

# MURPHY CITY COUNCIL AGENDA

## REGULAR CITY COUNCIL MEETING SEPTEMBER 17, 2013 AT 6:00 P.M. 206 NORTH MURPHY ROAD MURPHY, TEXAS 75094



Eric Barna  
Mayor

Owais Siddiqui  
Mayor Pro Tem

Ben St. Clair  
Deputy Mayor Pro Tem

Scott Bradley  
Councilmember

Betty Spraggins  
Councilmember

Bernard Grant  
Councilmember

Rob Thomas  
Councilmember

James Fisher  
City Manager

NOTICE is hereby given of a meeting of the City Council of the City of Murphy, Collin County, State of Texas, to be held on September 17, 2013 at Murphy City Hall for the purpose of considering the following items. The City Council of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

### 1. CALL TO ORDER

### 2. INVOCATION & PLEDGE OF ALLEGIANCE

### 3. ROLL CALL & CERTIFICATION OF A QUORUM

### 4. PUBLIC COMMENTS

### 5. PRESENTATION ITEMS :

- A. Presentation – Keep Texas Beautiful Governor’s Community Achievement Award 2<sup>nd</sup> Place; Gold Star Affiliate; Award of Excellence, Educator / Law Enforcement Awards, and Murphy Middle School Environmental Club.
- B. Proposed Magnolia Park subdivision; new submittal.

### 6. CONSENT AGENDA

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

- A. Consider and/or act upon September 3, 2013 regular meeting minutes.

### 7. INDIVIDUAL CONSIDERATION

- A. Consider and/or act upon approval of an Ordinance adopting the fiscal year 2013-2014 budget and appropriating funds to a sinking fund to pay interest and principal on the City’s indebtedness, and appropriating funds to support the City of Murphy for the fiscal year beginning on October 1, 2013 and ending on September 30, 2014.
- B. Consider and/or act upon ratifying the property tax revenue increase reflected in the 2013-2014 fiscal year budget.
- C. Consider and/or act upon approval of an Ordinance levying ad valorem taxes for use and support of the municipal government of the City of Murphy for the fiscal year beginning October 1, 2013 and ending September 30, 2014.
- D. Consider and/or act upon awarding landscape bid for Central Park and PSA-Murphy in accordance to the agreement and plans and authorize the City Manager to execute the contract.

- E. Consider and take appropriate action, if any, on an ordinance amending Section 9.100 of the Fee Schedule, water and sewer rates.
- F. Discussion regarding scheduling a Council planning session.
- G. Consider and/or act upon City of Murphy board and commissions:
  - 1. Accept resignations of board members; and,
  - 2. Accept recommendations from the Council Interview Panel regarding appointing board members to the Board of Adjustments, Murphy Municipal Development District, and the Murphy 4B Community Development District.

#### **8. CITY MANAGER/STAFF REPORTS**

North Murphy Road Construction Update  
Murphy Central Park Construction Update  
Update on West Nile Virus  
CLC Meeting, September 19, 2013  
Joint Council and Planning and Zoning Meeting – September 23, 2013  
Maize Days – September 28, 2013  
Fire Open House – October 5, 2013  
Texas Municipal League – October 8-11, 2013  
Council Planning Session

#### **9. EXECUTIVE SESSION**

The City Council will hold a closed Executive Session pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of:
  - 1. City of Murphy Board of Adjustment Board Members, Murphy Municipal Development District Members and the Murphy Community Development Members; and,
  - 2. City Secretary

#### **10. RECONVENE INTO REGULAR SESSION**

The City Council will reconvene into Open Session pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. §551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of:
  - 1. City of Murphy Board of Adjustment Board Members, Murphy Municipal Development District Members and the Murphy Community Development Members; and,
  - 2. City Secretary
- B. Consider and or act upon any executive session items.

**11. ADJOURNMENT**

I certify that this is a true and correct copy of the Murphy City Council Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on September 13, 2013 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.



Kristi Gilbert, TRMC, CMC, CPM  
City Secretary

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 972.468.4011 or [kgilbert@murphytx.org](mailto:kgilbert@murphytx.org).

*Notice of Possible Quorum: There may be a quorum of the 4B Community Development Corporation, the Animal Shelter Advisory Committee, the Board of Adjustment, the Building and Fire Code Appeals Board, the Ethics Review Commission the Murphy Municipal Development District Board, the Park and Recreation Board and/or the Planning and Zoning Commission may be present at the meeting, but they will not deliberate on any city business.*

**CITY COUNCIL MINUTES  
SEPTEMBER 3, 2013 REGULAR CITY COUNCIL MEETING**

**1. CALL TO ORDER**

Mayor Pro Tem Siddiqui called the meeting to order at 6:00 p.m.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Siddiqui gave the invocation and led the recitation of the Pledge of Allegiance.

**3. ROLL CALL & CERTIFICATION OF A QUORUM**

Kim McCranie, certified a quorum with the following Councilmembers present:

Mayor Pro Tem Owais Siddiqui  
Deputy Mayor Pro Tem Ben St. Clair  
Councilmember Scott Bradley  
Councilmember Betty Nichols Spraggins  
Councilmember Bernard Grant  
Councilmember Rob Thomas

Councilmembers absent:  
Mayor Eric Barna

**4. PUBLIC COMMENTS –**

*Julia Matocha, 151 Moonlight Dr* – Ms. Matocha stated that the difference in volume after closing Grant Road was immediate and thanked the Council for closing the street.

*Greg Matocha, 151 Moonlight Dr* – Mr. Matocha stated that what is a convenience to others is negatively effecting the quality of life for Moonlight residents. Mr. Matocha thanked the Council for closing the road.

*Richard Englebert, Grant Dr, Sachse* – Mr. Englebert inquired as to whether the citizens of the two subdivisions in Murphy were polled by the City regarding the closure of Grant.

City Attorney Andy Messer addressed Mr. Englebert's question by stating that the Texas Transportation Code grants the City police power, including the closure, of streets within its jurisdiction regardless of other policies the City may have in place.

**5. PRESENTATION ITEMS –**

Finance Director Linda Truitt presented the Council with unaudited investment and financial report as of July 31, 2013.

**6. CONSENT AGENDA**

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

A. Consider and/or act upon meeting minutes:

1. August 20, 2013 regular meeting minutes; and,
2. August 22, 2013 special called meeting minutes.

**COUNCIL ACTION (6.A.):****APPROVED**

Councilmember St. Clair moved to approve the consent agenda as presented. Councilmember Bradley seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

**7. INDIVIDUAL CONSIDERATION**

- A. Hold a public hearing on the proposed fiscal year 2013-2014 City of Murphy budget.

