



## **FARMERSVILLE INCREMENT REINVESTMENT ZONE**

**12:00**

**March 8th, 2023**

**City Hall Council Chambers**

**205 S. Main**

**Farmersville, TX 75442**

### **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 and roll call.
- Announcements

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

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

#### **III. CONSENT AGENDA**

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 Board members may request prior to a motion and vote on the Consent Agenda that one or more items be withdrawn from the Consent Agenda and considered individually.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requested to be removed, the Farmersville Tax Increment Reinvestment Zone Board will consider and act on each item so withdrawn individually.

- A. Financial Statement January 2023

#### **IV. REGULAR AGENDA**

- A. Consider, discuss, and act upon changes to the TIRZ Bylaws to accommodate the following changes:
- Move board appointments from their current timing to align with the normal City of Farmersville board appointment period.
  - Staggering board terms.
- B. Consider, discuss, and act upon a preliminary Tax Increment Zone project list to facilitate a review related to each project's appropriateness, relative priority, scope, and any other project list related matter.

#### **I. ADJOURNMENT**

- No action may be taken on comments received under "Recognition of Visitors".
- The Board may vote and/or act upon each of the items listed in the Agenda.


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

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

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said notice was posted March 3th, 2023, by 12:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

  
Daphne Hamlin, TIRZ Liaison

Agenda Section	Consent Agenda
Section Number	B. Financial Statement January 2023
Subject	<u>January 2023 Financial Statement</u>
To	TIRZ
From	Daphne Hamlin
Date	03-08-2023
Attachment(s)	January 2023 Financial Statement
Related Link(s)	
Consideration and Discussion	Approve or deny
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  
January 2023  
Financial Report

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

**TIRZ**  
**January 2023**

<b>Statement Balance 12-30-2022</b>	<b>\$65,735.11</b>
<b>Deposits:</b>	<b>\$-</b>
<b>Cking Int CBTX .10%</b>	<b>\$5.76</b>
<b>Statement balance 1-31-2023</b>	<b>\$65,740.87</b>

**Outstanding Transactions**

<b>Bond paying agent fee</b>	<b>\$(750.00)</b>
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<b>Balance</b>	<b>\$64,990.87</b>
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POST	DATE	TRAN #	REFERENCE	DESCRIPTION	VEND	INV/JE #	AMOUNT	BALANCE
				CASH ACCOUNT				65,717.62
10/31/22	12/08	B34378	Deposit 000000	07632 TIRZ OCTOBER 2022		JE# 008893	42.02	65,759.64
10/31/22	12/08	B34379	Deposit 000000	07633 REV INS 102022		JE# 008894	42.02CR	65,717.62
10/31/22	12/08	B34379	Deposit 000000	07633 REV INS 102022		JE# 008894	6.62	65,724.24
				OCTOBER ACTIVITY DB:		CR:	42.02CR	6.62
11/30/22	1/19	B34902	Deposit 112022	07742 CNTX TIRZ INT 112022		JE# 009004	5.47	65,729.71
				NOVEMBER ACTIVITY DB:		CR:	0.00	5.47
12/30/22	2/06	B35161	Deposit 122022	07811 TIRZ INT 12-2022		JE# 009075	5.40	65,735.11
				DECEMBER ACTIVITY DB:		CR:	0.00	5.40
1/12/23	2/23	B35469	Misc 012023	07854 BOND PAYING AGENT FEE 2019		JE# 009120	750.00CR	64,985.11
1/30/23	2/23	B35480	Interest012023	07865 CBTX TIRZ INT 012023		JE# 009131	5.76	64,990.87
				JANUARY ACTIVITY DB:		CR:	750.00CR	744.24CR
				ACCOUNT TOTAL DB:		CR:	792.02CR	

000 ERRORS IN THIS REPORT!  
 \*\* REPORT TOTALS \*\*  
 BEGINNING BALANCES: 65,717.62  
 REPORTED ACTIVITY: 65.27  
 ENDING BALANCES: 65,782.89  
 TOTAL FUND ENDING BALANCE: 64,990.87

