



NOTICE TO PUBLIC
NOTICE OF MEETING VIA FACEBOOK LIVE

Notice is hereby given In accordance with order of the Office of the Governor issued March 19, 2020, the City Council of the City of Athens, Texas will conduct its Regular meeting scheduled at 5:30 p.m. on Monday, March 23, 2020 in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana St, Athens, TX via Facebook Live in order to advance the public health goal by avoiding social gatherings in groups of more than 10 people to slow the spread of the Coronavirus (COVID-19) [There will be no public access to the location described above.]

This notice and meeting agenda, and the agenda packet, are posted online at <https://www.athenstx.gov/resources/2017-city-council-agendas>

The public can participate by going to the following link
<https://www.facebook.com/CityofAthensTexas/>

The public will be permitted to offer public comments by sending an email to citysecretary@athenstx.gov as provided by the agenda and as permitted by the presiding officer during the meeting.

A recording of the Facebook Live meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

- 1) Invocation
- 2) Pledge of Allegiance
- 3) Declaration of Conflict of Interest
- 4) Mayor, City Council and/or City Manager updates involving Community Events and issues of Public Safety
- 5) Public Communications

“Pursuant to Texas Government Code section 551.007, members of the public may speak on an agenda item during the public communication section of the meeting or at the time the agenda item is called for discussion by the Mayor. Speakers shall be given three (3) minutes to speak. A speaker needing a translator and/or interpreter may be given six (6) minutes to speak. Members of the public wishing to address the Council on non-agenda items may do so pursuant to the same time constraints as agenda items. The Council will not comment on items not on the agenda; however, the Council may refer the item to City Staff for research, resolution or referral of the matter to the Council as a future agenda item.”

- 6) Consent Agenda
(All matters listed 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 requested by a member of the City Council. The item may subsequently be removed from the Consent Agenda to be considered separately.)
- a) Consider approving minutes of the March 9, 2020 Regular Session
 - b) Consider a Resolution authorizing the Mayor to enter into a grant agreement with The Ginger Murchison Foundation and accept the contribution of \$2.5 million dollars for the Cain Center Construction
 - c) Consider a Resolution authorizing the City Manager to enter into a contract and agreement with Henderson County for Rural Fire Protection
 - d) February 2020 Monthly Revenue and Expense Report
- 7) Hear update on Cain Center Project – [E. Borstad]
- 8) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the City Manager to enter into a contract with Berry and Clay Construction for a guaranteed maximum price of \$7,590,016.26 for construction of the City of Athens Civic and Aquatic Center – [E. Borstad]
- 9) Discuss postponing the City of Athens General Election scheduled to be held on Saturday, May 2, 2020 until Tuesday, November 3, 2020
- 10) Discuss, consider and take action, as necessary, concerning the approval of a Resolution extending the City of Athens Disaster Declaration issued on March 19, 2020 due to the imminent threat to Public Health and Safety as a result of the spread of the Coronavirus (COVID – 19), Epidemic, as declared by the World Health Organization as a Pandemic on March 11, 2020 – [E. Borstad]
- 11) Consider final reading of an Ordinance concerning a request from Triton Athens I, LLC for approval of a site plan amendment for Lots 1-5, Block 1 of the Triton Athens Subdivision, R.A. Clark Survey A-171, also known as 1006, 1010 and 1012 East Tyler Street
- 12) Executive Session Pursuant to the Texas Government Code, Section 551.087 (Deliberation Regarding Economic Development Negotiations; Closed Meeting) Deliberations regarding negotiations with the following prospects:
- a) Prospect #1802
 - b) Prospect #1803
- 13) Consider action resulting from deliberations in Executive Session Pursuant to the Texas Government Code, Section 551.087 (Deliberation Regarding Economic Development Negotiations Closed Meeting) Deliberations regarding negotiations with the following prospects:
- a) Prospect #1802
 - b) Prospect #1803

- 14) Mayor and City Council's request for future agenda items
- 15) Adjourn

Executive Session (Closed Meeting): Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 418.183(f), and 418.106(d) & (e). Refer to posted list attached hereto and incorporated herein.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 - Private consultation with the attorney for the City.

§ 551.072 - Discussing purchase, exchange, lease or value of real property.