Mr. Fisher presented the Council with the general fund and utility fund budget including the proposed revenues, expenditures, rate increases and tax rate.

Councilmember Grant inquired as to the possibility of moving the budget work session up on the agenda.

Mayor Pro Tem Siddiqui opened the public hearing at 6:24 p.m.

*Don Reilly, 302 White Wing Way* – Mr. Riley commented on the differences between the budget documents on the website and the budget presented to Council. Mr. Riley stated he expected the spending to increase by more than the amount of inflation due to the City's growth. Mr. Riley expressed concerns regarding the limited justification provided for expenditures.

Mayor Pro Tem Siddiqui closed the public hearing at 6:28 p.m.

Mayor Pro Tem Siddiqui stated the vote on the proposed tax rate will take place on Tuesday, September 17, 2013 at 6:00 PM in the City Council Chambers at Murphy City Hall, 206 North Murphy Road, Murphy, Texas.

**COUNCIL ACTION (7.A.):****NON ACTION ITEM**

No action was taken.

- B. Hold a public hearing on the proposed fiscal year 2013-2014 City of Murphy budget.

Ms. Truitt presented the Council with the proposed tax rate, as well as the effective rate and the rollback rate. Ms. Truitt stated that there would be another public hearing on the tax rate on September 3<sup>rd</sup> and the tax rate would be up for consideration at the September 17<sup>th</sup> Council meeting.

Mayor Pro Tem Siddiqui opened the public hearing at 6:29 p.m.

*Ray, Shahan, 405 Sagebrush Trail* – Mr. Shahan stated that he wanted Council to take into consideration the increased revenue from WalMart before spending money the City didn't have.

Mayor Pro Tem Siddiqui closed the public hearing at 6:30 p.m.

Mayor Pro Tem Siddiqui stated the vote on the proposed fiscal year 2013-2014 budget will take place on Tuesday, September 17, 2013 at 6:00 PM in the City Council Chambers at Murphy City Hall, 206 North Murphy Road, Murphy, Texas.

**COUNCIL ACTION (7.B.):**

No action was taken.

**NON ACTION ITEM****MOVE AGENDA ITEM  
CONSIDER ITEM 11.A.****11. BUDGET WORK SESSION**

- A. Discuss, consider and/or act upon modifications to the FY 2014 General Fund and Utility Fund budgets.

Councilmember Grant referred to an email that he sent to Mr. Fisher earlier in the day requesting a reduction of certain items. Councilmember Grant stated that he didn't like placeholders in the budget and would prefer to allocate the funds when the spending is necessary.

Councilmember Bradley stated that he agreed with Councilmember Grant and wasn't opposed to a budget amendment in the future as the need arises.

Councilmember Grant inquired as to whether the \$50,000 computer replacement item had equipment already identified. Mr. Fisher stated that these items were identified as multi-year phased expenditures to update the computer systems.

Councilmember Grant inquired as to the expenditures related to a jackhammer that is showing up in both in the utility fund and under parks general fund. Mr. Fisher stated that half the item was paid for from both funds resulting in only one jack hammer. Regarding the VOIP, Councilmember Grant asked for a cost benefit justification.

Councilmember Grant inquired about the enterprise asset work order system and wanted to know if the current system was working. Mr. Fisher responded that there were problems with the current system that prevented efficiencies and the new software would allow for better tracking. Councilmember Grant inquired about the three gators being purchased from the 4B budget; he suggested that one gator be purchased from the general fund.

Councilmember Grant inquired about the \$52,500 Crown Victoria for the police department and wanted to know if the City was phasing out the Crown Victoria's. Councilmember Grant inquired if purchasing two vehicles was necessary. Mr. Fisher stated that the City was phasing out the Crown Victoria's and going towards Tahoes. Mr. Fisher commented that, in previous years, the City has been in a position where vehicles were not replaced timely resulted in purchasing several vehicles in a single year.

Councilmember Grant inquired as to how old the utility truck was that was being replaced at the budgeted amount of \$58,350. Mr. Fisher stated he believed it was 10 years old.

MURPHY CITY COUNCIL MINUTES  
September 3, 2013

Councilmember Grant stated that North Texas Municipal Water District (NTMWD) was passing on a significant rate increase to the City that needed to be passed on to the residents. He stated that the City should focus on having the users pay for actual use and create disincentives for using water in times of drought. Councilmember Grant stated that he did not believe it was something that could be subsidized.

Mr. Fisher stated that the base rate for water and sewer services was structured to allow for a guaranteed amount the City would receive to cover the cost of required debt payments.

Councilmember Bradley stated that he had the same concerns as Councilmember Grant and stated that he thinks of it as two segments. The first being actual water usage and the payment of the City's portion to NTMWD for the guaranteed amount of water and the second segment being the maintenance and care of the water and sewer distributions in the City. Councilmember Bradley stated the base rate is designed to ensure everyone is paying their fair share to run and maintain the system, with the remaining rates controlled based on usage.

Mayor Pro Tem Siddiqui asked if staff could bring forward various options for the council to consider.

Councilmember Thomas stated that the state of Texas imposes rules on the City that prevents the City from making many changes with regard to water and sewer rates.

Deputy Mayor Pro Tem St. Clair inquired as to if the rates were anticipated to increase over the next several years. Mr. Fisher responded that each model shows rates increasing significantly over time.

Discussion was held with regard to reviewing the rate structure and possibly changing the effective date of the water and sewer increase. Mr. Fisher responded to Councilmember Grant's previous inquiry regarding the utility vehicle by stating that the current vehicle is a 1997 Ford F450 with over 100,000 miles on it.

Councilmember Grant inquired about the necessity of a sprayer that will be used for dispersing herbicides.

Mr. Fisher commented that the sales tax generated from the WalMart is replacing the development fees that the City had been counting on over the last several years as the City reaches build out.

Councilmember Thomas stated he was concerned regarding the continued increase in expenses resulting in an approximate increase of 20% over the last two years. Mr. Fisher stated five years ago the budget was approximately \$10 million with a city population less than 12,000 people. Currently the population is approximately 20,000 and the budget has only increased by about \$2 million dollars. Mr. Fisher stated that approximately \$20 million in services and projects have been added in that time.

