



**AGENDA
CITY COUNCIL
TUESDAY, OCTOBER 8, 2019
1371 WEST FM 550 - MCLENDON-CHISHOLM, TEXAS 75032
6:30 PM**

Page

- | | |
|---------|--|
| | 1. CALL TO ORDER |
| | 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS |
| | 3. RULES OF DECORUM |
| | 4. CITIZEN COMMENTS |
| | 5. APPROVAL OF MINUTES |
| 4 - 12 | 5.1. September 24, 2019
September 24, 2019 Minutes |
| | 6. ITEMS FOR CONSIDERATION |
| 13 - 22 | 6.1. Public hearing, discussion and action regarding a request by Anthony Crowley on behalf of Ty Davenport, seeking approval of a Final Plat for Davenport Estates, 6.188 acres, part of Rockwall CAD Parcel ID No. 11452, K Latham Survey, Tract 67, generally located on Smith Road, south of FM 550.
City Planner Report - Davenport Estates Final Plat |
| 23 - 39 | 6.2. Presentation by Dan Jackson representing Wildan Financial and discussion regarding 2019 Wastewater Rate Study and Financial Forecast. <i>(Requested by Palomba)</i>
Staff Report - Wastewater Rate Analysis
Rate Study and Financial Forecast Presentation |

- 40 - 44 6.3. Discussion and action regarding consideration of Letter of Engagement with Murrey Paschall & Caperton, P.C. for auditing City of McLendon-Chisholm financial statements for Fiscal Year 2018-2019 for a price not to exceed \$11,000. (Requested by Palomba)
[Letter of Engagement City Audit FY 18-19](#)
- 45 - 48 6.4. Discussion and action regarding consideration of a Letter of Engagement with Murrey Paschall & Caperton, P.C. for auditing Sonoma Verde Public Improvement District financial statements for Fiscal Year 2018-2019 for a price not to exceed \$6,000. (Requested by Palomba)
[Letter of Engagement Sonoma PID Audit FY 18-19](#)
- 49 - 50 6.5. Discussion and consideration of a Resolution designating an official newspaper and alternate official newspaper for required public notices. (Requested by Palomba)
[Resolution Designating Official Newspaper](#)
- 51 - 52 6.6. Discussion and action considering approval of November 11, 2019 Veterans Day Memorial program including costs, participants and agenda. (Requested by Council Member Kipphut)
[Veterans Day Ceremony Program Draft](#)
- 53 6.7. Discussion and action regarding consideration of appointing two Council Members to a Comprehensive Plan Review Committee to work in collaboration with two appointed Planning & Zoning Commissioners for the purpose of reviewing the Comprehensive Plan, recommending areas of focus and identifying a process for updating the plan. (Requested by Palomba)
[Staff Report - Proposed Comprehensive Plan Review Committee](#)
- 6.8. Discussion and action regarding the possibility of rescheduling or cancelling Regular Council Meetings during the 2019 holiday season. (Requested by Palomba)

7. UPDATES, DISCUSSION AND DIRECTION TO STAFF

8. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

- 8.1. Mayor Short's reports and announcements
- 8.2. Council Member Kipphut's reports and announcements
- 8.3. Council Member Hodges' reports and announcements
- 8.4. Council Member Woessner's reports and announcements
- 8.5. Mayor Pro Tem Bloom's reports and announcements

8.6. Council Member Dahl's reports and announcements

9. ADJOURN

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session in order to seek confidential legal advice from the City Attorney on any agenda item herein.

I, Lisa Palomba, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted on or before 6:00 p.m., October 4, 2019 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.



CITY COUNCIL MEETING
City of McLendon-Chisholm, Texas
Meeting Minutes
September 24, 2019

The City Council of the City of McLendon-Chisholm convened in Regular Session on Tuesday, September 24, 2019, at City Hall, 1371 West FM 550, McLendon-Chisholm, Texas, with the following members present:

ATTENDING:	Keith Short Jim Bloom Nathan Hodges Lorna Kippthut William Dahl Trudy Woessner	Mayor Mayor Pro-Tem Council Member Council Member Council Member Council Member
Staff Present:	Lisa Palomba Jim Simmons Michael Halla	City Administrator/City Secretary Fire Chief City Attorney

1. CALL TO ORDER

Mayor Short called the meeting to order at 6:30 p.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS

Council Member Hodges delivered the Invocation and led the Pledge of Allegiance to the U.S. and Texas Flags.

3. RULES OF DECORUM

Mayor Short announced the Rules of Decorum are in place and are to be observed throughout the meeting.

4. CITIZEN COMMENTS

Mike Donegan, 2620 Ridgelake Lane. Expressed support for tax rate. Thought Council should hold more workshops and recommended that staff should be broken down between full and part time employees.

Lance Agee, 1509 Via Toscana. Pointed out to the Council that they were elected to lower taxes – not raise them. He also expressed concern over how payroll is handled.

Adrienne Balkum, 1518 Firenza Court. Asked Council if they had addressed the questions she had at the last meeting regarding fire activity and fire department equipment. She questioned the senior tax exemption and how it impacts revenues as

well as the need for animal control. She also inquired about the need for the \$49,500 transfer from the general fund into the Sonoma Verde utility fund.

Jody Wright, 1516 Barrolo Dr. Pointed out that she had supported each of them. Stressed that when we have tough times, we get lean. We cut every bit of unnecessary expenses that we can find. She questioned the need for two fire chiefs. She thought this Council ran using the word unity and bringing the community together.

Latitia Sorensen, 1061 Frontier Trl. Expressed concerned about the use of funds now and how they will be used in the future. She feels they should find ways to cut expenses.

David Black, 1419 Siena Ln. Expressed his feeling that it seems like things are up in the air.

Scott Turnbull, 1117 Newkirk Ct. Asked the Council to reconsider the tax rate and the budget. They need to justify the expenses they are proposing. A cost analysis is needed to determine the needs of the city and show proof of the needs. He urged them to pass the 380 Agreement and cut taxes accordingly to reflect additional income. They can keep the fifteen-cent tax rate and keep, or exceed, proposed budget.

5. APPROVAL OF MINUTES

5.1. July 23, 2019 Revised City Council Meeting

MOTION: APPROVE MINUTES OF THE JULY 23, 2019 REVISED CITY COUNCIL MEETING AS PRESENTED.

MADE BY: Council Member Kipphut
SECONDED BY: Council Member Woessner
APPROVAL: AYES – Bloom, Dahl, Kipphut, Woessner
Abstain – Hodges (not appointed to Council at the time the meeting took place)

5.2. September 10, 2019 City Council Meeting

MOTION: APPROVE MINUTES OF THE SEPTEMBER 10, 2019 CITY COUNCIL MEETING AS PRESENTED.

MADE BY: Council Member Kipphut
SECONDED BY: Council Member Bloom
APPROVAL: Unanimous

6. ITEMS FOR CONSIDERATION

6.1. Discussion and action regarding consideration of an Interlocal Agreement between the City of Frisco, Texas and the City of McLendon-Chisholm to cooperate in the purchase of various goods and services commonly utilized by the participants from vendors under present and future contracts.

Mayor Short introduced this item by explaining it is a method for fire departments to piggy-back off each other for purchases in order to save money by getting the best prices available.

MOTION: APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF FRISCO, TEXAS, AND THE CITY OF MCLENDON-CHISHOLM TO COOPERATE IN THE PURCHASE OF VARIOUS GOODS AND SERVICES COMMONLY UTILIZED BY THE PARTICIPANTS FROM VENDORS UNDER PRESENT AND FUTURE CONTRACTS.

MADE BY: Council Member Bloom

SECONDED BY: Council Member Dahl

Council Member Kipphut asked about the prices they might receive.

Chief Simmons stated they could save up to 36% off retail prices. Frisco has already negotiated the best prices and they will be able to piggy-back off them.

Council Member Hodges asked if there is any obligation on the City.

Chief Simmons responded there is no obligation at all.

APPROVED: Unanimously

6.2. Discussion and action regarding consideration of a Resolution adopting an Economic Development Policy pursuant to Chapter 380 of the Local Government Code.

MOTION: APPROVE A RESOLUTION ADOPTING AN ECONOMIC DEVELOPMENT POLICY PURSUANT TO CHAPTER 380 OF THE LOCAL GOVERNMENT CODE.

City Attorney Halla explained the City needs a policy for any kind of incentives like this 380 agreement. He explained they need to be consistent with companies coming into the City and requesting incentives. They need a consistent source that anybody can go to and look at and see if a proposed agreement is consistent with the City policy. They

need to have a policy that has the right balance. This proposed policy is what he suggests and staff agrees with it.

MADE BY: Council Member Kipphut
SECONDED BY: Council Member Bloom
APPROVED: Unanimously

6.3. Discussion and action to consider an Economic Development Incentive Agreement made by and among the City of McLendon-Chisholm, Texas and APCM, LLC related to the company's purchasing office to be located in McLendon-Chisholm.

City Administrator Palomba introduced Doug Duffie who is a CPA who represents companies who enter into these types of sales tax agreements. He participated in negotiating a different type of Chapter 380 Agreement between McLendon-Chisholm and Highland Homes about two years ago. This proposed agreement will allow Altura Homes to establish a purchasing office which will allow the City to collect sales tax on building materials purchased. As a part of doing that, the City would also rebate a portion of that back to Altura.

Mr. Duffie explained that Altura had called him to see if there was a way to benefit the City as well as them. This would be a 50/50 agreement with Altura. These agreements are performance driven. If the company doesn't do what they are supposed to – file tax returns, pay money – the City owes them nothing. This is a 50/50 split of revenue – not expenses. He has confirmed with the state that this purchasing office will be on Hwy 205 within the city limits of McLendon-Chisholm. This is their corporate location and their only location within the City. This agreement asks for nothing regarding employees or property tax abatement. The company will pay for all their expenses. The City will get money immediately from the date they file a sales tax agreement. The company will file a sales tax return monthly and provide the City with a copy. Once a month, the City would be asked to pay a grant back to Altura based on the revenues. The City does not pay anything until they actually receive money from the state. This is a very equal, performance driven agreement. I would suggest you consider and approve it.