§ 551.074 - Discussing personnel or to hear complaints or charges against personnel or officials.

“PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.”

“DE CONFORMIDAD CON LA SECCIÓN 30.06, CÓDIGO PENAL (ESTAR EN ESTA PROPIEDAD POR TITULAR DE LA LICENCIA CON UNA PISTOLA OCULTA), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411, CÓDIGO DE GOBIERNO (LEY DE LICENCIAS ARMA DE FUEGO), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA OCULTA.”

"PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY"

“DE CONFORMIDAD CON LA SECCIÓN 30.07, CÓDIGO PENAL (ESTAR EN ESTA PROPIEDAD POR TITULAR DE LA LICENCIA CON UNA PISTOLA EN PLENO VISTA), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411, CÓDIGO DE GOBIERNO (LEY DE LICENCIAS ARMA DE FUEGO), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA EN PLENO VISTA”

REGULAR SESSION

MARCH 9, 2020

The City Council of the City of Athens met in Regular Session on Monday, March 9, 2020, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana St., Athens, Texas, with the following members present to-wit:

Monte Montgomery, Mayor
Ed McCain, Mayor Pro Tem
Aaron Smith
Toni Clay
Robert Gross

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary

Staff Present: Buddy Hill, Police Chief, Mandie Quigg, Finance Director, Tim Perry, Public Works Director, Jennifer Robertson, Director of Human Resources, Derek Whiteley, Director of Information Technology, Audrey Sloan, Director of Development Services, Randy Williams, Utilities Director, Katie Birk, Tourism and Cultural Resources Coordinator, Joanie Ahlers, Economic Development Director.

Others present: Sytonia Freeman, Michelle Zenor, Rich Flowers, Marisa Gunstanson, Deborah Deas, Gary Penn, Mark Carroll, Clint Davis, Tom and Lynn Leathem, Keith Knighton, Pastor Kyle Henderson, Carol Morton, Chris Tinsley, Rich Flowers, Kenieth LaForest, Steven Freeman II, Bill McMahan, Pamela Smith, Mary Hendrix, Lanette Ainsworth, Gretchen Spinner and Michael Hannigan.

constituting a quorum at which time the following proceedings were enacted, to-wit:

INVOCATION

The Invocation was given by Councilmember Smith.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

MAYOR, CITY COUNCIL AND/OR CITY MANAGER UPDATES
INVOLVING COMMUNITY EVENTS AND ISSUES OF PUBLIC SAFETY

There were no updates involving Community Events and issues of Public Safety.

PUBLIC COMMUNICATIONS

Pastor Kyle Henderson presented information regarding a proposal for upgrading of the 18-Hole Disc Golf Course at Cain Park.

CONSENT AGENDA

- a) CONSIDER APPROVING MINUTES OF THE FEBRUARY 10, 2020 REGULAR SESSION
- b) CONSIDER APPROVING MINUTES OF THE FEBRUARY 24, 2020 REGULAR SESSION
- c) CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ATHENS AND ATXFM, INC. (DBA: ATHENS TEXAS FARMERS MARKET) FOR THE TEMPORARY USE OF THE CITY PARKING LOT TO CONDUCT A FARMER'S MARKET BEGINNING MAY 2, 2020, AS REQUESTED BY D.J. WARREN
- d) JANUARY 2020 MONTHLY REVENUE AND EXPENSE REPORT

A motion was made by Councilmember Gross, seconded by Councilmember Smith to approve the Consent Agenda. The motion carried unanimously.

HEAR UPDATE ON CAIN CENTER PROJECT

Mayor Montgomery stated a meeting was held with the Cain Center Steering Committee and the project is progressing and ready to move forward. He stated direction was given to the Construction Manager for making some cuts for value engineering.

Mayor Montgomery stated the City Council would move to agenda item 14) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the assignment/transfer of Animal Shelter Services to the Humane Society of Cedar Creek Lake

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING THE APPROVAL OF A RESOLUTION AUTHORIZING THE ASSIGNMENT/TRANSFER OF ANIMAL SHELTER SERVICES TO THE HUMANE SOCIETY OF CEDAR CREEK LAKE

Elizabeth Borstad, City Manager, explained the City's Interlocal Agreement with the County allows for the transfer of services upon the City's approval. She stated on March 3, 2020 the County entered into an agreement with the Humane Society of Cedar Creek Lake for animal shelter services. She stated the Resolution is the City's consent to transfer services.