**COUNCIL ACTION (11.A.):**

**Motion 1, Approved:** Councilmember Grant moved to remove the \$75,000 line item for the customer service relocation from the FY 2014 budget. Councilmember Bradley seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

**Motion 2, Approved:** Councilmember Grant moved to remove the \$35,000 line item for enterprise asset/fleet work order system from the FY 2014 budget. Councilmember Thomas seconded the motion. For: Siddiqui, Nichols Spraggins, Grant and Thomas. Against: St. Clair and Bradley. The motion carried by a vote of 4 to 2.

**Motion 3, Removed:** Councilmember Grant moved to remove the \$50,000 line item for computer/printer system replacement from the FY 2014 budget. Councilmember Bradley seconded the motion.

Councilmember Bradley mentioned \$30,000 of the subject line item that the City is already committed to for operational expenses.

Councilmember Grant removed the motion from the floor.

**Motion 4, Failed:** Councilmember Grant moved to remove the \$50,000 line item for the jack hammer and bucket from the FY 2014 budget that is paid for half by public works and half by parks. The motion failed for lack of a second.

**Motion 5, Approved:** Councilmember Grant moved to remove the line item funded by 4B for \$14,000 for two gator vehicles from the FY 2014 budget. Councilmember Nichols Spraggins seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

**Motion 6, Approved:** Councilmember Grant moved that the remaining one gator come from the general fund budget and not the 4B budget. Councilmember Bradley seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

**Motion 7, Approved:** Councilmember Grant moved to remove the \$43,500 line item of a sprayer from the FY 2014 budget. Councilmember Nichols Spraggins seconded the motion. For: Siddiqui, Nichols Spraggins, Grant and Thomas. Against: St. Clair and Bradley. The motion carried by a vote of 4 to 2.

**Motion 8, Failed:** Councilmember Grant moved to remove the \$52,500 line item for one Crown Victoria from the FY 2014 budget.

Councilmember Bradley inquired if the vehicle was part of the vehicle replacement plan. Mr. Fisher responded that it was part of the plan, which would result in the purchasing of four vehicles next year instead of three.

Councilmember Nichols Spraggins inquired as to whether each officer had their own vehicle or if they were rotated. Chief Cox stated that they were in rotation.

Mr. Fisher stated that three to four vehicles need to be replaced each year from here on out. Mr. Fisher stated the current inventory includes a 2003 Explorer with 77,000 miles, a 2006

Tahoe with a little over 100,000 miles and two 2006 Crown Victoria's with a little over 100,000 each.

The motion failed for a lack of a second.

**Motion 9, Failed:** Councilmember Grant moved to remove the \$58,350 line item funded for replacement of a utility truck for FY 2014 budget. Councilmember Nichols Spraggins seconded the motion. For: Nichols Spraggins, Grant and Thomas. Against: Siddiqui, St. Clair and Bradley. The motion failed by a vote of 3 to 3.

#### RETURN TO ITEM 7.C.

- C. Hold a public hearing and consider and/or act on the application of RLK Engineering, Inc on behalf of Plano I.S.D, to re-plat 415 Oriole – Hunt Elementary on property zoned P/SP (Public/Semi Public). This property is located at the northwest corner of Oriole and Rolling Ridge.

Kristen Roberts presented staff comments and stated that the purpose of the replat was to move an easement due to the remodel of the school.

Mayor Pro Tem Siddiqui opened the public hearing at 7:35 p.m.

No one was signed in to speak in favor of or in opposition to the replat.

Mayor Pro Tem Siddiqui closed the public hearing at 7:36 p.m.

**COUNCIL ACTION (7.C.):**

**APPROVED**

Councilmember Bradley moved to approve the replat as submitted. Councilmember Grant seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

- D. Consider and/or act on the application of RLK Engineering, Inc on behalf of Plano I.S.D to revise the site plan of 415 Oriole – Hunt Elementary on property zoned P/SP (Public/Semi Public). This property is located at the northwest corner of Oriole and Rolling Ridge.

Kristen Roberts presented Council with the proposed site plan and stated the revisions were to reflected a proposed remodel of classrooms and the cafeteria

**COUNCIL ACTION (7.D.):**

**APPROVED**

Councilmember Bradley moved to approve the revised site plan for Hunt Elementary as submitted. Councilmember Grant seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

- E. Consider and/or act upon a request by Aron Frydberg, on behalf of Allen Tari, to reconsider the denial of the application of Allen Tari requesting a variance to sign requirements, as stated in the Code of Ordinances, Section 28-22, Monument Signs-Business Districts, for a sign at the business known as Tari Car Lot, located at 729 W. FM 544.

Ms. Roberts stated the item was originally denied by the Planning and Zoning Commission on June 3<sup>rd</sup> and was subsequently appealed to Council and denied on July 16<sup>th</sup>. Ms. Roberts stated that the applicant felt he did not receive adequate consideration of his request for a taller sign.

*Mr. Frydberg* stated that businesses had a right to advertise their business.

**COUNCIL ACTION (7.E.):**

**APPROVED**

Councilmember Grant moved to approve the motion to reconsider the denial of Allen Tari requesting a variance to the sign requirements as stated in the Code of Ordinances Section 28-22. Councilmember St. Clair seconded the motion. For: Siddiqui, St. Clair, Nichols Spraggins, and Thomas. Against: Bradley and Grant. The motion passed by a vote of 4 to 2.

F. Discuss amending Chapter 28, Development Standards, Article 1. Signs.

Ms. Roberts stated that Council had amended the ordinance in May 2013 at the request of staff to create a consistency within the code; a portion of the code had prohibited electronic signs while another allowed it. Ms. Roberts stated that staff welcomed Council comments and direction on the matter.

*Shannon McEowen, 430 Ashley Place* – Ms. McEowen asked the Council request a variance to allow for the digital marquee that the Murphy Middle School tried to install during the summer. Ms. McEowen stated the PTA had been working towards installing a digital marquee for over two years. Ms. McEowen stated the PTA has raised a little over \$28,000 for full installation of the sign, most of the funds were restricted to be spent only on the sign. Ms. McEowen stated the initial submittal in June resulted in a response that a structural engineer needed to sign off on the application. Upon resubmittal, Ms. McEowen stated she was notified that the sign was no longer allowed by ordinance.

*Robert Montgomery, 213 Crepe Myrtle* – Mr. Montgomery stated that Murphy Road Baptist Church was wanting to install an electronic message sign as well. Mr. Montgomery asked the Council to reconsider the ordinance. Mr. Montgomery stated that an electronic changeable message sign allows for more advertising in a smaller space.

Councilmember Bradley stated that he believed the intention was to have the signs apply to businesses and would recommend sending the ordinance back to provide for churches, schools and community-based organizations the ability to have an electronic changeable message sign.