Council Member Hodges asked if there is an idea of how much revenue we're talking about.

Mr. Duffie stated they make between ten and twelve million dollars in purchases per year. A portion of those purchases are made directly with the supplier and they pay sales tax on those purchases. We are talking about lumber, brick, stone, those type of purchases as a part of this agreement. It's a limited number of their overall purchases, but a portion goes to the City and if they grow, your revenue increases too.

City Administrator Palomba reported that the estimated portion for the City would be \$120,000 annually.

Council Member Hodges asked if there would be any supplies stored in the City.

Mr. Duffie responded there will be no supplies, such as lumber, or any large equipment stored in the City.

Council Member Kipphut stated they were told there might be six to seven employees in the office setting. She explained she is concerned about the precedence this might set with other businesses coming into the area. She asked if he had any examples of how other small cities do that.

Mr. Duffie answered that a lot of it depends on the type of agreement. Many cities have done an agreement similar to what Highland Homes has done. The Altura sales tax would come directly to you. As far as a precedence, he stated that as long as a tax payer is willing to pay all the expenses of something and you don't pay them anything until they fulfill their obligations, it's a pretty good deal.

City Attorney Halla explained further that the only time a city government could get into trouble is if you have a similar business and you treat them differently. These are always case-by-case. So, if there is something there that may not be in the policy, you can decline to do the deal. The only danger of setting precedent is if you start having exactly the same situation and you start treating them differently without any good reason. Again, these are all on a case-by-case basis.

Council Member Dahl inquired about Mr. Duffie's statement that they might not break even for about eighteen months. What type of expenses are you talking about them incurring?

Mr. Duffie stated there are many pieces of material that are subject to sales tax. They have a system that used to just pay the sales tax to their suppliers. From a technical perspective, if they have to create a second legal entity, now there are two legal entities, a home builder and a retailer. The retailer is going to have to buy those materials for resale, turn around and resell them to the home builder, so there is really going to be two purchase orders for every transaction; filing of administrative tax return every month; audits and system changes that allow that to happen to set up a new company. They have to set up for inter-company transactions and be able to report all that information to the comptroller.

Council Member Kipphut asked if the City staff is capable of handling administratively.

City Administrator Palomba replied Altura has agreed to quarterly payments rather than monthly which will help to keep the accounting to a minimum. Since the City will not have to confirm sales tax and prepare a report every month, she feels it is manageable.

Council Member Kipphut asked if the ten-year period is normal.

Mr. Duffie stated this is minimum.

**MOTION: APPROVE AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT
MADE BY AND AMONG THE CITY OF MCLENDON-CHISHOLM,
TEXAS AND APCM, LLC RELATED TO THE COMPANY'S
PURCHASING OFFICE TO BE LOCATED IN MCLENDON-CHISHOLM.**

MADE BY: Council Member Bloom

SECONDED: Council Member Hodges

Council Member Woessner stated she would like to postpone at this time.

Mayor Short stated there is a motion on the floor.

Council Member Kipphut stated that her questions have been addressed regarding the precedent this will set and if it is manageable for City staff. She asked the City Administrator how long she had been working with Altura on this and how the negotiations have gone from her standpoint.

Council Member Hodges pointed out that Altura could decide to move to another location if an agreement cannot be made.

City Administrator Palomba reported she began discussion with Altura since late last year. Altura had to make sure they could build their building here so they went through the location process. They decided the best location is adjacent to their current building. Altura applied and was granted an amendment to the Planned Development zoning to allow for a change in building setback and lot coverage so the new building will fit on the lot. So, we have talked about it in one aspect or another for many months. I think it has gone well. When we first received the agreement, we had some concerns. I City Attorney Halla review the agreement. Altura incorporated much of the language Halla suggested and changed monthly payments to quarterly payments. They were agreeable to our suggestions. We did not ask for a higher percentage than the 50/50 split, which I think is pretty standard.

Council Member Kipphut confirmed that this is their only building center in the state.

Council Member Woessner stated she has been concentrating on the budget and hasn't had time to really study this. She stated she would like to postpone.

Mayor Short stated that, unfortunately, there is a motion on the table unless Council Member Bloom wants to withdraw it.

Council Member Bloom stated he was going to keep his motion.

Mayor Short asked Council Member Hodges if he is still going to second.

Council Member Hodges responded yes.

APPROVAL: **Ayes (Bloom, Dahl, Kipphut, Hodges)**
 Abstain-Woessner

6.4. Discussion and action regarding an Ordinance approving and adopting the Budget for Fiscal Year starting October 1, 2019 and ending September 30, 2020.

MOTION: APPROVE THE BUDGET, ADJUSTING THE BUDGET TO REFLECT A .150000 CENT TAX RATE FROM THE .165000 TAX RATE, FOR FISCAL YEAR STARTING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020.

MADE BY: **Council Member Kipphut**
SECONDED: **Council Member Bloom**

Council Member Kipphut stated she would like to commend the Mayor and the City staff for their work last year on the budget. The year 2019 was the first year for a fire department and last year they started with three trucks and a grant. They have come far. She thinks we do have a way to go and she, personally, doesn't want to get there the easy way, which is why she recommended the maintenance of the fifteen-cent tax rate. She thinks the fifteen-cents achieves a lot of what we want to do. It's been a long road to get there starting with the first budget workshop as we were reminded in one of our citizen comments that we looked like we weren't sure what we were doing. Well, that was the first opportunity that we had to look at the budget and that's what you get when you have a workshop. Next year they are going to take a little bit more time to look at the budget and give themselves a little earlier time to start the process. She stated she does want to continue the fund balance policy with the reserves that we have. She does believe we have a commitment for animal control and code enforcement. There are many ordinances out there and the City needs to enforce them. She thinks the budget with an adjusted rate of fifteen cents will get us where we want to go.

APPROVAL BY ROLL CALL:

Council Member Bloom	AYE
Council Member Dahl	AYE
Council Member Kipphut	AYE
Council Member Hodges	AYE
Council Member Woessner	AYE

6.5. Discussion and action regarding an Ordinance setting a Tax Rate of 0.150000 per \$100 valuation on all taxable property for the Fiscal Year starting October 1, 2019 and ending September 30, 2020.

MOTION: MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF THE TAX RATE OF 0.150000 WHICH IS EFFECTIVELY A 5.35% INCREASE IN THE TAX RATE AND THAT THE ORDINANCE LEYING THIS TAX RATE BE APPROVED.

MADE BY: Council Member Bloom

SECONDED BY: Council Member Dahl

APPROVAL BY ROLL CALL:

Council Member Bloom	AYE
Council Member Dahl	AYE
Council Member Kipphut	AYE
Council Member Hodges	AYE
Council Member Woessner	AYE

6.6. Discussion and action to consider an Ordinance ratifying the property tax increase reflected in the Fiscal Year 2019-2020 Budget

MOTION: APPROVE AN ORDINANCE RATIFYING THE PROPERTY TAX INCREASE REFLECTED IN THE FISCAL YEAR 2019-2020 BUDGET.

MADE BY: Council Member Hodges

SECONDED BY: Council Member Bloom

APPROVAL: Unanimous

7. REPORTS

7.1. Budget Report August 2019

7.2. Building Official Report August 2019

7.3. McLendon-Chisholm Fire Rescue Report August 2019

7.4. Rockwall County Sheriff's Report August 2019

No Reports

8. UPDATES, DISCUSSION AND DIRECTION TO STAFF

No Updates, Discussion or Direction to Staff

9. COUNCIL MEMBER REPORTS AND ANNOUNCEMENTS

9.1. Mayor Short's Reports and announcements

Reminded everyone that M-C 50 is coming up. This is a busy time of year with Halloween, Thanksgiving, Christmas, and New Year's. Kids are doing fund raisers - support them when you can.

9.2. Council Member Kipphut's reports and announcements

None

9.3. Council Member Hodges' reports and announcements

None

9.4. Council Member Woessner's reports and announcements

MC50, October 19, 2019

9.5. Mayor Pro Tem Bloom's reports and announcements

None

8.6. Council Member Dahl's reports and announcements

None

10. ADJOURN

There being no further business to discuss, Mayor Short adjourned the meeting at 7:45 p.m.

ATTEST:

APPROVED:

Lisa Palomba, City Secretary

Keith Short, Mayor



CITY COUNCIL CITY OF MCLENDON-CHISHOLM, TEXAS

DATE: October 8, 2019

APPLICANT: Anthony Crowley
1121 Dallas Dr. Ste. 6
Denton, TX 76205

LOCATION: Smith Road & FM 550 / Rockwall County ID# 11452

ZONING: AG District

REQUEST:

Approval of a final plat of a 6.88-acre property to construct a single-family residence on the portion of the property zoned A District with frontage on Smith Road.

PROPERTY OWNER: Ty Davenport
1730 S. Hwy 205
McLendon-Chisholm, TX 75032

REPRESENTATIVE: Anthony Crowley

STAFF RECOMMENDATION: APPROVAL, the plat meets all the technical requirements and complies with zoning and subdivision regulations.

PLANNING AND ZONING COMMISSION RECOMMENDATION: The Planning and Zoning Commission, by a vote of 5-0, recommended approval of the proposed request per staff recommendation and subject to conditions.

CONDITIONS:

Prior to the issuance of any authorization for construction of infrastructure, drainage, or structures, the final civil engineering plans be reviewed and approved by the City's Engineer.