--- DEBITS ---  
 65,717.62  
 --- CREDITS ---  
 0.00  
 792.02CR  
 792.02CR

POST DATE	TRAN #	REFERENCE	DESCRIPTION	VEND	INV/JE #	AMOUNT	BALANCE	
			INVESTMENT ACCT TXPL					
			B E G I N N I N G B A L A N C E					1,056,923.03
10/31/22	12/08	B34378	07632 TIRZ OCTOBER 2022		JE# 008893	2,633.32	1,059,556.35	
			OCTOBER ACTIVITY DB:		CR:	2,633.32		
11/30/22	1/12	B34853	07708 TXPL TIRZ 112022		JE# 008971	3,144.69	1,062,701.04	
			NOVEMBER ACTIVITY DB:		CR:	3,144.69		
12/30/22	2/06	B35128	07780 TXPL TIRZ 12-2022		JE# 009044	3,592.15	1,066,293.19	
			DECEMBER ACTIVITY DB:		CR:	3,592.15		
1/30/23	2/15	B35344	07829 TXPL TIRZ 012023		JE# 009096	3,843.74	1,070,136.93	
			JANUARY ACTIVITY DB:		CR:	3,843.74		
			ACCOUNT TOTAL		DB:	13,213.90	0.00	

000 ERRORS IN THIS REPORT!  
 \*\* REPORT TOTALS \*\*  
 BEGINNING BALANCES: 1,056,923.03  
 REPORTED ACTIVITY: 13,213.90  
 ENDING BALANCES: 1,070,136.93  
 TOTAL FUND ENDING BALANCE: 1,070,136.93

--- DEBITS ---  
 --- CREDITS ---  
 0.00  
 0.00  
 0.00



Agenda Section	Regular Agenda
Section Number	A.
Subject	<p><u>Consider, discuss, and act upon changes to the TIRZ Bylaws to accommodate the following changes:</u></p> <p><u>Move board appointments from their current timing to align with the normal City of Farmersville board appointment period</u></p> <p><u>Staggering board terms</u></p>
To	TIRZ
From	Daphne Hamlin
Date	03-08-2023
Attachment(s)	TIRZ Bylaws
Related Link(s)	
Consideration and Discussion	
Action	

**City of Farmersville**  
**Farmersville Tax Increment Financing Reinvestment Zone No. 1**  
**BYLAWS**

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**A R T I C L E I**

**POWERS AND PURPOSE**

**Section 1. Financing Development or Redevelopment in the Z1.** In order to implement the purposes for which Tax Increment Financing Reinvestment Zone No.1, City of Farmersville, Texas (the "Zone") was formed, as set forth in **Ordinance No. 2011-1219-002**, approved on second reading December 19, 2011, creating the Zone, the City of Farmersville, Texas (the "City") may issue obligations to finance all or part of the cost of implementing the "project plan" for the Zone as defined in the Tax Increment Financing Act of the Tax Code, Chapter 311, Vernon's Texas Codes Annotated (the "Act").

**Section 2. Books and Records: Approval of Programs and Financial Statements.** The Board of Directors shall keep correct and complete books and records of account and shall also keep minutes of its proceedings and the proceedings of committees having any of the authority of the Board of Directors. All books and records of the Zone may be inspected by any director or his agent or attorney for any proper purpose at any reasonable time; and at all times the City Council and the City Auditor will have access to the books and records of the Zone. The City Council must approve all programs and expenditures for the Zone and annually review any financial statements of the Zone.

**A R T I C L E II**

**BOARD OF DIRECTORS**

**Section 1. Powers, Number, and Term of Office.** The property and affairs of the Zone shall be managed and controlled by the City Council based on the recommendations of the Board of Directors of the Zone ("Board of Directors" or "Board"), subject to the restrictions imposed by law, the ordinance creating the Zone, and these Bylaws. It is the intention of the City Council that the Board of Directors shall function only in an advisory or study capacity with respect to the Zone and shall exercise only those powers, advisory in nature, which are either granted to the Board pursuant to the Act or delegated to the Board by the City Council.

The Board of Directors shall consist of five (5) directors: three (3) of whom shall be appointed by the City Council of the City, and two(2)members shall be appointed by the County Commissioners Court of Collin County; provided however, that if a taxing unit (other than the

City) waives its right to appoint a member to the Board, as evidenced by written resolution duly adopted by the governing body of such taxing unit, the City may appoint such Board member in its stead.

The first Board of Directors shall serve for an initial term ending December 31, 2013 or until his or her successor is appointed. Subsequent directors shall be appointed by the governing bodies of the City and County, and shall serve for two (2) year terms beginning January 1, 2014 or until their successors are appointed by the respective governing bodies.

Any director may be removed from office by the City Council for cause deemed by the City Council as sufficient for their removal in the interest of the public, but only after a public hearing before the City Council on charges publicly made, if demanded by such Board member within ten (10) days.

In the event of a vacancy caused by the resignation, death, or removal for any reason, of a director, the governing body of the respective taxing unit which made such Board appointment shall be responsible for filling the vacancy.