Councilmember Thomas stated that he would like to hear the Planning and Zoning Commission's opinion as to why the ordinance was changed.

Discussion was held with regard to holding a joint work session with the Planning and zoning commission at their next regularly scheduled meeting.

**COUNCIL ACTION (7.F.):**

**NON ACTION ITEM**

No action was taken.

- G. Consider and/or act upon awarding construction bid to low bidder A&M Construction & Utilities, for the repairs of a public storm drainage line / easement between 319 and 323 Kentwood Drive, and authorizing the City Manager to sign the contract.

Mr. Fisher stated that staff was recommending awarding the contract to low bidder, A&M Construction & Utilities.

**COUNCIL ACTION (7.G.):**

**APPROVED**

Mayor Pro Tem Siddiqui moved to award the construction bid to low bidder A&M Construction & Utilities and authorizing the City Manager to execute the contract. Councilmember Grant seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

**MOVE TO ITEM 9**

**9. EXECUTIVE SESSION**

The City Council convened into Executive Session at 8:00 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. § 551.071 Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings act regarding:
1. Zoning and subdivision regulation issues involving the Ranch/ Gables subdivisions; and,
  2. Traffic calming measures.
- B. § 551.087. Deliberation regarding economic development negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) regarding:  
Incentive agreement between Allen & Loucks Venture, LLC, C4 Enterprises, LLC and Chef Time, LLC and the City of Murphy and the Murphy Municipal Development District.
- C. §551.071 Consultation with the City Attorney and special counsel on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding contemplated or pending litigation or matters where legal advice is requested of the City Attorney on personnel matters regarding the City Manager.
- D. §551.074 Deliberations regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager or to hear a complaint or charge against the City Manager.

**10. RECONVENE INTO REGULAR SESSION**

The City Council reconvened into Open Session at 8:46 p.m. pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. § 551.071 Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings act regarding:
1. Zoning and subdivision regulation issues involving the Ranch/ Gables subdivisions; and,
  2. Traffic calming measures.
- B. § 551.087. Deliberation regarding economic development negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) regarding:  
Incentive agreement between Allen & Loucks Venture, LLC, C4 Enterprises, LLC and Chef Time, LLC and the City of Murphy and the Murphy Municipal Development District.
- C. §551.071 Consultation with the City Attorney and special counsel on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding contemplated or pending litigation or matters where legal advice is requested of the City Attorney on personnel matters regarding the City Manager.
- D. §551.074 Deliberations regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager or to hear a complaint or charge against the City Manager.
- E. Consider and or act upon any executive session items.
- No action was taken as a result of the executive session.
- F. Consider and/or act upon approval of a resolution authorizing the City Manager to execute an Incentive agreement between Allen & Loucks Venture, LLC, C4 Enterprises, LLC and Chef Time, LLC and the City of Murphy and the Murphy Municipal Development District.

**COUNCIL ACTION (10.F.):****APPROVED**

Councilmember Bradley moved to approval of a resolution authorizing the City Manager to execute an Incentive agreement between Allen & Loucks Venture, LLC, C4 Enterprises, LLC and Chef Time, LLC and the City of Murphy and the Murphy Municipal Development District. Councilmember Grant seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

**RETURN TO ITEM 7.H.**

- H. Consider and/or act upon Ethics Review Commission recommendations:
1. A proposed resolution establishing the Rules and Procedures for the City of Murphy Ethics Commission
  2. A proposed ordinance amending Chapter 2, Article IX of the Code of Ordinances entitled Code of Ethics.

**COUNCIL ACTION (7.H.):**

**POSTPONE**

Councilmember Bradley moved to table the resolution establishing the Rules and Procedures for the City of Murphy Ethics Commission and the ordinance amending Chapter 2, Article IX of the Code of Ordinances entitled Code of Ethics until the first meeting in December, scheduled for December 3<sup>rd</sup>. Councilmember Nichols Spraggins seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0.

**MOVE TO ITEM 11.B.**

- B. Discussion regarding the issuance of tax notes for the purpose of funding the Murphy Central Park, the Community Center and the Animal Shelter.

Mr. Fisher provided the Council with an update on the April discussion on the issuance of \$1,000,000 in tax notes for the animal shelter and overages from the community center. Mr. Fisher stated that an agreement needed to be entered into between the City and the MDD regarding the issuance of the tax notes.

**COUNCIL ACTION (11.B.):**

**NON ACTION ITEM**

No action was taken.

**CITY MANAGER/STAFF REPORTS**

Mr. Fisher provided the Council with an update on the following items:

- North Murphy Road Construction Update
- Murphy Central Park Construction Update
- Update on West Nile Virus
- Collin County Appraisal District Board Nominations
- Chamber of Commerce, State of the City – September 17, 2013
- Maize Days – September 28, 2013
- Fire Open House – October 5, 2013
- Texas Municipal League – October 8-11, 2013

**ADJOURNMENT**

With no further business, the meeting was adjourned at 8:54 p.m.

APPROVED BY:

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Eric Barna, Mayor

ATTEST:

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Kristi Gilbert, City Secretary

**City Council Meeting  
September 17, 2013**

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**Issue**

Consider and/or act upon ratifying the property tax revenue increase reflected in the 2013-2014 fiscal year budget.

**Staff Resource/Department**

James Fisher – City Manager  
Linda Truitt – Finance Director

**Background/History**

The budget is adopted annually by the governing body of the City of Murphy for revenues and expenditures of City funds. Legislation requires two votes by the City Council when the budget will raise more property tax revenue than was generated in the previous year. The first vote is to adopt a budget. The second vote by the City Council is to ratify the property tax revenue increase reflected in the budget.

Adoption of the annual budget constitutes the proposed revenues and expenditures as approved by the governing body for the fiscal year.

**Financial Considerations**

**THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$534,480 OR 6.08%, AND OF THAT AMOUNT \$252,911 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE ROLL THIS YEAR.**

**Action Requested**

Motion to approve ratifying the property tax revenue increase reflected in the budget for the 2013-2014 fiscal year.

## City Council Meeting September 17, 2013

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### Issue

Consider and/or act upon approval of an Ordinance levying ad valorem taxes for use and support of the municipal government of the City of Murphy for the fiscal year beginning October 1, 2013 and ending September 30, 2014.

### Staff Resource/Department

James Fisher – City Manager

Linda Truitt – Finance Director

### Background/History

Legislation requires two votes by the City Council when the budget will raise more property tax revenue than was generated in the previous year. The first vote is to adopt a budget. The second vote by the City Council is to ratify the property tax revenue increase reflected in the budget.

