Hotel* means a building in which members of the public may obtain sleeping accommodations for consideration. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, boarding house, rooming house, bed and breakfast inn, or other building where a room is furnished for a consideration, but does not include a hospital, sanitarium, or nursing home.
- (3) *Hotel Room* means a room in a hotel that members of the public obtain for sleeping accommodations and which may also include kitchen facilities, sitting rooms and other related appurtenances.
- (4) *Tourism* means the guidance or management of tourists.
- (5) *Tourist* means an individual who travels from the individual's residence to a different municipality, county, state, or country for pleasure, recreation, education, or culture.

**Sec. 5.110.2. Tax levied; exceptions.**

- (a) A tax of seven percent (7%) of the consideration paid for a hotel room is levied on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays the consideration for the use or possession or for the right to the use or possession of a hotel room that costs two dollars or more each day and is ordinarily used for sleeping.
- (b) This article does not impose a tax on:
  - (1) a person who has the right to use or possess a hotel room for at least thirty (30) consecutive days, so long as there is no interruption of payment for the period; or
  - (2) the United States, a governmental entity of the United States, or an officer or employee of the United States.
- (c) Except as otherwise provided in section 156.103 of the Texas Tax Code, as amended, the State of Texas, or an agency, institution, board, or commission of the State of Texas other than an institution of higher education, as that term is defined by section 61.003 of the Texas Education Code, as amended, shall pay the tax imposed by this article and is entitled to a refund of the amount of tax paid.
- (d) A person entitled to a refund of tax paid under this section shall make an application for a refund in the form prescribed by the City.

**Sec. 5.110.3. Collection of tax generally.**

- (a) A person who owns, operates, manages, or controls a hotel or collects payment for the use or possession or for the right to the use or possession of a hotel room shall collect the tax levied by this article for the City.
- (b) A person who collects the tax shall deposit the tax proceeds into in a separate liability account and may not use the tax proceeds for any purpose other than payment to the City.
- (c) Every person owning, operating, managing or controlling any hotel shall collect the tax levied by this article for the City. The hotel operator shall be entitled to one percent of the hotel occupancy tax revenues collected as reimbursement for the operator's administrative costs for collecting the tax. However, as further described in this article, this reimbursement may be forfeited at the discretion of the City if the hotel operator fails to timely pay over the tax or timely file a report as required by the City or files a false report with the City.

**Sec. 5.110.4. Quarterly reports; payments.**

- (a) A quarterly period under this section is based on the City's fiscal year, with the first quarter beginning on October 1 and ending on December 31.
- (b) On or before the last day of the month following each quarterly period, a person required to collect the tax imposed under this article shall:
  - (1) file a written report with the City for that quarterly period, with a copy of the report for state hotel occupancy taxes required by Section 156.151 of the Texas Tax Code, as amended, for the same quarterly period; and
  - (2) pay the tax due for the quarter.
- (c) A report under this section shall be in the form prescribed by the City and shall include:
  - (1) the total consideration paid for rooms subject to the tax in the preceding quarter;
  - (2) the total amount of tax collected; and
  - (3) the total amount of tax exemptions granted.
- (d) If requested by the City, a person responsible for collecting the tax shall provide the City with:

- (1) the names, addresses, and identification relied upon to grant an exemption from the tax; and
  - (2) any other information the City may reasonably require.
- (e) The City Manager may request, and a person required to collect the tax shall provide within a reasonable time, additional documentation verifying the information contained in the report to the City.

**Sec. 5.110.5. Collection procedure on purchase of a hotel.**

- (a) If a hotel owner sells a hotel, the purchaser or his assignee shall withhold an amount of the purchase price sufficient to pay the amount of tax due until the seller provides:
  - (1) a receipt issued by the City showing that the amount of tax due has been paid; or
  - (2) a certificate issued by the City showing that no tax is due.
- (b) A purchaser of a hotel who fails to withhold the amount of the purchase price as required by this section is liable for the unpaid tax required to be withheld to the extent of the value of the purchase price.
- (c) The purchaser of a hotel may file a written request with the City for the issuance of a certificate stating that no tax is due or for a statement of the amount required to be paid before a certificate may be issued. The City shall issue the certificate or statement not later than the 60th day after the date that the City receives the request.
- (d) If the City fails to issue the certificate or statement within the period provided by Subsection (c), the purchaser is released from the obligation to withhold the amount of tax from the purchase price or pay the amount of tax due.

**Sec. 5.110.6. Rules; access to records.**

- (a) The City Manager may promulgate rules to effectively collect the tax imposed by this article.
- (b) Upon reasonable notice, a person responsible for collecting the tax shall give the City access to the records necessary to determine the accuracy of a report filed or the amount of tax due under this article.