BACKGROUND INFORMATION:

The proposed final plat consists of one proposed lot of record in the A District. The applicant has conveyed the purpose of the plat is to create one legal building site for a single-family residence. In the A District, Single Family is an allowed use. The width of the parcel existed before the adoption of the Zoning Ordinance in 2007, and as such, is legal non-conforming. The proposed plat complies with the following zoning regulations of the A District:

DEVELOPMENT STANDARD	A DISTRICT (minimum)	PROPOSAL
Lot area	2.5 acres	5.981 acres*
Lot width	300 feet	299.6 feet**
Lot depth	200 feet	898.7 feet

*Excludes 0.206-acre portion of property to be dedicated to the city for Smith Road.

** Legal non-conforming.

Planning and Zoning Commission recommended approval and the **City Council** approved the Preliminary Plat.

STAFF RECOMMENDATION: APPROVAL.

The final plat meets all technical requirements and complies with all zoning and subdivision regulations. Staff recommends approval subject to the conditions listed below.

CONDITIONS:

1. Access: The proposed plat would leave a 3.85-acre remainder not part of the proposed plat. In order to ensure future access to this remainder, the applicant has agreed to dedicate a 20-foot wide access easement, by separate instrument, from the remainder parcel to FM 550. Said easement must be recorded by separate instrument at Rockwall County, and the recordation information must be cited on the final plat. It is the city's understanding that the remainder parcel will be incorporated into adjacent parcels and will have permanent access to public right-of-way in the future. **This condition has been met per the attached recorded Access Easement. ***
2. Engineering/Utility Connection: Prior to the issuance of any authorization for construction of infrastructure, drainage, or structures, the final civil engineering plans be reviewed and approved by the City's Engineer. *
3. Thoroughfare/Streets: The applicant is dedicating 30 feet of property to the centerline to align with a proposed right-of-way of 60 feet for Smith Road. The right-of-way dedication will leave 5.981 acres for private development. **This condition has been met. ***
4. Surveyor determine elevation for drainage easement based on top of dam elevation and place easement on plat prior to it being filed. **This been completed and must be reviewed by the City Engineer. ***

* All conditions for this plat must be met before filing for record.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the ground survey and represents only the approximate relative location of property boundaries. (Texas Government Code § 2051.102)

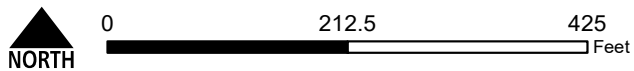


0 212.5 425 Feet

**Aerial
Davenport Plat**



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Zoning Map
Davenport Plat



CITY OF McLENDON-CHISHOLM
PLAT APPLICATION

Application Date: 08.30.19

Items Submitted. Check all that Apply:

- ☐ Preliminary Plat: \$175 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☒ Final Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Replat/ Amended Plat: \$150 per lot + \$10 per acre (acreage rounded to the nearest whole acre) + ALL Consultant Costs
- ☐ Digital Copy of Submitted Plat/Plan (required)
- ☐ Site Plan
- ☐ Concept Plan
- ☐ Planned Development
- ☐ Vacation of Plat

General Information:

Addition Name (if platted): Davenport Estates Current Zoning: AG

No. of Acres: 6.188 No. of Lots: 1 Proposed Zoning: AG

General Location of Property: Smith Road & FM 550

Proposed Use for Property: AG/Single Family Residence

Applicant Name: Anthony Crowley

Company: Crowley Surveying

Address: 1121 Dallas Dr. STE 6 City, State, Zip: Denton, TX 76205

Phone(s): 469-850-2757 Email: acrowley@crowleysurveying.com

Owner Name: Ty Davenport

Address: 1730 S. Hwy 205 City, State, Zip: McLendon-Chisolm, TX 75032

Legal Description of the Property: A0133 K LATHAM, TRACT 67, ACRES 10

County Parcel ID: 11452

Other Information: Anthony Crowley is authorized to be the agent/applicant

Page 1 of 2

Waiver

I agree to waive, and do hereby waive, the statutory time limit for plat approval in accordance with Section 212.009 of the Local Government Code. Yes X No

Signature: Anthony Ray Crowley

Development Fees

The City recognizes that professional guidance is necessary when undertaking any land use project including platting, zoning or Board of Adjustment applications. Therefore, the City will provide a one-hour or 2 one-half hour complimentary professional consultation with the City Planner and/or City Engineer. These complimentary consultation(s) will be arranged by City Staff. Limit of one complimentary consultation per property.

The applicant must pay the actual fee (very small & simple projects) or deposit the estimated fee with the City prior to the consultants beginning work on their application. Should the actual consultant cost exceed the estimate, the applicant will be required to deposit additional monies with the City before work on their application continues. Unused deposit monies will be refunded to applicant within 60 days of project conclusion.

ALL Consulting Costs - Includes City Planning, City Engineer, Legal Fees and any other outside Consultant costs incurred by the City. All outstanding fees must be paid by the applicant prior to their application being placed on the agenda of the Planning & Zoning Commission, City Council or BOA, nor will building permits be issued with fees outstanding.

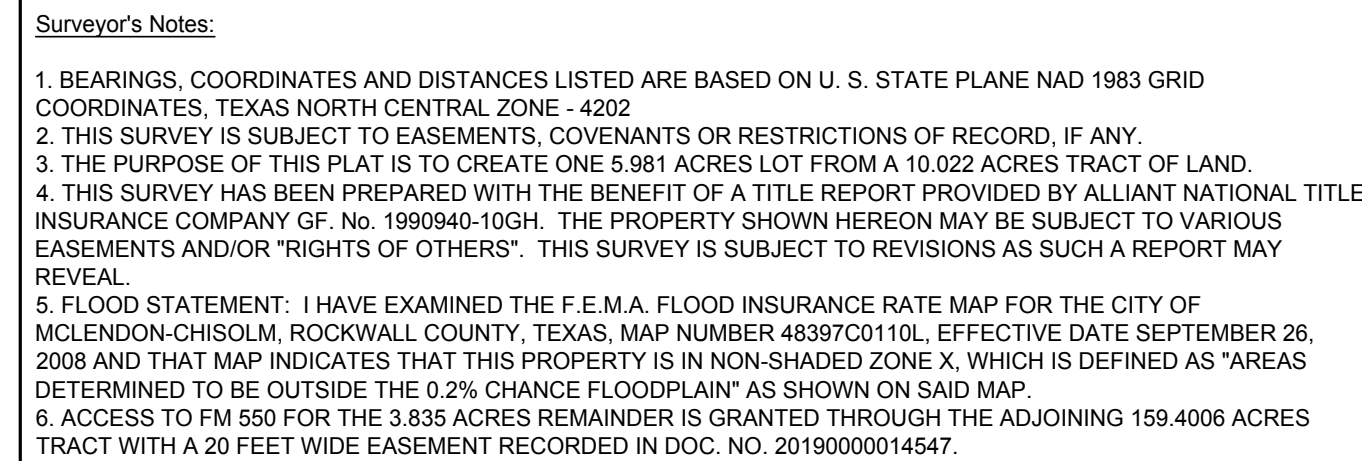
I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application. All information submitted herein is true and correct and the application fee of \$ 220 to cover the cost of this application, has been paid to the City of McLendon-Chisholm on this 12TH day of JULY, 2019.
\$500 RECEIVED

Further, I hereby certify that I understand and agree to the development and consulting fees and costs as stated above and agree to pay all outstanding fees and costs to the City prior to the application being placed on the agenda for consideration by the Planning & Zoning Commission and/or City Council.

Signature of Applicant: Anthony Ray Crowley

(Seal)

City Secretary: _____



_____ = SUBJECT TRACT BOUNDARY

■ = 1/2" IRS W/
AN ALUMINUM CAP
STAMPED "RPLS 6484"

() = CALL FROM RECORD AS NOTED

○ = MONUMENT FOUND AS NOTED

 = RIGHT-OF-WAY
DEDICATED BY THIS PLAT



DATE 7/11/2019		SCALE - 1" = 100'	
OWNER: TY DAVENPORT 1730 S STATE HIGHWAY 205 McLendon-Chisolm, TX 75032		 CROWLEY SURVEYING ANTHONY RAY CROWLEY, R.P.S. #6484 CROWLEY SURVEYING 1121 DALLAS DRIVE, SUITE 6 DENTON, TEXAS 76205 FRN: 10194203 (469) 850-2757 OFFICE (940) 567-2155 FAX	



EASEMENT

STATE OF TEXAS

 Φ

Know All Men By These Presents:

 Φ

COUNTY OF ROCKWALL

 Φ

Date:

August 23, 2019

Grantor:

The Chiefton 2X Limited Partnership

Grantor's Mailing Address:

**1730 Highway 205 South
Rockwall, Texas 75032
Rockwall County**

Grantee:

Tyrone E. Davenport and wife, Cheryl Anne Davenport

Grantee's Mailing Address:

**1730 Highway 205 South
Rockwall, Texas 75032
Rockwall County**

Consideration:

The sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor has Granted Sold and Conveyed this Right of Way and Easement and by these presents do Grant, Sell and Convey unto said Grantee his heirs and assigns the free and uninterrupted use, liberty, privilege and easement of passing in, upon and across a called 159.4006 acres tract recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas

Easement:

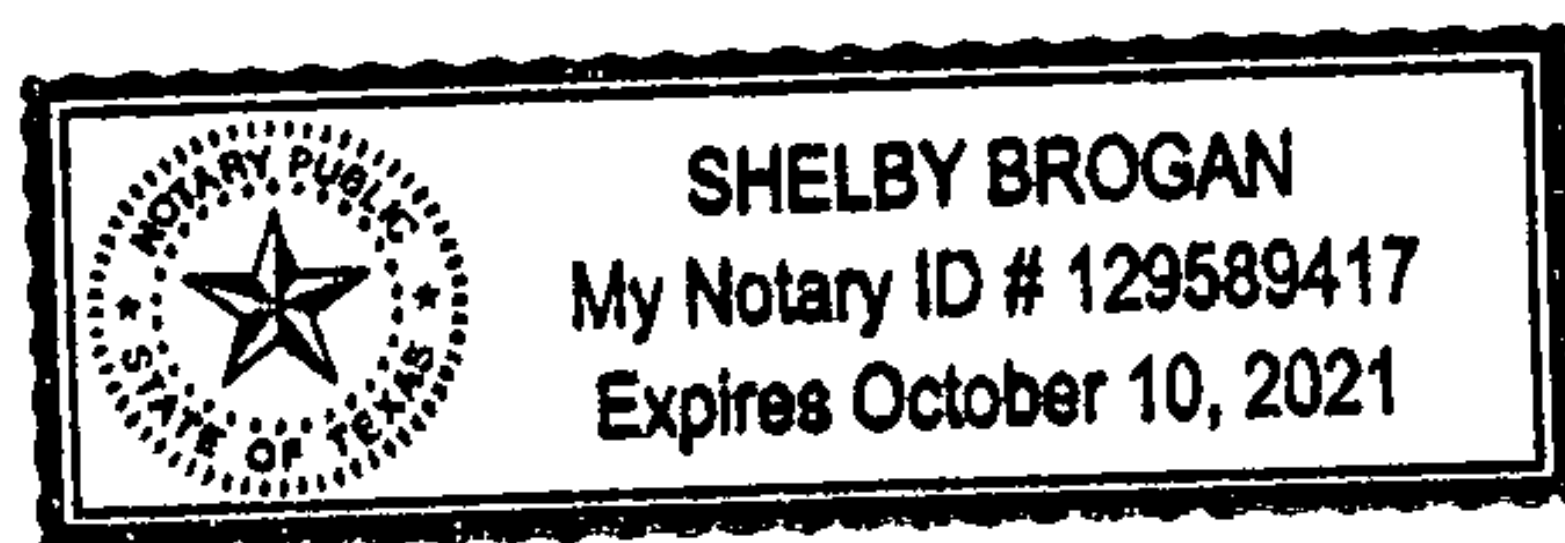
A 1.46 acres 20 feet wide access easement across that certain lot, tract or parcel of land situated in the KING LATHAM SURVEY, ABSTRACT NO. 133, Rockwall County, Texas, and being in a called 159.4006 acres tract of land described in a Special Warranty deed from Tyrone E. Davenport and Cheryl Anne Davenport to The Chiefton 2X, LP, dated March 8, 2006 and being recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas, and said 1.46 acres easement being described in Exhibit "A" attached hereto and made a part hereof.

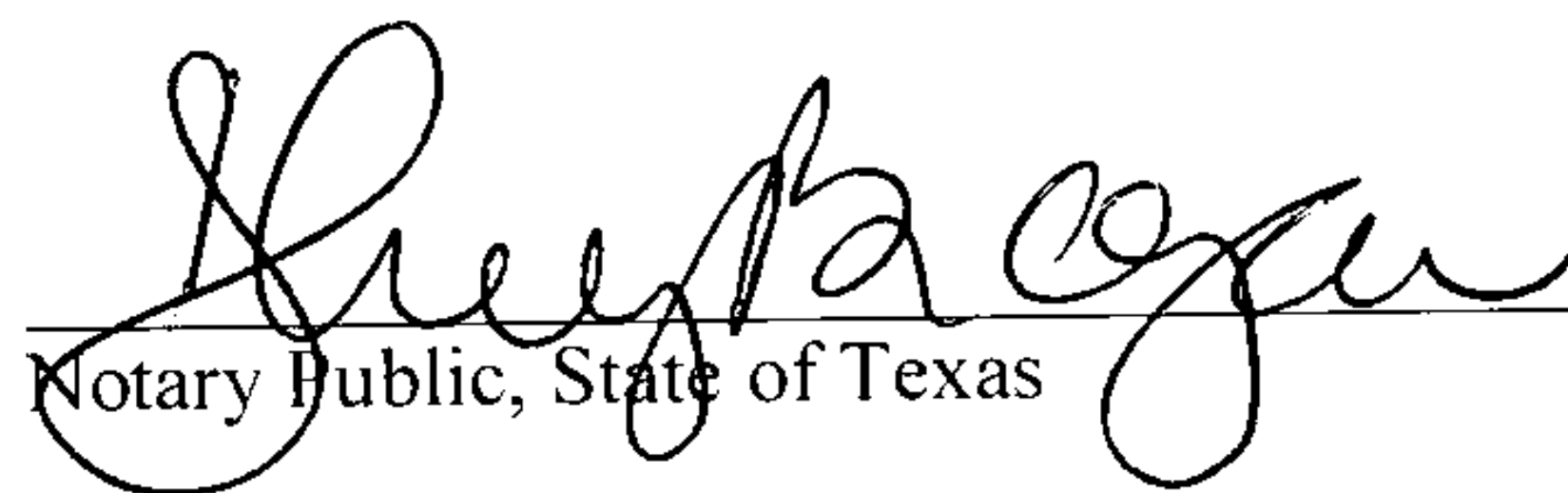

Tyrone E. Davenport

(Acknowledgment)

STATE OF TEXAS
COUNTY OF ROCKWALL

This instrument was acknowledged before me on the 23rd day of August 2019, by
Tyrone E. Davenport.



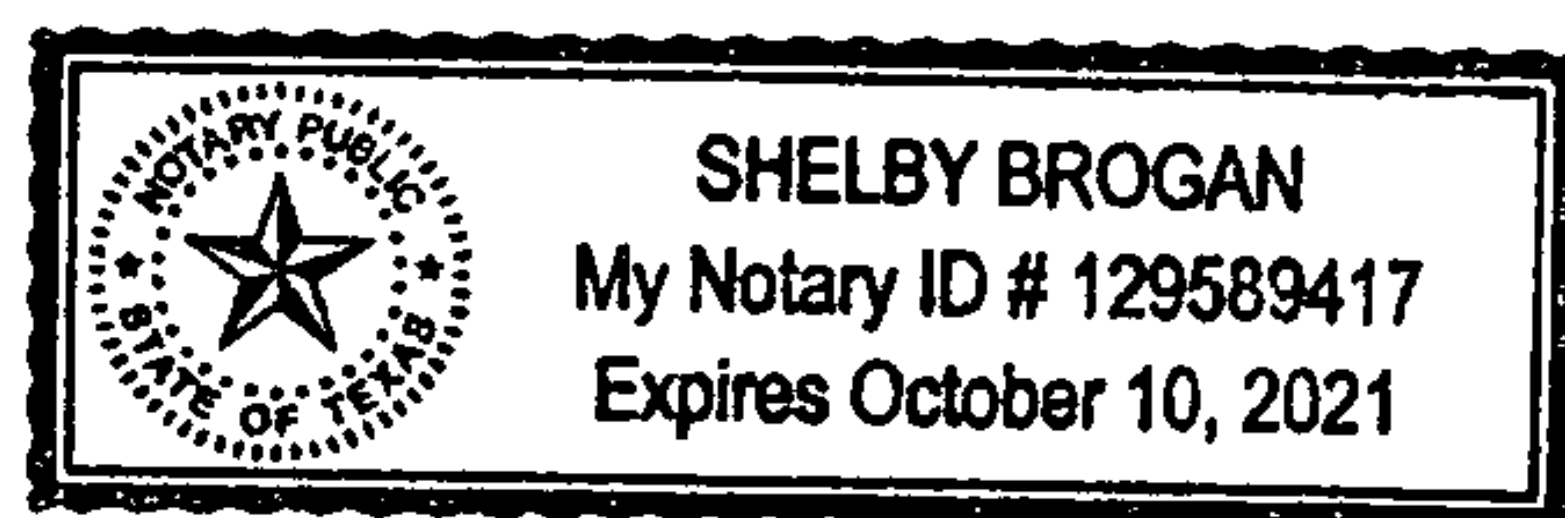

Notary Public, State of Texas

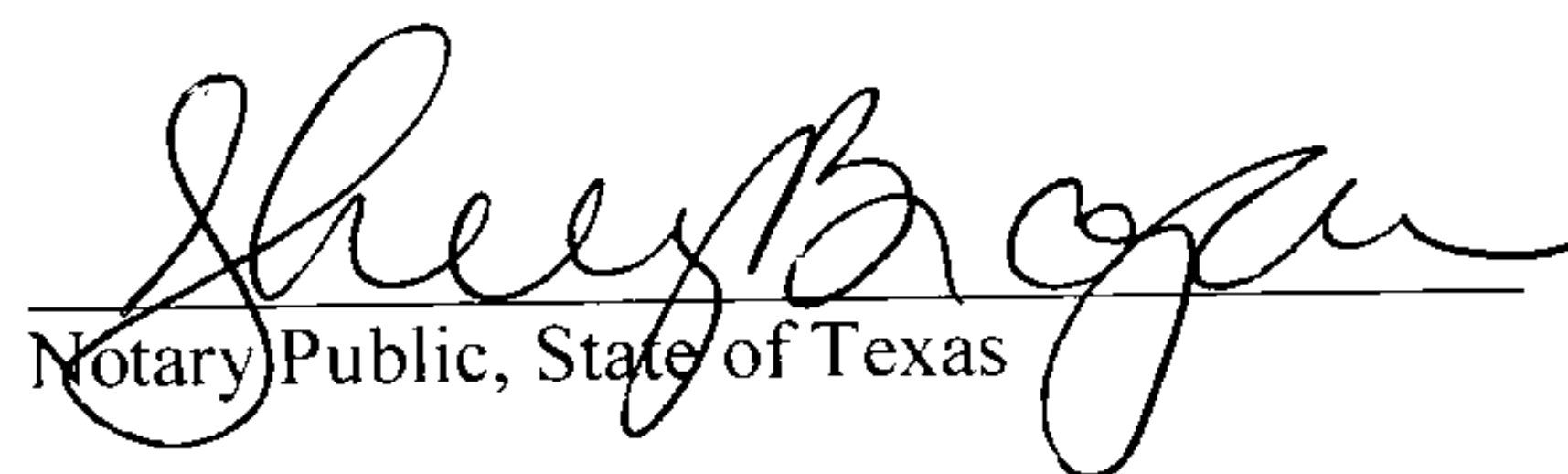

Cheryl Anne Davenport

(Acknowledgment)

STATE OF TEXAS
COUNTY OF ROCKWALL

This instrument was acknowledged before me on the 23rd day of August 2019, by
Cheryl Anne Davenport.