The property tax rate must be approved and adopted by the governing body of the City by September 30, 2013. The Collin County Tax Office collects the property taxes for the City and has requested the adopted tax rate by September 18, 2013 in order to mail tax statements in October.

### Financial Considerations

Property taxes fund the debt service obligations of the City and account for a large portion of the general fund revenue.

### Action Requested

Motion to approve a property tax rate increase by the adoption of a tax rate of \$0.570000 which is effectively a 2.35 percent increase in the tax rate, and to approve an ordinance fixing and levying municipal ad valorem taxes for the fiscal year beginning October 1, 2013 and ending on September 30, 2014, and for each fiscal year thereafter until otherwise provided.

### Attachments

- 1) Notice of public hearings
- 2) Notice of Tax Revenue Increase
- 3) Ordinance

# Notice of Public Hearing on Tax Increase

The City of Murphy will hold two public hearings on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 3.35 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

The first public hearing will be held on August 20, 2013 at 6:00 PM at Murphy Municipal Complex, City Council Chambers, 206 North Murphy Road, Murphy, TX 75094.

The second public hearing will be held on September 3, 2013 at 6:00 PM at Murphy Municipal Complex, City Council Chambers, 206 North Murphy Road, Murphy, TX 75094.

The members of the governing body voted on the proposal to consider the tax increase as follows:

<b>FOR:</b>	Mayor Eric Barna	Mayor Pro Tem Owais Siddiqui
	Deputy Mayor Pro Tem Ben St. Clair	Councilmember Scott Bradley
	Councilmember Betty Spraggins	Councilmember Bernard Grant
	Councilmember Rob Thomas	

**AGAINST:** None

**PRESENT** and not voting: None

**ABSENT:** None

The average taxable value of a residence homestead in City of Murphy last year was \$256,903. Based on last year's tax rate of \$0.570000 per \$100 of taxable value, the amount of taxes imposed last year on the average home was \$1,464.35.

The average taxable value of a residence homestead in City of Murphy this year is \$265,328. If the governing body adopts the effective tax rate for this year of \$0.551520 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$1,463.34.

If the governing body adopts the proposed tax rate of \$0.570000 per \$100 of taxable value, the amount of taxes imposed this year on the average home would be \$1,512.37.

Members of the public are encouraged to attend the hearings and express their views.

**ORDINANCE NO. 13-09-**

**AN ORDINANCE OF THE CITY OF MURPHY, TEXAS, LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF MURPHY, TEXAS FOR THE 2013-2014 FISCAL YEAR; PROVIDING FOR APPORTIONING EACH LEVY AND SPECIFIC PURPOSES; PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID.**

**WHEREAS**, Section 26.05 of the Texas Tax Code requires that the City of Murphy, Texas, adopt a tax rate for the next fiscal year by September 30, 2013; and

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

**Section 1:** That there is hereby levied and there shall be collected for the use and support of the municipal government of the City of Murphy for the 2013-2014 fiscal year, upon all property, real, personal and mixed, within the corporate limits of said City subject to taxation, a tax of **\$0.570000** on each \$100 valuation of property, said tax being so levied and apportioned to the specific purposes here set forth:

- a. For the maintenance and support of the General Government (General Fund) for the fiscal year 2013-2014, **\$0.341521** on each \$100 valuation of property. **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 7.12 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$12.02.**

- b. For debt services for the fiscal year 2013-2014, **\$0.228479** on each \$100 valuation of property. **THIS TAX RATE WILL DECREASE TAXES FOR DEBT SERVICE THAN LAST YEAR'S TAX RATE.**

**THE TAX RATE WILL DECREASE THE TAXES PAID FOR DEBT SERVICE ON A \$100,000 HOME BY APPROXIMATELY \$12.02.**

**Section 2:** That taxes levied under this ordinance shall be due October 1, 2013, and if not paid on or before January 31, 2014, shall immediately become delinquent.

**Section 3:** All taxes shall become a lien upon the property against which assessed, and the City Tax Collector, or designee, of the City of Murphy, is hereby authorized and empowered to enforce the collection of such taxes according to the Constitution and laws of the State of Texas and Ordinances of the City of Murphy, Texas. Shall, by virtue of the tax rolls, fix and establish a lien by levying upon such property, whether real or personal, for the payment of said taxes, penalty and interest and the interest and penalty collected from such delinquent taxes shall be apportioned to the General Fund of the City of Murphy. All delinquent taxes shall bear interest from date of delinquency at the rate as prescribed by State Law.

**Section 4:** That the City Manager or his designee shall put the following notice on the homepage of the City's Internet website:

There is hereby levied and there shall be collected for the use and support of the municipal government of the City of Murphy for the 2013-2014 fiscal year, upon all property, real, personal and mixed, within the corporate limits of said City subject to taxation, a tax of **\$0. 570000** on each \$100 valuation of property, said tax being so levied and apportioned to the specific purposes here set forth:

**“City of Murphy ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 7.12 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$12.02.”**

**“IN ADDITION, THE CITY OF MURPHY, TEXAS ADOPTED A TAX RATE OF \$0.228479 THAT WILL DECREASE TAXES FOR DEBT SERVICE THAN LAST YEAR’S TAX RATE.**

**THE TAX RATE WILL DECREASE THE TAXES PAID FOR DEBT SERVICE ON A \$100,000 HOME BY APPROXIMATELY \$12.02.”**

**Section 5:** That this Ordinance shall take effect and be enforced from and after its passage.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Texas, on this 17th day of September, 2013.

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Eric Barna, Mayor  
City of Murphy

ATTEST:

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Kristi Gilbert, City Secretary  
City of Murphy

**City Council Meeting  
September 17, 2013**

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Consider and/or act upon awarding landscape bid for Central Park and PSA-Murphy in accordance to the agreement and plans, and to authorize the City Manager to execute the contract.

**Staff Resource / Department**

Dennis Sims, Dunkin, Sims, Stoffels, Inc  
Linda Truitt, Director of Finance  
Kim Lenoir, Director of Parks and Public Works

**Key Focus Area**

Beautification, Code Compliance, Tree City USA, Infrastructure Development, Economic Development.

**Summary**

Public bids were opened September 9, 2013. Three (3) bids were received. Low bid of \$114,118.00 was from AquaGreen Global from Cedar Hill, TX. City landscape architect and staff checked references and recommend the low bidder.