**Section 2. Meetings of Directors.** The directors shall hold their meetings within a public building in the City as the Board of Directors may from time to time determine.

**Section 3. Regular and Special Meetings.** Regular and Special Meetings of the Board of Directors shall be held at such times and places as shall be designated, from time to time, by the Board of Directors. All meetings of the Board shall be of a public nature unless pertaining to matters of land purchase, security, personnel, or strictly legal matters. Notice of all regular and special meetings of the Board and any committees thereof shall be posted in accordance with the provisions of Chapter 551, Texas Government Code. There shall be at least one Regular Meeting held each year.

**Section 4. Emergency Meetings.** Emergency Meetings of the Board of Directors shall be held whenever called by the chair, by the secretary, by a majority of the directors then in office or upon advice of or request by the City Council. The secretary shall give notice to each director of each Emergency Meeting. Notice of all Emergency Meetings shall state the purpose, which shall be the only business conducted and shall be subject to the requirements of State Law.

**Section 5. Quorum.** A majority three (3) of the five (5) directors holding current appointments shall constitute a quorum for the consideration of matters pertaining to the purposes of the Zone. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of Directors, unless the act of a greater number is required by law.

**Section 6. Conduct of Business.** At the meetings of the Board of Directors, matters pertaining to the purposes of the Zone shall be considered in such order as from time to time the Board of Directors may determine.

At all meetings of the Board of Directors, the chair shall preside and in the absence of the chair, the vice chair shall exercise the power of the chair.

The secretary of the Board of Directors shall act as secretary of all meetings of the Board of Directors, but in the absence of the secretary, the presiding officer may appoint any person to act as secretary of the meeting. City staff shall provide notice of meetings and prepare meeting agendas.

Within five (5) days of approval of minutes for each Regular Meeting, Special and Emergency meeting, a copy of the approved minutes shall be submitted to the City Secretary of the City.

**Section 7. Compensation of Directors.** Directors as such shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual reasonable expenses incurred in the performance of their duties hereunder.

**Section 8. Attendance.** Board members shall make every effort to attend all Regular, Special and Emergency meetings of the Board and/or Committees. The City Council may replace a City appointee of the Board or request replacement of an appointee from other taxing jurisdictions for non-attendance at three consecutive meetings.

## A R T I C L E   I I I

### O F F I C E R S

**Section 1. Titles and Term of Office.** The officers of the Zone shall consist of a chair, a vice chair, a secretary, and such other officers as the Board of Directors may from time to time elect or appoint; provided however that the City Council shall, on an annual basis, appoint the chair whose term shall end on December 31 of each year. 1 (1) person may hold more than 1 (1) office, except that the chair shall not hold the office of secretary. Terms of office for officers, other than the chair, shall not exceed two (2) years.

All officers, other than the chair, shall be subject to removal from office, with or without cause, at any time by a vote of a majority of the entire Board of Directors.

A vacancy in the office of any officer, other than the chair, shall be filled by a vote of a majority of the directors.

**Section 2. Powers and Duties of the Chair.** The chair shall be the chief executive officer of the Board of Directors and, subject to the approval of the City Council, he/she shall be in general charge of the properties and affairs of the Zone and shall preside at all meetings of the Board of Directors.

**Section 3. Vice Chair.** The Vice chair shall be a member of the Board of Directors, shall have such powers and duties as may be assigned to him by the Board of Directors and shall exercise the powers of the chair during that officer's absence or inability to act. Any action taken by the vice chair in the performance of the duties of the chair shall be conclusive evidence of the absence or inability to act of the chair at the time such action was taken.

**Section 4. Secretary.** The secretary shall keep the minutes of all meetings of the Board of Directors in books provided for the purpose, he/she shall have charge of such books, records, documents and instruments as the Board of Directors may direct, all of which shall at all reasonable times be open to inspection, and he/she shall in general perform all duties incident to the office of secretary subject to the control of the City Council and the Board of Directors. The function of Secretary may be performed by City Staff.

**Section 5. Compensation.** Officers as such shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual reasonable expenses incurred in the performance of their duties hereunder.

**Section 6. Staff.** Staff functions for the Board of Directors may be performed by the City Manager or his designees.

## A R T I C L E   I V

### PROVISIONS REGARDING BYLAWS

**Section 1. Effective Date.** These Bylaws shall become effective only upon the occurrence of the following events:

- (1) The adoption of these Bylaws by the Board of Directors, and
- (2) The approval of these Bylaws by the City Council.