Notary Public, State of Texas

AFTER RECORDING RETURN TO:

The Chiefton 2X Limited Partnership
1730 Highway 205 South
Rockwall, Texas 75032
Rockwall County

EXHIBIT "A"
20 FOOT ACCESS EASEMENT

BEING a 1.46 acres 20 foot wide access easement across that certain lot, tract or parcel of land situated in the KING LATHAM SURVEY, ABSTRACT NO. 133, Rockwall County, Texas, and being a part of a 159.4006 acres tract of land as described in a Special Warranty deed from Tyrone E. Davenport and Cheryl Anne Davenport to The Chiefton 2X, LP, dated March 8, 2006 and being recorded in Volume 4464, Page 283 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the southeast right-of-way line of F.M. 550, said point being at the west corner of said 159.4006 acres tract of land;

THENCE N. 45 deg. 00 min. 00 sec. E. along said right-of-way line, a distance of 20.00 feet;

THENCE S. 44 deg. 47 min. 44 sec. E. a distance of 1458.89 feet;

THENCE N. 45 deg. 05 min. 25 sec. E. a distance of 212.97 feet;

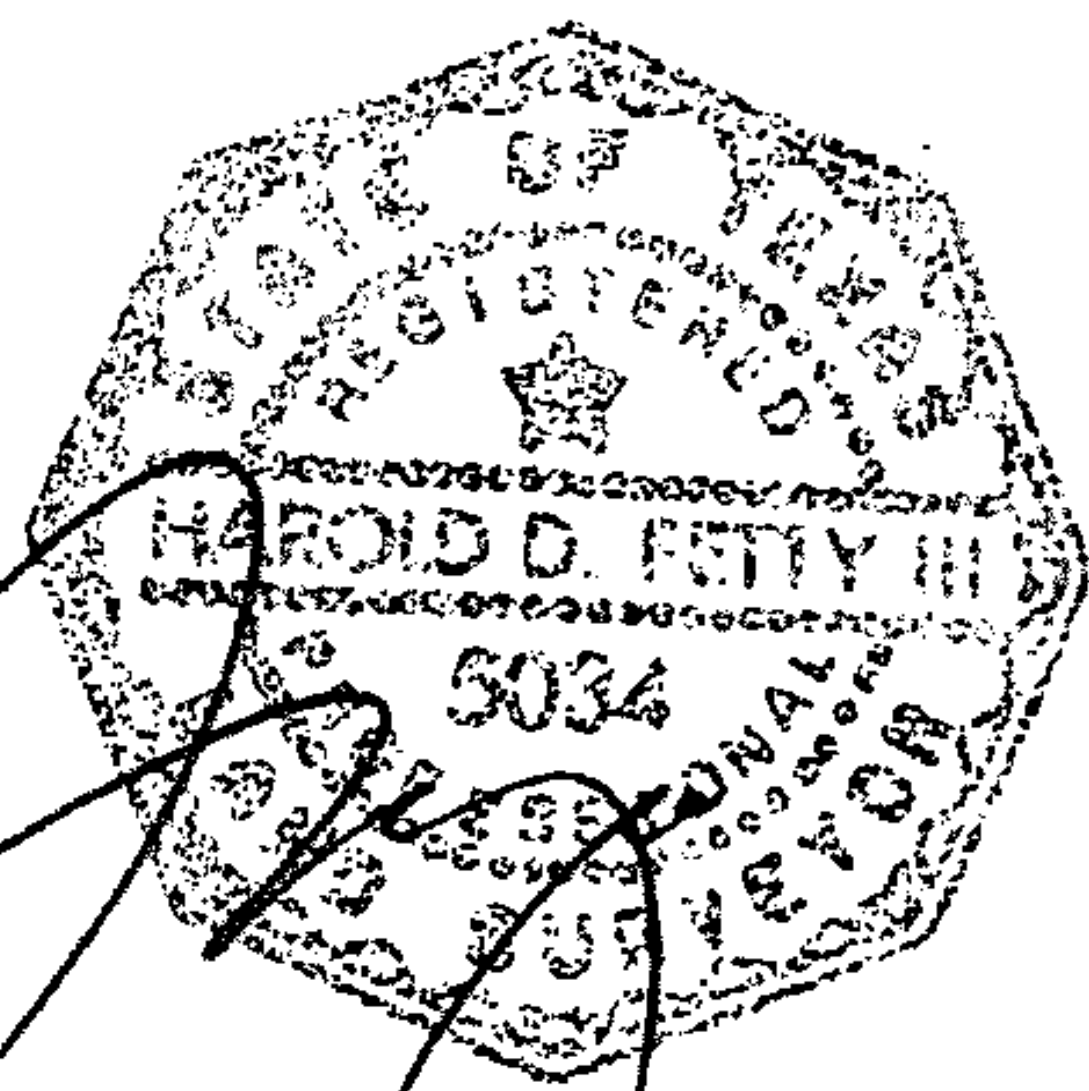
THENCE S. 44 deg. 44 min. 43 sec. E. a distance of 1514.42 feet to a point in the southeast boundary line of said 159.4006 acres tract of land;

THENCE S. 45 deg. 15 min. 03 sec. W. a distance of 20.00 feet to a 3/8" iron rod found at a steel fence post for corner at the south corner of said 159.4006 acres tract of land;

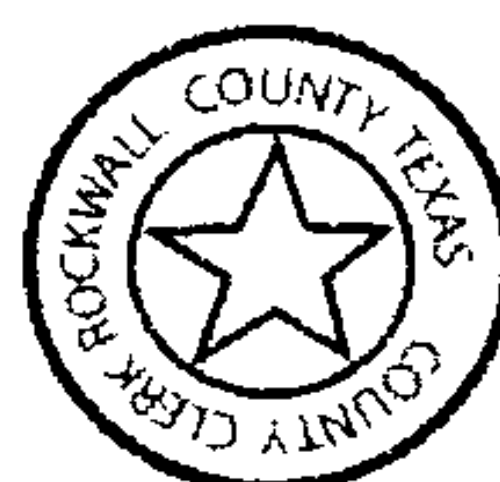
THENCE N. 44 deg. 44 min. 43 sec. W. along the southwest boundary of said tract, a distance of 1494.36 feet to a 1" iron pipe found for corner;

THENCE S. 45 deg. 05 min. 25 sec. W. a distance of 212.95 feet to a 1/2" iron rod found for corner;

THENCE N. 44 deg. 47 min. 44 sec. W. along the southwest boundary of said tract, a distance of 1478.86 feet to the POINT OF BEGINNING and containing 1.46 acres in said easement.


08-21-19

Filed and Recorded
Official Public Records
Shelli Miller, County Clerk
Rockwall County, Texas
08/23/2019 03:31:07 PM
\$34.00
20190000014547



Shelli



City of McLendon-Chisholm

Staff Report

Presentation by Dan Jackson representing Wildan Financial and discussion regarding 2019 Wastewater Rate Study and Financial Forecast.

DATE:

October 8, 2019

BACKGROUND OF ISSUE:

During the budget preparation process, Council was informed by staff that the current sewer rate of \$55 per month is inadequate to cover expenses. The City entered into an agreement with Dan Jackson, representing Wildan Financial, to provide a Wastewater Rate Analysis for the purpose of determining appropriate rates.

Mr. Jackson has completed his analysis and will present his findings to Council. Council will be provided an opportunity to ask questions and discuss his analysis.

ADDITIONAL INFORMATION:

A representative from North Texas Municipal Water District is scheduled to attend the October 22, 2019 City Council Meeting to present information regarding scheduled wastewater infrastructure improvements and provide an opportunity for Council to ask questions.

RECOMMENDATION:

Staff recommends that Council receive the presentation this evening and schedule action related to wastewater fees for November 12, 2019. At that time, Council should have adequate information to make a well informed decision regarding wastewater rates.