**Background/History**

In October 2012, the City of Murphy and PSA entered into a 50 year land lease and development agreement for Murphy Central Park. MDD voted to approve \$1.1 million to make changes to Central Park project to accommodate the PSA-Murphy facility. The funds included additional professional services for redesign, utilities, parking, driveways, trail links, signage, and landscaping.

PSA-Murphy is scheduled to open late October. The plan is to install the new landscaping before the grand opening of PSA. The central park construction is also projected for completion by the end of the year.

**Financial Considerations**

This project will be funded from the MDD funds dedicated to this project.

**Action Requested / Staff Recommendation**

Motion to award the landscaping bid as recommended to AquaGreen Global and to authorize the City Manager to execute the contract.

**Attachments**

Landscape Architect's Letter of recommendation and Bid tabulation

**DUNKIN  
SIMS  
STOFFELS  
Inc.**

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September 10, 2013

Ms. Kim Lenoir  
Director of Parks and Public Works  
206 N. Murphy Road  
Murphy, Texas 75094

Re: Murphy Community Park Phase I – Landscape Planting

Dear Ms. Lenoir:

Bids for the referenced project were opened at 3:00 P.M. on Monday, September 9, 2013. A total of three (3) bids were received for the project. The apparent low bidder was AquaGreen Global, LLC with a base bid of \$114,118.00.

After reviewing the bid, contacting listed references, and discussing the project with Mr. Devin D. Guinn of AquaGreen Global they have the experience and qualifications to complete the Murphy Community Park Phase I Landscape Planting project. We have attached the Bid Tabulation Sheet and references for AquaGreen Global for your review.

Please give me a call if you have any questions.

Sincerely,



Dennis Sims, RLA, ASLA  
Principal

**Bid Tabulation Sheet**  
**Murphy Community Park Phase I - Landscape Planting**  
**Murphy, Texas**  
**September 9, 2013 @ 3:00 PM**

<b>BIDDER</b>	<b>BASE BID</b>	<b>ADDENDUM #1</b>	<b>Length of Construction</b>	<b>Bid Bond</b>
AquaGreen Global - Cedar Hill, Texas	\$ 114,118.00	✓	60	✓
Platinum Landscape & Exteriors, LLC - Plano, Texas	\$ 136,500.00	✓	30	✓
C. Green Scaping, LP - Fort Worth, Texas	\$ 153,394.10	✓	40	✓

**BIDDER'S QUALIFICATION STATEMENT**

Project: Murphy Community Park Phase I - Landscape Planting

Contractor: AquaGreen Global, LLC

Indicate One:  Sole Proprietor  Partnership  Other  
 Corporation  Joint Venture

Name: AquaGreen Global / Devin D. Guinn

Title: Principal

Address: 1205 Forbes St.

City: Cedar Hill

State & Zip: Texas 75104

Phone: 469.503.0030

State and Date of Incorporation, Partnership, Ownership, Etc. Texas 05/2009

Location of Principal Office: Cedar Hill

Contact and Phone at Principal Office: Devin D. Guinn / 469.503.0030

Liability Insurance Provided and Limits of Coverage: Nautilus Insurance / \$2,000,000.

Workers Compensation Insurance Provider: Texas Mutual Insurance

Surety Bonding Company (Performance & Payment): Baldwin + Cox Agency

Surety's AM Best Rating (must be A rated or better) \_\_\_\_\_

Insurance Agency Name: Kristin James / Texas All Risk Insurance

Insurance Agency Address: 3209 Premier Dr. Ste 130 Plano, Tx 75075

Contact Person: Kristin James

Phone Number: 972.881.0044

Total Number of Employees to be Associated with this Job:

<u>1</u> Managerial	<u>1</u> Administrative	<u>1</u> Professional
<u>1</u> Skilled	<u>2</u> Semi-Skilled	<u>5</u> Other

Percentage of Work to be Done by Bidder's Employees (Based on Dollars Bid): 100%

Type(s) of Work to be Done by Bidder's Employees (Examples: Concrete Paving, Structural Concrete, Water Lines, Sanitary Sewer Lines, Storm Pipe, Storm Inlets, Excavation, Lime, Bridge Fencing, etc.)

Furnish + Install landscape plant materials, plant bed preparation, metal edging, earthwork, + minor irrigation adjustments.

Access to Tools and Equipment: Percent Owned 100% Percent Rented \_\_\_\_\_

Number of Years in Business as a Contractor on Above Types of Work: 5 years

Type(s) of Work to be Done by Sub-Contractors:

Include Name, Address, and Phone Number of each Sub-Contractor. (Use Additional Sheets, if needed.)

Type of Work	Sub-Contractor
<u>N/A</u>	<u>N/A</u>

List your most current completed projects which are similar to the type of work bid. Provide all information requested in the form. (Use Additional Sheets, if necessary.)

Project: Mesquite City Hall

Project Description: Landscape Plantings

Owner/Agency: City of Mesquite

Year Built: 2013 Contract Price: \$98,762.86

Contact Person: Travis Sales Phone: 972.216.8121

Project: Desoto Senior Activity Center

Project Description: landscape construction

Owner/Agency: City of Desoto

Year Built: 2010 Contract Price: \$48,546.78

Contact Person: Danny Johnson Phone: 214.907.6248

Project: Loving Fellowship Baptist Church

Project Description: LandScape Construction

Owner/Agency: Craig Everett Inc.

Year Built: 2013 Contract Price: \$61,036.50

Contact Person: Frank Williams Phone: 817.268.1097

Project: Angels of Hands Living Center

Project Description: LandScape Construction

Owner/Agency: Triple J Design + Construction

Year Built: 2013 Contract Price: \$42,719.89

Contact Person: W.G. Jones Phone: 214.371.8833

Project: Enchanted Hills Apartments

Project Description: LandScape Construction

Owner/Agency: \_\_\_\_\_

Year Built: 2013 Contract Price: \$102,572.00

Contact Person: Gary Milligan Phone: 214.693.7466

Project: Assembly of Yahweh Church

Project Description: LandScape Construction

Owner/Agency: Wilks Heritage Group

Year Built: 2011 Contract Price: \$65,998.00

Contact Person: Matt Holm Phone: 254.631.9980

Trade References (List Company, Address, Contact Person, and Phone):

Ewing - 1419 South Alexander Ave Duncanville, Tx 75137 Tim Little 214.644.5027  
 Living Earth - 1901 California Crossing Rd. Dallas, Tx 75220 Jeff Rednett 972.869.4332  
 Alta Vista Nursery - 4700 Golden Triangle Blvd. Keller, Tx 76244 John West 817.360.8270

Bank References (List Institution, Address, Contact Person, and Phone):

BANK of Desoto 2011 N. Hampton Rd. P.O. Box 7777 Desoto, Texas 75115  
 Carlos Coy - 972.780.7777

Financial statements are not required as part of this bid package, However a balance sheet and income statement from the previous fiscal year shall be required from the apparent low bidder to be reviewed and approved by the Finance Director prior to contract award.