Clint Davis, Henderson County Attorney, explained County's Interlocal Agreement requires the City to approve any assignment of the County's duties or obligations under the agreement.

Discussion occurred.

Mary Hendrix spoke in opposition of the approval of a Resolution authorizing the assignment/transfer of Animal Shelter Services to the Humane Society of Cedar Creek Lake.

A motion was made by Councilmember McCain, seconded by Councilwoman Clay to approve a Resolution authorizing the assignment/transfer of Animal Shelter Services to the Humane Society of Cedar Creek Lake. The motion carried unanimously.

HEAR UPDATE ON CLEANUP OF FIRST STREET RIGHT-OF-WAY BETWEEN JONATHAN STREET AND WILLIAMS STREET

Tim Perry, Public Works Director, provided an update on the cleanup of First Street Right-Of-Way between Jonathan Street and Williams Street. He stated cleanup of the debris is progressing.

PUBLIC HEARING CONCERNING A REQUEST FROM TRITON ATHENS I, LLC FOR APPROVAL OF A SITE PLAN AMENDMENT FOR LOTS 1-5, BLOCK 1 OF THE TRITON ATHENS SUBDIVISION, R.A. CLARK SURVEY A-171, ALSO KNOWN AS 1006, 1010 AND 1012 EAST TYLER STREET

Audrey Sloan, Director of Development Services, presented the proposed site plan for Triton Athens I, LLC. She explained the proposal is to amend the drive approach locations, the screening wall and the signage requirements for the Triton project.

She explained the original site plan was approved in October of 2017. A site plan amendment was approved in September of 2018. A site plan amendment concerning the sign package for Lot 1 (Panda Express) was approved last month.

Discussion occurred regarding the elevation points, concern regarding the fencing, and parking violations.

Mayor Montgomery opened the Public Hearing.

Alex Flores expressed concern regarding privacy in his back yard.

Bill McMahan, Triton Athens I, LLC Developer, addressed the City Council. He stated there would be a full-time Superintendent on site to address any violations.

Additional discussion occurred.

The Public Hearing was closed.

DISCUSS FIRST READING OF AN ORDINANCE CONCERNING A REQUEST FROM TRITON ATHENS I, LLC FOR APPROVAL OF A SITE PLAN AMENDMENT FOR LOTS 1-5, BLOCK 1 OF THE TRITON ATHENS SUBDIVISION, R.A. CLARK SURVEY A-171, ALSO KNOWN AS 1006, 1010 AND 1012 EAST TYLER STREET

Bonnie Hambrick, City Secretary, read the caption of the Ordinance aloud.

Councilmember Smith asked if the 516 FT elevation is all the way across the property: with the Mayor responding that it is.

PUBLIC HEARING CONCERNING A REQUEST FROM TRITON ATHENS I, LLC FOR APPROVAL OF THE AMENDED FINAL PLAT FOR LOTS 1-5, BLOCK 1 OF THE TRITON ATHENS SUBDIVISION, R.A. CLARK SURVEY A-171, ALSO KNOWN AS 1006, 1010 AND 1012 EAST TYLER STREET

Ms. Sloan presented the item and explained the proposal is to amend the locations of the access and utility easements for the Triton property, so they align with the new drive approach locations as approved by TxDOT. Ms. Sloan stated the plat is compliant with the City's subdivision and zoning ordinances

Mayor Montgomery opened the Public Hearing, there were no comments.

The Public Hearing was closed.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING THE APPROVAL OF THE AMENDED FINAL PLAT FOR LOTS 1-5, BLOCK 1 OF THE TRITON ATHENS SUBDIVISION, R.A. CLARK SURVEY A-171, ALSO KNOWN AS 1006, 1010 AND 1012 EAST TYLER STREET

A motion was made by Councilmember Gross, seconded by Councilmember Smith to approve the amended final plat for Lots 1-5, Block 1 of the Triton Athens Subdivision, R.A. Clark Survey A 171, also known as 1006, 1010 and 1012 East Tyler Street. The motion carried unanimously.