Lisa Palomba, City Administrator



City of McLendon-Chisholm

2019 Wastewater

Rate Study and Financial Forecast

City Council Presentation



October 8 2019

Presentation Format



- Background on Rates
- Customers and Growth
- Current and Forecast Cost of Service
- Proposed Rate Plan
- Next Steps



Facts about Water and WW Rates in the 21st Century



- Average utility has been increasing rates 5-6% per year; trend expected to continue
- AWWA forecasts that water and wastewater rates across USA will triple in the next 15 years
- Rate adjustments are primarily due to reasons beyond a utility's control – inflation, system replacement, etc.
- NTMWD/Rockwall wastewater increases will have a major impact on City's long-term rate plan
- Ability to maintain forecast customer growth and related connection fees important part of Utility's financial stability

City of McLendon-Chisholm Current Wastewater Rate Structure



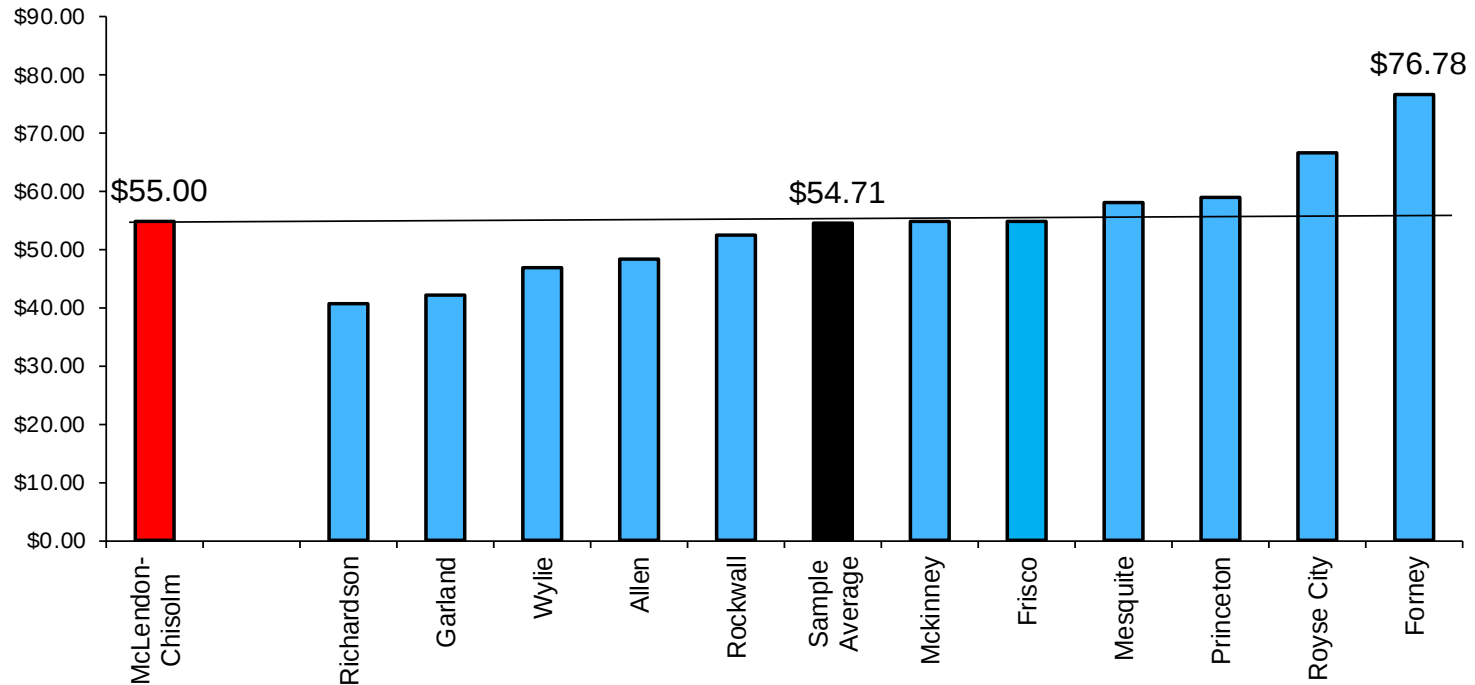
Wastewater Rates

Residential Wastewater Rates

Minimum Charge	\$	55.00
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Volume Rate (per 1,000 Gallons)	-
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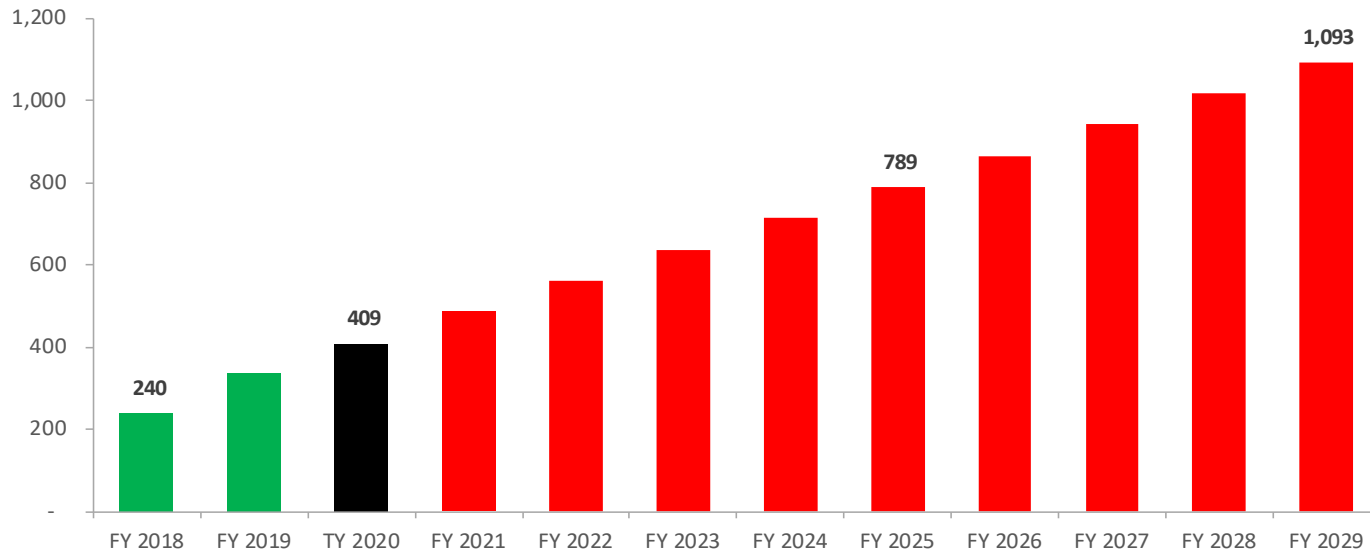
Monthly Residential Charge Comparison 7,500 Gal Wastewater