Claims and Suits (If the answer to any of the questions is yes, please attach details):

Has your organization ever failed to complete any work awarded to it? NO

Are there any judgments, claims, arbitration proceedings, or suits pending or outstanding against your organization or its officers? NO

Has your organization filed any lawsuits or requested arbitration with regard to construction contracts within the last five years? NO

Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract?

NO

## City Council Meeting September 17, 2013

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### Issue

Consider and take appropriate action, if any, on an ordinance amending Section 9.100 of the Fee Schedule, water and sewer rates.

### Staff Resource/Department

James Fisher – City Manager  
Linda Truitt – Finance Director

### Background/History

During the FY 2013 budget process, it was determined that water rates should be increased to compensate for the increase of the cost of water purchased from North Texas Municipal Water District. Also it was determined that the current sewer rates were not covering the cost of sewer collection and treatment.

Council discussed, at length, the proposed increases during the budget workshop held on July 1, 2013. Two public hearings were held on August 20<sup>th</sup> and September 3<sup>rd</sup> regarding the FY 2014 budget which included the proposed rate increase. At the September 3<sup>rd</sup> meeting, Council discussed the rates again and decided that a more in depth discussion would be held at a date to be determined (November is a possibility).

Because the FY 2014 budget includes the rate increases, the attached ordinance was prepared for your approval with an effective date of December 1, 2013.

### Financial Considerations

The following tables reflect the increases to the base rates and volumetric rates for water and sewer:

Water volumetric rate (per 1,000 gallons of water)

	<b>Residential</b>		<b>Sprinkler/Irrigation</b>
<b>Gallons</b>	<b>Rate</b>	<b>Gallons</b>	<b>Rate</b>
0-15,000	\$2.95	0-15,000	\$3.95
15,001-30,000	3.10	15,001-30,000	4.10
30,001-45,000	3.60	30,001-45,000	4.60
45,001-60,000	4.10	45,001-60,000	5.00
60,001 +	4.60	60,001 +	5.60

The first two water rate tiers do not change; the third tier (30,001 – 45,000) increases by \$0.30; added the 45,001 – 60,000 tier and the 60,001 tier.

Water Base Rates per meter size:

¾ inch meter (Residential Standard)	\$25.00
1 inch meter	42.40
1 ½ inch meter	79.80
2 inch meter	124.70
3 inch meter	244.40
4 inch meter	485.00
Larger meters will be charged \$15.00 times the living unit equivalent according to the Water and Wastewater Impact Fee Update:	

Base rates increase by \$5.00 for each meter size

Sewer Volumetric rate (per 1,000 gallons of water) with five customer classes as follows:

<b>Customer Class</b>	<b>Volume Rate</b>
Commercial	\$3.00
City	\$1.70
HOA	\$2.50
Residential	\$1.70
Church	\$1.70

Commercial rate increase by \$1.00; HOA, City and Residential rates increase by \$0.50 and Church by \$0.40.

Sewer Base Rate

<b>Customer Class</b>	<b>Base Rate</b>
Commercial	\$40.00
City	\$20.00
HOA	\$20.00
Residential	\$20.00
Church	\$20.00

Base rate increases by \$10.00

**Action Requested:**

Approval of an ordinance amending Section 9.100 for the Fee Schedule by increasing water and sewer rates.

**Attachments**

- 1) Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS AMENDING ORDINANCE 13-05-949, APPENDIX A, FEE SCHEDULE, SECTION 9.100 OF THE MURPHY CODE OF ORDINANCES; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS DATE OF PUBLICATION.**

**WHEREAS**, the City Council has previously adopted a Fee Schedule on May 7, 2013 and,

**WHEREAS**, the City Council desires to amend the Fee Schedule to reflect the changes which may be assessed.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS AS FOLLOWS:**

**SECTION 1. FINDINGS INCORPORATED**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2.** That Section 9.100 of the Fee Schedule of the City of Murphy, Texas is hereby amended which shall read as follows:

**Section 9.100 Water and Sewer Usage Rates**

- 1) Water Service
  - a. \$60.00 new residential and commercial customer deposit
  - b. \$100.00 new renter customer deposit
  - c. \$100.00 for Builder’s new construction deposit
  - d. Monthly Base Meter Fee +

Volumetric rate (per 1,000 gallons) with two customer classes

	<b>Residential</b>		<b>Sprinkler/Irrigation</b>
<b>Gallons</b>	<b>Rate</b>	<b>Gallons</b>	<b>Rate</b>
0-15,000	\$2.95	0-15,000	\$3.95
15,001-30,000	3.10	15,001-30,000	4.10
30,001-45,000	3.60	30,001-45,000	4.60
45,001-60,000	4.10	45,001-60,000	5.00
60,001 +	4.60	60,001 +	5.60

## Base Rates per meter size:

¾ inch meter (Residential Standard)	\$25.00
1 inch meter	42.40
1 ½ inch meter	79.80
2 inch meter	124.70
3 inch meter	244.40
4 inch meter	485.00
Larger meters will be charged \$15.00 times the living unit equivalent according to the Water and Wastewater Impact Fee Update:	

- e. \$10.00 for a meter re-read when there is no problem found.
- f. A leak credit will be applied after a customer presents proof of repair of leak. An average charge will be applied based on water usage two months prior to the month of leak and one month after the leak. This average will apply to water usage only and leak credit shall be applied only once a 12 month period as appropriate.
- g. 10% penalty will be applied to the account balance if payment in full is not received within 20 days from the billing date.
- h. \$30, 00 service fee will be applied to the account balance if payment in full is not received within 30 days from the billing date. All disconnections will take place on the following Wednesdays.
- i. Disconnect fees will be waived in the month of December.
- j. \$50.00 service fee will be applied during after hours, weekend and holidays with documentation that the bill has been paid at the City of Murphy online website or placed in after-hours drop box (if payment is not in night box prior to next business day there will be assessed an additional \$30.00 service fee for another disconnection).
- k. At the discretion of the Customer Service Manager, a one time courtesy adjustments of late penalty or \$30.00 service fee may be waived if account is in good standing for a period of 12 months straight.
- l. At the discretion of the Customer Service Manage, adjustments of late penalty and service fee may be waived for uncontrollable circumstances with proper documentation from the resident. Examples include hospitalization, illness, family death; and/or other qualifying events.
- m. If any due date falls on a weekend or holiday, payments will be due on the next city business day.