CONSIDER FINAL READING OF AN ORDINANCE ESTABLISHING A
SHIFT DIFFERENTIAL PAY FOR FIRE FIGHTERS AND POLICE OFFICERS

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilmember McCain, seconded by Councilmember Gross to approve final reading of an Ordinance establishing a shift differential pay for Fire Fighters and Police Officers.

After roll call vote, the motion passed with the following record vote:

Monte Montgomery, Mayor	Aye
Ed McCain, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
Toni Clay, Councilmember	Aye
Robert Gross, Councilmember	Aye

Voted in favor of the motion 5

Voted against the motion 0

Motion carried 5-0

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,
SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY;
CLOSED MEETING) TO DELIBERATE THE PURCHASE, EXCHANGE,
LEASE, OR VALUE OF REAL PROPERTY:

- a) 405 LINDSEY LANE
- b) 415 EAST CORSICANA STREET

The City Council convened in Executive Session at 6:25 p.m.

The City Council returned to Regular Session at 6:42 p.m.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE
SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION
551.072 (DELIBERATION REGARDING REAL PROPERTY; CLOSED
MEETING) TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR
VALUE OF REAL PROPERTY

- a) 405 LINDSEY LANE

No action was taken.

- b) 415 E. CORSICANA STREET

No action was taken.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

Ms. Hambrick read aloud the following future agenda items:

- Councilmember McCain requested an update on a Supervisory Control and Data Acquisition (SCADA) System
- Mayor Montgomery requested a joint meeting with Athens Municipal Water Authority

- Update from SPI, regarding Back up power for the Critical Services, and Royal Mountain Standpipe will appear on a future agenda
- Form a sub-group to look at areas with high accident counts and preventive measures and include a representative from TxDOT

Ms. Borstad stated a work session to discuss Civil Service requirements for Police Recruits will appear on a future agenda.

ADJOURN

The meeting adjourned at 6:50 p.m.

PASSED AND APPROVED THIS THE 23rd DAY OF MARCH, 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary



Agenda Memorandum

AGENDA DATE: March 23, 2020

DEPARTMENT: Administration

CONTACT: Elizabeth Borstad, City Manager

SUBJECT: Consider a Resolution authorizing the Mayor to enter into a grant agreement with The Ginger Murchison Foundation and accept the contribution of \$2.5 million dollars for the Cain Center Construction

SUMMARY: The Resolution will authorize the Mayor to enter into a grant agreement with The Ginger Murchison Foundation and accept the contribution of \$2.5 million dollars for the Cain Center Construction.

BACKGROUND: The City Council for the City of Athens has approved to undertake the renovation, construction, operation and continued maintenance of the Cain Center, which was ratified by the citizens of Athens, Texas at a general election held on May 2, 2019; The Murchison Foundation through its board of director's, fully supports the Cain Center Project and desires to make financial contribution to the Cain Center Project in the amount of \$2.5 million dollars.

ISSUE: n/a

ALTERNATIVES: n/a

FISCAL IMPACT: n/a

RECOMMENDATION: Consider a Resolution authorizing the Mayor to enter into a grant agreement with The Ginger Murchison Foundation and accept the contribution of \$2.5 million dollars for the Cain Center Construction.

RESOLUTION NO. 2020-R-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY ATHENS, TEXAS
AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT WITH THE
GINGER MURCHISON FOUNDATION AND ACCEPT THE CONTRIBUTION OF \$2.5
MILLION DOLLARS FOR THE CAIN CENTER CONSTRUCTION**

WHEREAS, the City Council for the City of Athens has approved to undertake the renovation, construction, operation and continued maintenance of the Cain Center, which was ratified by the citizens of Athens, Texas at a general election held on May 9, 2019; and;

WHEREAS the Murchison Foundation, by and through its board of directors, fully supports the Cain Center project and desires to make a financial contribution to the Cain Center project in the amount of \$2.5 million dollars and;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS, that the Mayor is authorized to enter into a grant agreement with The Ginger Murchison Foundation and accept the contribution of \$2.5 million dollars for the Cain Center Construction.