Forecast Wastewater Accounts



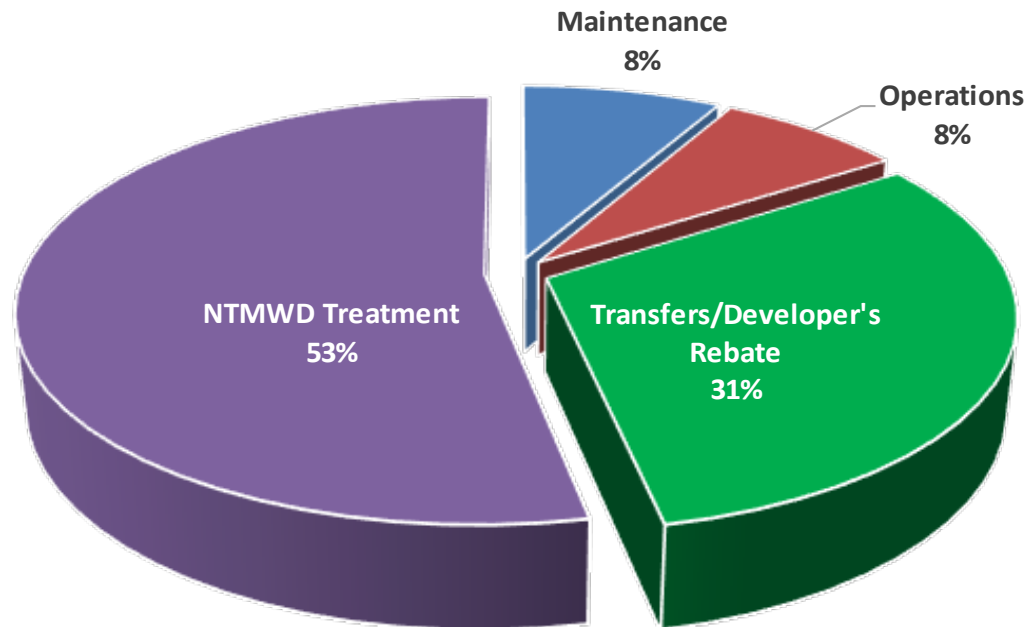
Average Annual Increase = 11.5%



Wastewater Utility FY 2020 Operating/Capital Outlays



Total = \$441,270

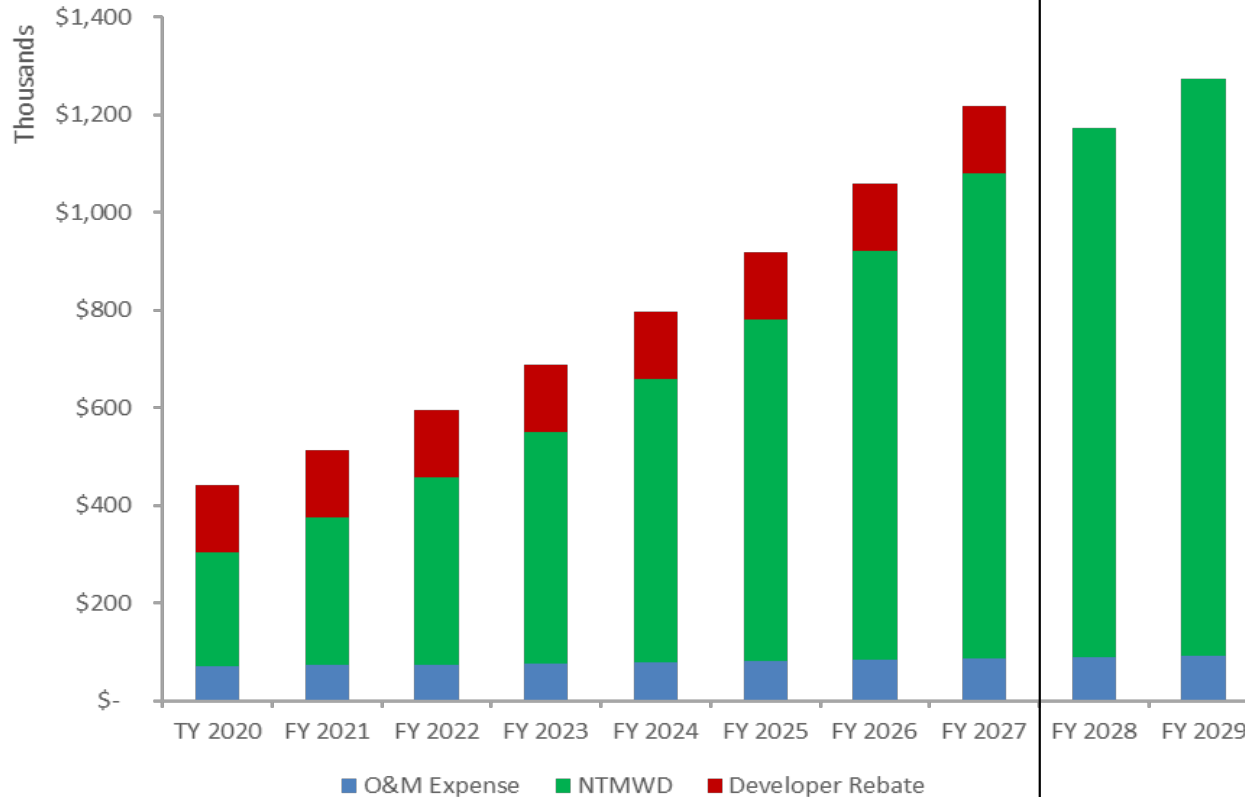


Key Assumptions Driving Forecast Financial and Rate Plan



- Contract operating expenses increase 3% per year
- Biggest impact on rate plan = NTMWD/Rockwall cost increases for wastewater treatment
 - estimated at 9.0% per year
- **Important:** Tap Fees (non-rate revenues) are 45% of total utility revenue:
 - Any slowdown in customer growth will require additional rate increases
 - Fees are expected to end after FY 2027, resulting in a revenue reduction of \$91,00 in FY 2028

Forecast Cost of Service



Forecast Revenue Requirement



	Operating Expenses	NTMWD	Developer Rebates	Total Cost of Service	Less Non-Rate Revenues	Net Revenue Requirement
WASTEWATER Revenue Requirement						
TY 2020	\$ 69,570	\$ 234,900	\$ 136,800	\$ 441,270	\$ 226,900	\$ 214,370
FY 2021	71,657	303,897	136,800	512,354	226,900	285,454
FY 2022	73,807	383,506	136,800	594,113	226,900	367,213
FY 2023	76,021	475,088	136,800	687,909	226,900	461,009
FY 2024	78,302	580,161	136,800	795,263	226,900	568,363
FY 2025	80,651	700,424	136,800	917,875	226,900	690,975
FY 2026	83,070	837,770	136,800	1,057,640	226,900	830,740
FY 2027	85,562	994,313	136,800	1,216,675	226,900	989,775
FY 2028	88,129	1,084,796	0	1,172,925	(1,100)	1,174,025
FY 2029	90,773	1,183,512	0	1,274,285	(1,100)	1,275,385

Notes on Rate Proposal

- Rate plan recommends 5 years of annual adjustments, effective January 1, 2020 and October 1 2020-2023
- Council has option to adopt multi-year plan or single adjustment
- Recommend rate plan be reviewed every two years given:
 - The utility's reliance on tap fee revenue connected to rapidly changing growth
 - The volatility of NTMWD charges



Wastewater Monthly Charge Required For Utility Self Sufficiency



Current	Effective				
	Jan-20	Oct-20	Oct-21	Oct-22	Oct-23
\$ 55.00	\$ 57.75	\$ 60.64	\$ 63.67	\$ 66.85	\$ 70.20
	2.75	2.89	3.03	3.18	3.34
	5.0%	5.0%	5.0%	5.0%	5.0%

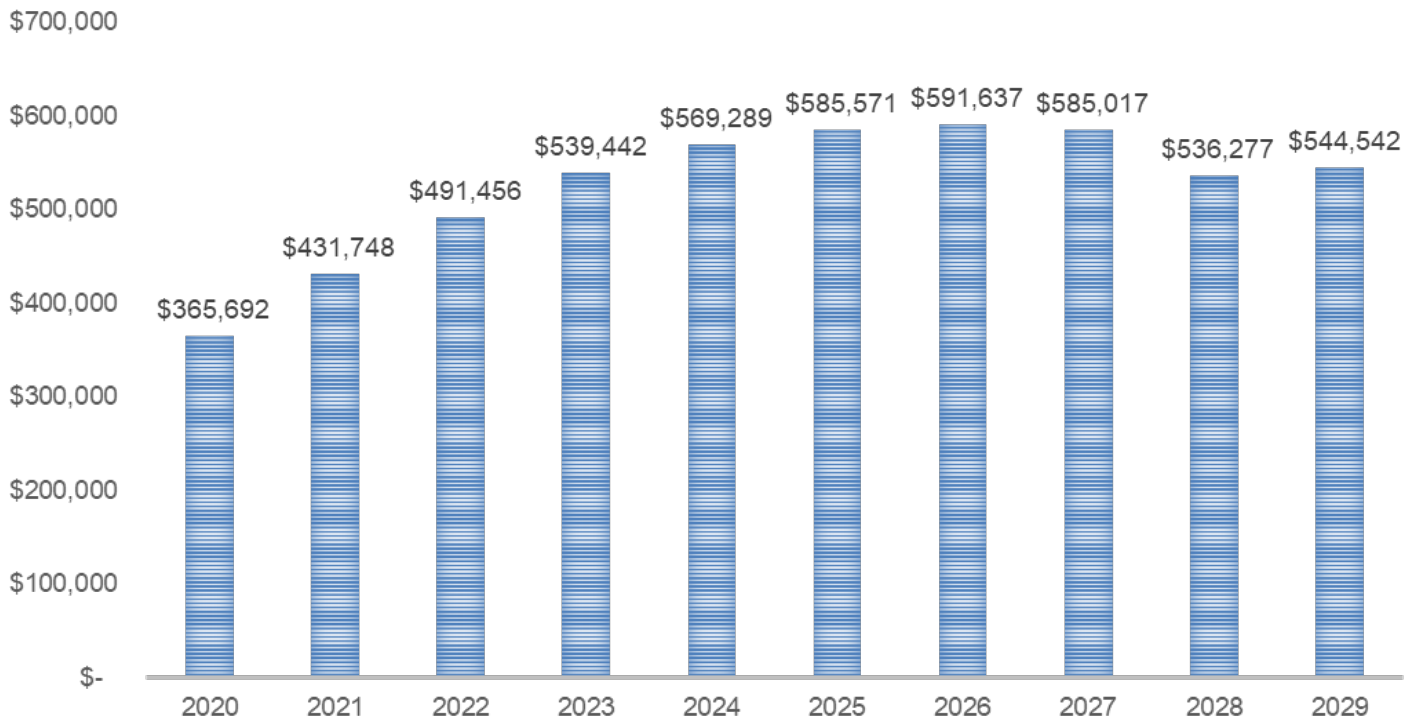
Wastewater Monthly Charge Required For Utility Self Sufficiency



Effective				
Oct-24	Oct-25	Oct-26	Oct-27	Oct-28
\$ 75.11	\$ 81.12	\$ 87.61	\$ 100.75	\$ 114.85
4.91	6.01	6.49	13.14	14.10
7.0%	8.0%	8.0%	15.0%	14.0%

Elimination of Connection Fee Revenue

Proposed Rate Plan Forecast Fund Balance



Presentation Summary

Benefits of Proposed Rate Plan



- Will enable utility to operate on a stand-alone basis and independent of general fund assistance
- Will cover estimated increased cost of NTMWD Wastewater treatment
- Will result in financially-healthy utility that has ability to fund operations and immediate capital needs
- Will ensure that ratepayers paying only what it costs to provide wastewater service



Questions?

M **Murrey Paschall & Caperton PC**
Certified Public Accountants

September 27, 2019

To the Honorable Mayor and Members of the City Council

City of McLendon-Chisholm
1371 West FM 550
McLendon-Chisholm, Texas 75032

We are pleased to confirm our understanding of the services we are to provide the City of McLendon-Chisholm for the year ended September 30, 2019. We will audit the financial statements of the governmental activities, the business-type activities, and each major fund, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City of McLendon-Chisholm as of and for the year ended September 30, 2019. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of McLendon-Chisholm's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of McLendon-Chisholm's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Statement of Revenue, Expenditures, and Changes in Fund Balance-Budget and Actual (Non-GAAP Budgetary Basis)
- 3) Schedule of Changes in Net Pension Liability and Related Ratios
- 4) Schedule of Changes in OPEB Liability and Related Ratios

AUDIT OBJECTIVES

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of the City of McLendon-Chisholm and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the City of McLendon-Chisholm's financial statements. Our report will be addressed to the honorable mayor and members of the city council of the City of McLendon-Chisholm. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you

in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that the City of McLendon-Chisholm is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

AUDIT PROCEDURES—GENERAL

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories (if any), and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

AUDIT PROCEDURES—INTERNAL CONTROL

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

AUDIT PROCEDURES—COMPLIANCE

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of McLendon-Chisholm's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OTHER SERVICES

We will also assist in preparing the financial statements and related notes of the City of McLendon-Chisholm in conformity with U.S. generally accepted accounting principles based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

MANAGEMENT RESPONSIBILITIES

Management is responsible for designing, implementing, and maintaining effective internal controls, including evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with U.S. generally accepted accounting principles, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated

by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse that we report.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to [include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

ENGAGEMENT ADMINISTRATION, FEES, AND OTHER

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

We will provide copies of our reports to the City of McLendon-Chisholm; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Murrey Paschall & Caperton, P.C. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to regulatory authorities or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for

purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Murrey Paschall & Caperton, P.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

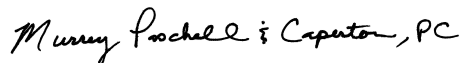
The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the regulatory authorities. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit in December 2019 and to issue our reports no later than March 31, 2020. Kyle Caperton is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$11,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the City of McLendon-Chisholm and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



Murrey Paschall & Caperton, P.C.