## 2) Wastewater Collection Rates

Minimum bill – for use in conjunction with volumetric rates:

<b>Customer Class</b>	<b>Base Rate</b>
Commercial	\$40.00
City	\$20.00
HOA	\$20.00
Residential	\$20.00
Church	\$20.00

Volumetric rate (per 1,000 gallons of water) with five customer classes as follows:

<b>Customer Class</b>	<b>Volume Rate</b>
Commercial	\$3.00
City	\$1.70
HOA	\$2.50
Residential	\$1.70
Church	\$1.70

- a. Volumetric rate (per 1,000 gallons of water) based on 3-month (November, January and February) winter average of water usage for residential only.
- b. Murphy will use a winter averaging for the e purpose of calculating sewer charges on customer's utility bill. The sewer charge will be based on the water consumption average for three months (November, January and February). Average consumption is applied against current sewer rates and becomes the constant sewer charge for 12 months beginning with each April 1<sup>st</sup>.
- c. New customers to the system will be charged the city-wide residential average usage of 9,400 gallons until their own independent winter average has been established.

## 3) Water meter fees:

- a. ¾ inch (residential standard): \$330.00
- b. 1 inch: \$420.00
- c. 1 ½ inch: \$950.00

- d. 2 inch Turbine: \$1,125.00
  - e. 2 inch Compound: \$1,615.00
  - f. A price quote will be given by the public works department for meters over 2 inches.
- 4) Sewer connection fees:
- a. 4 inch tie-in: \$150.00
  - b. 6 inch tie-in: \$300.00
  - c. 8 inch tie-in: \$500.00
- 5) Sewer taps and water taps:
- a. 100% of cost for installation plus sewer connection fee plus mater fee.
- 6) Hydrant meter rental:
- a. Deposit - \$1,500, refundable upon return of meter in working condition.
  - b. Water Fee - \$100.00 + \$3.00 per 1,000 gallons used.
  - c. Water readings will be given to the city customer service department on a weekly basis or a \$500.00 penalty may result.

**Section 4. EFFECTIVE DATE** of December 1, 2013.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Collin County, Texas, on this the 17<sup>th</sup> day of September, 2013.

**APPROVED:**

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Eric Barna, Mayor  
City of Murphy

**ATTEST:**

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Kristi Gilbert, City Secretary

**Issue**

Consider and/or act upon City of Murphy board and commissions:

1. Accept resignations of board members; and
2. Accept recommendations from the Council Interview Panel regarding appointing board members to the Board of Adjustments, Murphy Municipal Development District, and the Murphy 4B Community Development District.

**Staff Resource / Department**

Kristi Gilbert, City Secretary

**Summary**

*Item 1.* There are currently three councilmembers that are serving on boards that has been advertised for new applicants. One or all of these councilmembers may choose to resign.

*Item 2.* The Interview Committee comprised of Mayor Pro Tem Siddiqui and Councilmembers Nichols Spraggins and Grant will present their recommendations for appointments at the meeting.

The following Boards, Commissions and Committees have positions open for appointment:

*4B Community Development District:* One position expiring 12/31/14

*Board of Adjustments:* One alternate position expiring 12/31/14

\*assuming Councilmember Thomas resigns

*Murphy Municipal Development District:* One position expiring 12/31/13 and one position expiring 12/31/14

\*assuming Mayor Pro Tem Siddiqui and Councilmember Nichols Spraggins resign

**Attachments**

Summary of Applicants

## Board Vacancies

### 4B: One Vacancy for a term expiring 12/31/14

### BOA: One Alternate Position for a term expiring 12/31/14

\*assuming Councilmember Thomas resigns

### MDD: Two vacancies, one for a term expiring 12/31/13 and one for a term expiring 12/31/14

\*assuming Mayor Pro Tem Siddiqui and Councilmember Nichols Spraggins resign

First Name	Last Name	Reg Voter?	Occupation	Education	Previously Served	Boards & Dates	Attended Council Mtgs?	4B	BOA	MDD
Alexander	Acuna	Y	Real Estate Broker	BA	Y	P&Z 2009, CLC	Y			1
Joe	Baze	Y	CPA	BA	N		N	1		2
David	Brandon	Y	Consultant	BBA	Y	Council	Y			1
John	Daugherty	Y	Natural Gas Midstream Consultant	BS	Y	Council	Y			1
Robbie	Hazelbaker	Y	Parks Administration-Richardson	BA	N	served as staff	Y	3	2	1
Ronald	Hodges	Y	Post Closing Asset Manager	PhD, JD, MBA	N	served on various boards in California	N	3	1	2
Sarah	Jones	Y	Project Manager	MBA	N		Y	3	1	2
J.T.	Oden II	Y	Real Estate Broker	Masters	Y	Charter Review Committee	Y	2	3	1
John	Wideman	Y	Program Manager	BBA, MBA	Y	City Logo Committee	Y			1

Note: Mr. Oden withdrew his application from consideration on September 9, 2013.

**City Council Meeting**  
**September 17, 2013**

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**Issue**

Discussion regarding scheduling a Council planning session.

**Staff Resource / Department**

James Fisher, City Manager

Kristi Gilbert, City Secretary

**Summary**

Staff would like to hold a planning session with Council in the near future. The purpose of the session is to discuss the city's utility fund, water/sewer rates, water management, personnel planning, financial planning, capital spending, capital projects planning and general direction of the City. This time would be used to lay out a solid foundation that the City Council establishes for the city staff to build upon. The City of Murphy is nearing build out and is in the transition phase from a rapid growing city to a mature bedroom community. It is important that we all understand what kind of city we want to have, what it takes to have that city, what it takes to maintain that city and the impact (pros and cons) this will have on the community. It is important to understand what each member of the City Council likes, dislikes, priorities and what they would like their legacy as a member of City Council to be. Once that is known, develop a collective plan of action that will be clear to all. It will also be critical to have a robust discussion regarding our current financial status and the components that are necessary to meet the expectations of our community.

The initial suggestion was to hold the session Thursday, October 31<sup>st</sup> and Friday, November 1<sup>st</sup>, however, not all Councilmembers are available during that time frame.

**Action Requested / Staff Recommendation**

Staff is seeking input regarding availability of Councilmembers.