PASSED and APPROVED by majority vote of the City Council of the City of Athens, Texas this **23rd** day of **March, 2020**.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary

City of Athens, Texas

Agenda Memorandum



AGENDA DATE: March 23, 2020

DEPARTMENT: Fire 546

CONTACT: Russell Marshall, Fire Chief

SUBJECT: Henderson County Contract and Agreement for Fire Protection

SUMMARY: The county desires to provide rural fire protection for the citizens of Henderson County that are not protected within a municipality. Athens Fire / Rescue will maintain operational firefighting apparatus and equipment to meet the needs of incidents to which they respond. Athens Fire / Rescue is a duly incorporated fire department and duly certified and recognized by the State of Texas as a fire department and in good standing with the State of Texas and the United States of America. The parties desire that an agreement be made to provide payment for rural fire protection in the County of Henderson, State of Texas.

BACKGROUND: Annual Contract Renewal

ISSUE: NA

ALTERNATIVES: NA

FISCAL IMPACT: Henderson County shall pay department \$11,068.00 for the year 2020 in consideration for the department's agreement and commitment to provide rural fire protection, rescue, and other emergency response in the said department's response area and maintain active membership by attendance at the Henderson County Fire Chief's Association meetings.

RECOMMENDATION: Discuss, consider and take action, as necessary, concerning the approval of a resolution authorizing the city manager to enter a contract and agreement with Henderson County for fire protection beginning January 01, 2020 and ending December 31, 2020.

RESOLUTION NO. 2020 R-

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS
AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT AND
AGREEMENT WITH HENDERSON COUNTY FOR RURAL FIRE PROTECTION**

WHEREAS, County of Henderson desires to provide rural fire protection for the citizens of Henderson County that are not protected within a municipality.

WHEREAS, City of Athens will maintain operational firefighting apparatus and equipment to meet the needs of incidents to which they respond. I.e., brush truck for response to grass/wild-land fires; pumper, tender/tanker, engine for response to structural fires; etc.

WHEREAS, the parties hereto desire that an agreement be made to provide payment for rural fire protection in the County of Henderson, State of Texas;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS, that the Athens City Council authorizes the city Manager to enter into an agreement with Henderson County for Rural Fire Protection.

PASSED AND APPROVED this 23rd day of March, 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary

CONTRACT AND AGREEMENT FOR FIRE PROTECTION

**THE STATE OF TEXAS
COUNTY OF HENDERSON**

§
§

**KNOW ALL MEN
BY THESE PRESENTS**

THIS AGREEMENT, entered into this day by and between the County of Henderson, a political subdivision of the State of Texas, hereinafter referred to as COUNTY, and the **Athens Fire Department**, Henderson County, Texas, hereinafter referred to as DEPARTMENT.

TERM OF CONTRACT AGREEMENT shall be for one year beginning January 1st, 2020 and ending December 31, 2020.

WITNESSETH:

WHEREAS, COUNTY desires to provide rural fire protection for the citizens of Henderson County that are not protected within a municipality.

WHEREAS, DEPARTMENT will maintain operational firefighting apparatus and equipment to meet the needs of incidents to which they respond. I.e.; brush truck for response to grass/wild-land fires; pumper, tender/tanker, engine for response to structural fires; etc.

WHEREAS, DEPARTMENT is a duly incorporated fire department and duly certified and recognized by the State of Texas as a fire department and in good standing with the State of Texas and the United States of America.

WHEREAS, the parties hereto desire that an agreement be made to provide payment for rural fire protection in the County of Henderson, State of Texas;

NOW THEREFORE, it is UNDERSTOOD and AGREED by and between the parties as follows:

This Contract and Agreement (hereinafter referred to as the Agreement) is made under authority of and subject to the provisions of Texas Government Code 791 and Texas Local Government Code Chapter 352.

COUNTY shall pay DEPARTMENT **\$11,068.00** for the year 2020 in consideration for the Department's agreement and commitment to provide rural fire protection, rescue and other emergency response in the said DEPARTMENT'S response area and maintain active membership by attendance at the Henderson County Fire Chiefs' Association meetings.