RESPONSE:

This letter correctly sets forth the understanding of the City of McLendon-Chisholm.

Management signature: _____ Date: _____

Title: _____

Governance signature: _____ Date: _____

Title: _____

M **Murrey Paschall & Caperton PC**
Certified Public Accountants

September 27, 2019

To the City Council and Management of
Sonoma Public Improvement District
1371 West FM 550
McLendon-Chisholm, TX 75032

We are pleased to confirm our understanding of the services we are to provide for the Sonoma Public Improvement District, Texas for the year ended September 30, 2019.

We will audit the statement of assets, liabilities and net assets-cash basis of the Sonoma Public Improvement District, Texas as of September 30, 2019, and the related statement of revenues and expenses and changes in net assets-cash basis for the year then ended, and the related notes to the financial statements.

AUDIT OBJECTIVE

The objective of our audit is the expression of an opinion about whether your financial statements are fairly presented, in all material respects, in conformity with the cash basis of accounting. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of your accounting records and other procedures we consider necessary to enable us to express such an opinion. We will issue a written report upon completion of our audit of Sonoma Public Improvement District's financial statements. Our report will be addressed to the City Council of the City of McLendon-Chisholm regarding the Sonoma Public Improvement District. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or add an emphasis-of-matter or other-matter paragraph. If our opinion is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or withdraw from this engagement.

AUDIT PROCEDURES—GENERAL

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material

misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

AUDIT PROCEDURES—INTERNAL CONTROL

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

AUDIT PROCEDURES—COMPLIANCE

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Sonoma Public Improvement District's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

OTHER SERVICES

We will also assist in preparing the financial statements of Sonoma Public Improvement District in conformity with the cash basis of accounting based on information provided by you. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

MANAGEMENT RESPONSIBILITIES

Management is responsible for designing, implementing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including monitoring ongoing activities; for the selection and

application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with the cash basis of accounting.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws and regulations.

You agree to assume all management responsibilities for financial statement preparation services and any other nonattest services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

ENGAGEMENT ADMINISTRATION, FEES, AND OTHER

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

We will provide copies of our reports to the City of McLendon-Chisholm; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Murrey Paschall & Caperton, P.C. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to regulatory authorities or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Murrey Paschall & Caperton, P.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

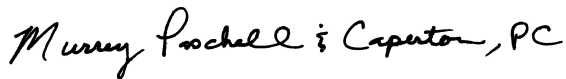
The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the regulatory authorities. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit at a time agreed upon by both parties and to issue our reports no later than March 31, 2020. Kyle Caperton is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses will not exceed \$6,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 180 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to Sonoma Public Improvement District and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



Murrey Paschall & Caperton, PC

RESPONSE:

This letter correctly sets forth the understanding of Sonoma Public Improvement District.

Management signature: _____

Title: _____

Date: _____

Governance signature: _____

Title: _____

Date: _____

**CITY OF McLENDON-CHISHOLM
RESOLUTION NO. 2019-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF McLENDON-CHISHOLM, TEXAS DESIGNATING AN OFFICIAL NEWSPAPER AND ALTERNATE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 52.004 of the Texas Local Government Code provides that the City Council shall, as soon as practical after the beginning of each municipal year, designate a public newspaper of the City to be the official newspaper for publication of ordinances, notices or other matters required by law or ordinance to be published, until another newspaper is selected; and

WHEREAS, the City Council designates the Rockwall Herald Banner as the City's official newspaper for the current municipal year; and

WHEREAS, to ensure timely publication of matters in the event the Rockwall Herald Banner is unable to meet or does not meet legal publication deadlines, the City Council desires to name an alternate official newspaper.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF McLENDON-CHISHOLM, TEXAS:

SECTION 1: The recitals set forth in the WHEREAS clauses of this Resolution are true and correct, constitute findings and determinations by the City Council and are incorporated herein.

SECTION 2: That the City Council hereby reaffirms its designation of the Rockwall Herald Banner, a public newspaper in and of the City of McLendon-Chisholm, Texas, as the official newspaper of the City for the current municipal year, the same to continue as such until another is selected, and shall cause to be published therein all ordinances, notices and other matters required by law or by ordinance to be published.

*Resolution No. 2019 -
Approved October 8, 2019*

SECTION 3: That the City Council hereby designates the Dallas Morning News, a public newspaper in and of the City of McLendon-Chisholm, Texas, as the alternate official newspaper of the City, the same to continue as such until another is selected, and shall cause to be published therein all ordinances, notices and other matters required by law or by ordinance when legal publication deadlines cannot be met or are not met by the Rockwall Herald Banner.

SECTION 4: That the City Secretary and/or his or her designee are hereby authorized to publish required matters with the official newspaper of the City and the alternate official newspaper of the City.

SECTION 5: That this Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED THIS THE 8th DAY OF OCTOBER 2019.

Keith Short, MAYOR

ATTEST:

Lisa Palomba, CITY SECRETARY

~ 2 ~

DRAFT OUTLINE FOR THE
MCLENDON-CHISHOLM
VETERAN'S DAY CEREMONY
11/11/2019 AT 11:00 AM

INTRODUCTION (MAYOR SHORT)

ACKNOWLEDGE VIPS SUCH AS SEN HALL, COMMISSIONER BAILEY AND JUDGE SWEET AND ANY CURRENT COUNCIL MEMBERS PRESENT

INVOCATION (COUNCIL MEMBER HODGES)

PLEDGE OF ALLEGIANCE (COUNCIL MEMBER DAHL)

SINGING OF NATIONAL ANTHEM (LED BY CHILDREN OF COUNCIL MEMBERS WITH COUNCIL MEMBER WOESSNER)

INTRODUCTION OF TERRY FISHER POST 117 (MARK KIPPHUT)

- MEANING OF VETERAN'S DAY (PG 76) (MARK)
- AUXILIARY PRESIDENT OR REPRESENTATIVE (PG 76) (COMMUNITY VETERAN-TBD)
- VETERAN (PG 77)(COMMUNITY VETERAN-TBD)

SIGNIFICANCE OF TODAY'S EVENT (COUNCIL MEMBER KIPPHUT/MAYOR SHORT)

- RECOGNITION OF COMMUNITY PARTICIPANTS MAKING THE DAY A REALITY (ISSUE THREE PROCLAMATIONS)

LAYING OF WREATH (MAYOR SHORT)

- ALL VETERAN'S AND FAMILIES PRESENT HERE TODAY
- THE WREATH REPRESENTS THE LOVING MEMORY OF THOSE BRAVE COMRADES WHO GAVE THEIR LIVES IN THE SERVICE OF THE UNITED STATES THAT LIBERTY MIGHT ENDURE.
- PRAYER OFFERED BY COUNCIL MEMBER HODGES

CONCLUSION OF CEREMONY (MAYOR SHORT)

SINGING OF GOD BLESS AMERICA (LEAD BY MAYOR PRO TEM BLOOM AND CHILDREN)

LOGISTICS:

- INVITES TO SEN HALL, COMMISSIONER BAILEY, JUDGE SWEET-LISA/KIPPHUT
- FLAGS SET UP (KIPPHUT)
- ARRANGE SEATING (FIRE DEPT)
- ARRANGE REFRESHMENTS (COOKIES AND WATER)(KIPPHUT)
- POST ON AMERICAN LEGION AND CITY WEBSITE, FACEBOOK (NLT 10/15/19-KIPPHUT/LISA/POST)
- WREATH AND STAND PROCURED (ORDERED BY KIPPHUT)
- PROGRAM WRITTEN (KIPPHUT)
- SCRIPT WRITTEN (KIPPHUT)
- PROCLAMATIONS (LISA/KIPPHUT)

COST: WREATH, COOKIES, WATER TOTAL LESS THAN \$200



City of McLendon-Chisholm Staff Report

Discussion and action regarding consideration of appointing two Council Members to a Comprehensive Plan Review Committee to work in collaboration with two appointed Planning & Zoning Commissioners for the purpose of reviewing the Comprehensive Plan, recommending areas of focus and identifying a process for updating the plan.

Date:

October 8, 2019

BACKGROUND OF ISSUE:

During the budget process, Council decided not to fund a Comprehensive Plan update. However, Council acknowledged a need for review of the Comprehensive Plan and possible updates to be determined by collaboration of the public, Planning & Zoning and Council. The Planning & Zoning Commission has indicated a desire to begin the review process but recognizes that it is not practical to begin review of the entire Comprehensive Plan without determining areas of focus.

FINANCIAL IMPACT:

There is no financial impact to form a Comprehensive Plan Review Committee. However, it would be in the Committees best interest to have the City Planner attend some Committee meetings for consulting purposes and the City would incur a charge for his participation. The City did budget funds for general City Planner services which would be enough for any consultation fees.

RECOMMENDATION:

Staff recommends that Council appoint two members from Council to work with two P&Z Commissioners (Commissioners to be appointed by P&Z Commission) to begin review of the Comprehensive Plan.

RECOMMENDED MOTION: I move to appoint Council Members _____ and _____ to a Comprehensive Plan Review Committee to work in collaboration with appointed P&Z Commissioners to begin review of the Comprehensive Plan, recommend areas of focus and to identify a process for updating the plan.

Lisa Palomba, City Administrator