**Sec. 5.110.7. Allocation and use of hotel occupancy tax revenue.**

- (a) The revenue derived from the tax authorized by this article may be used only as provided by section 351.101 of the Texas Tax Code, as amended, to promote tourism and the convention and hotel industry as follows:
  - (1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;
  - (2) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
  - (3) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the City or its vicinity;
  - (4) the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;
  - (5) historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:
    - (A) at or in the immediate vicinity of convention center facilities or visitor information centers; or
    - (B) located elsewhere in the City or its vicinity that would be frequented by tourists and convention delegates; and
  - (6) expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the City or its vicinity.
- (b) Revenue derived from the tax shall only be expended to directly enhance and promote tourism and the City's convention and hotel industry. Tax revenue may not be used as general revenue for general governmental operations of the City.

**Sec. 5.110.8. Penalties; interest.**

- (a) In addition to the tax imposed under this article, a person shall pay a penalty of five percent (5%) of the tax due if the person:
  - (1) fails to file a report on or before the due date;
  - (2) fails to pay the tax imposed on or before the due date; or
  - (3) files a report containing false information.
- (b) A person who fails to pay any amount of the tax and penalty due under Subsection (a) on or before the 60th day after the tax is due shall pay an additional five percent (5%) penalty on the unpaid tax. A delinquency penalty shall not be less than one dollar (\$1.00).
- (c) Beginning on the 61st day after the due date, delinquent taxes shall draw interest at a rate of ten percent (10%) per annum.

**Sec. 5.110.9. Offenses.**

- (a) A person commits an offense if the person violates or fails to perform an act required by this article, or files a report containing false information. Each instance of a violation of this article is a separate offense, and each day that a person remains in violation shall be deemed to constitute a separate offense.
- (b) An offense under this article is a Class C misdemeanor, punishable as provided in Section 1.104.1 of the Code of Ordinances of the City of Farmersville.
- (c) Nothing herein contained shall prevent the City of Farmersville from taking such other lawful action as is necessary to prevent or remedy any violation.

**Sec. 5.110.10. Additional enforcement authority.**

The City may take the following actions against a person who has failed to file a required report, failed to collect the tax imposed, failed to pay the taxes over to the City when due, or filed a false report:

- (1) bring suit to collect the unpaid tax or to enjoin the person from operating a hotel in the City until the tax is paid or the report filed, as applicable, as provided by the court's order; and
- (2) any other remedy provided under state law.

**Secs. 5.110.11 – 5.110.20. Reserved."**

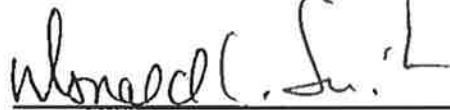
**SECTION III: Savings.** This Ordinance shall be cumulative of all other ordinances of the City, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that any complaint, notice, action, cause of action, or claim which prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to such other ordinance(s) shall continue to be governed by the provisions of that ordinance or those ordinances, and for that purpose that ordinance or those ordinances shall be deemed to remain and shall continue in full force and effect.

**SECTION IV: Severability.** The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

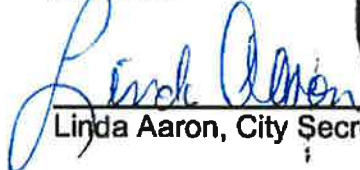
**SECTION V: Effective Date.** This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by Texas law.

**PASSED AND APPROVED** by the City Council of the City of Farmersville, Texas this the 14th day of August 2007.

APPROVED:

  
\_\_\_\_\_  
Donald C. Smith, Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Aaron, City Secretary



APPROVED AS TO FORM:

\_\_\_\_\_  
Alan D. Lathrom, City Attorney



Agenda Section	Regular Agenda
Section Number	IX. D..
Subject	Rambler Park
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Regular Agenda
Section Number	IX. E..
Subject	Streets
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	None
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>

Agenda Section	Regular Agenda
Section Number	IX. F..
Subject	4B Resignation of Tonya Mercer
To	Mayor and Council Members
From	Ben White, City Manager
Date	May 24, 2022
Attachment(s)	Email resignation
Related Link(s)	<a href="http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php">http://www.farmersvilletx.com/government/agendas_and_minutes/city_council_meetings.php</a>
Consideration and Discussion	City Council discussion as required.
Action	<ul style="list-style-type: none"> <li>• Motion/second/vote <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Motion/second/vote to continue to a later date. _____ <ul style="list-style-type: none"> <li><input type="checkbox"/> Approve</li> <li><input type="checkbox"/> Disapprove</li> </ul> </li> <li>• Move item to another agenda. _____</li> <li>• No motion, no action</li> </ul>