**Section 2. Amendments to Bylaws.** These Bylaws may be amended by majority vote of the Board of Directors, provided that the Board of Directors files with the City Council a written application requesting that the City Council approve such amendment to the Bylaws, specifying in such application, the amendment or amendments proposed to be made. If the City Council by appropriate resolution finds and determines that it is advisable that the proposed amendment be made, authorizes the same to be made and approves the form of the proposed amendment, the Board of Directors shall proceed to amend the Bylaws.

After consultation with the Board of Directors, the Bylaws may also be amended at any time by the City Council by adopting an amendment to the Bylaws by resolution of the City Council and delivering the Bylaws to the secretary of the Board of Directors.

**Section 3. Interpretation of Bylaws.** These Bylaws and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these Bylaws, or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these Bylaws to any other person or circumstance shall not be affected thereby.

## A R T I C L E   V

### GENERAL PROVISIONS

**Section 1. Notice and Waiver of Notice.** Unless otherwise required by State Law, whenever any notice whatsoever is required to be given under the provision of these Bylaws, said notice shall be deemed to be sufficient if given by depositing the same in a post office box in a sealed postpaid wrapper addressed to the person entitled hereto at his post office address, as it appears on the books of the Zone, and such notice shall be deemed to have been given on the day of such mailing. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purposes of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A waiver of notice in writing signed by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

**Section 2. Resignations.** Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the City Council. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

**Section 3. Approval or Delegation of Power by the City Council.** To the extent that these Bylaws refer to any approval by the City, such approval of delegation shall be evidenced by a certified copy of an ordinance, or resolution (if permissible), duly adopted by the City Council.

Approved by the TIRZ Board of Directors on the 21st day of MARCH, 2012.

Approved by the Farmersville City Council on the 10th day of APRIL, 2012.

Agenda Section	Regular Agenda
Section Number	B.
Subject	<u>Consider, discuss, and act upon a preliminary Tax Increment Zone project list to facilitate a review related to each project's appropriateness, relative priority, scope, and any other project list related matter.</u>
To	TIRZ
From	Daphne Hamlin
Date	03-08-2023
Attachment(s)	Capital Improvement Plan
Related Link(s)	
Consideration and Discussion	
Action	

# City of Farmersville Capital Improvement Plan

Project Number	Department	Project Name	Type	Major Funding Entity
PJ295	TIRZ	TIRZ Project and Financial Plan Update	Construct	TIRZ
PJ261	Finance	TIRZ General Fund Transfer for Emergency Services	Purchase	TIRZ
PJ124	PW Streets	Street Construction, Concrete, Hamilton, Elm to AMP	Construct	TIRZ
PJ292	TIRZ	Farmersville Landing Development	Construct	TIRZ
PJ294	TIRZ	Towne Centre Planning	Construct	TIRZ
PJ288	PW Streets	Street Construction, Concrete, Hamilton, AMP to Elm Creek Branch	Construct	TIRZ
PJ289	PW Streets	Street Construction, Concrete, Hamilton, Elm Creek Branch Bridge	Construct	TIRZ
PJ290	PW Streets	Street Construction, Concrete, Hamilton, Elm Creek Branch to 500	Construct	TIRZ
PJ296	TIRZ	Thoroughfare and Land Use Plans	Construct	TIRZ
PJ209	PW Streets	Street Construction, Fville Pkwy, Concrete, Welch to SH 78	Construct	TIRZ
PJ291	TIRZ	Farmersville Industrial Park, Project Prairie Dog	Construct	TIRZ
PJ122	PW Streets	Street Construction, Concrete, Welch Drive, Panel Replacement	Construct	TIRZ
PJ198	PW Streets	Street Construction, Water, Concrete, SH 78 to Hamilton	Construct	TIRZ
PJ121	PW Streets	Street Construction, Concrete, Raymond, AMP to Water	Construct	TIRZ
PJ120	PW Streets	Street Reconstruction, Concrete, Beene	Construct	TIRZ/City
PJ123	PW Streets	Street Construction, Concrete, Orange, Audie Murphy to Beech	Construct	TIRZ/City
PJ293	TIRZ	Farmersville Downs Development	Construct	TIRZ
PJ210	PW Streets	Street Construction, Concrete, SH 78, US Hwy 380 to McKinney	Construct	TIRZ
PJ128	PW Streets	Street Construction, Concrete, South Rike, Audie Murphy to 190 Feet	Construct	TIRZ
PJ127	PW Streets	Street Construction, Concrete, Orange, Audie Murphy to 100 Feet	Construct	TIRZ
PJ125	PW Streets	Street Construction, Concrete, South Rike, Audie Murphy to Beech	Construct	TIRZ/City