DEPARTMENT shall maintain a training program in good standing with either of the state fire agencies; State Firemen's and Fire Marshals Association or Texas Commission on Fire Protection. Note: Enrollment and participation in either of the above listed training programs is not required for all DEPARTMENT personnel, only that the DEPARTMENT is in good standing with one of the above agencies.

DEPARTMENT will ensure that all members are in compliance with the President's Homeland Security Directive (HSPD) 5 by maintaining current National Incident Management System training standards.

DEPARTMENT shall purchase and keep in force at all times insurance for the minimum amounts of liability under the Texas Torts Claims Act, as the act then exists, which currently is: \$100,000 for each person up to \$300,000 per incident for bodily injury or death; and \$100,000 per each incident for property damage, and may

hereafter be amended or recodify. The DEPARTMENT shall provide proof of such insurance policy or policies to the County Fire Marshall as evidence that such insurance is in full force and effect, upon the executing this Agreement.

Furthermore, DEPARTMENT shall provide current list of all equipment and apparatus to the County Fire Marshal upon executing this Agreement.

DEPARTMENT shall maintain the ability to communicate on the Henderson County radio frequencies and communicate on the following mutual aid channels:

V-CALL-10 V-FIRE-21 V-FIRE-22 V-FIRE-23
V-FIRE-24 V-FIRE-25 V-FIRE-26 V-TAC-36

DEPARTMENT shall maintain a current record of incident responses in either the Texas Fire Incident Reporting System ("TexFIRS") or the National Fire Incident Reporting System ("NFIRS"). Department shall file all incident reports to either NFIRS or TexFIRS every month, in accordance to the rules and regulations of the respective reporting systems and all reporting must be current within 60 days.

DEPARTMENT shall reserve the right to charge a reasonable fee for the performance of emergency services, and all such fees collected shall accrue to DEPARTMENT.

It is expressly understood and agreed upon that the DEPARTMENT is an independent contractor for the purpose of this Agreement and that COUNTY is interested only in the end result, to-wit: Fire Protection, rescue, and other emergency responses for the rural residents of Henderson County, Texas. COUNTY shall not acquire any right, title or interest over any equipment owned, leased or otherwise operated by DEPARTMENT, nor shall COUNTY have any direction or control over DEPARTMENT or its personnel.

COUNTY reserves the right to evaluate compliance with the provisions of this Agreement by reviewing any incident reporting documentation to TexFIRS or NFIRS; and the right to access and audit the financial records and books of DEPARTMENT at any time during the term of this contract.

Failure to comply with the provisions of this Agreement may result in the withholding of all monetary consideration to DEPARTMENT by COUNTY. In the event of any default of this Agreement, COUNTY shall notify DEPARTMENT of default with a letter, sent by certified mail to DEPARTMENT. DEPARTMENT shall have 60 days from the receipt of the certified mail, to remedy the default. In the event default is not corrected in a timely manner, DEPARTMENT shall not be eligible for any future monetary consideration from COUNTY, without first obtaining Henderson County Commissioners' Court approval.

Signed this ____ day of _____, _____.

HENDERSON COUNTY

ATTEST

Wade McKinney
County Judge

Mary Margaret Wright
County Clerk

DEPARTMENT



Authorized Representative



Agenda Memorandum

AGENDA DATE:	3/23/2020
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DEPARTMENT:	Finance
CONTACT:	Mandie Quigg
SUBJECT:	Monthly Revenue and Expense Report for the month of February 2020
SUMMARY:	Revenue and Expense report for major funds
BACKGROUND:	This report includes full-year budgeted amounts; current month and YTD actual amounts.
ISSUE:	Providing financial transparency.
ALTERNATIVES:	N/A
FISCAL IMPACT:	Revenues and expenditures are reflected for the month ending February 29, 2020 as well as year-to-date. This report is unaudited and subject to adjustments.
RECOMMENDATION:	It is recommended that City Council accept the Monthly Revenue and Expense report for the month of February 2020.



MONTHLY REVENUE
AND EXPENSE REPORT

FISCAL YEAR 2020
FOR THE PERIOD ENDING
FEBRUARY 29, 2020

Prepared by
FINANCE DEPARTMENT

March 14, 2020

Finance Department

Budget Report – 41.67% of FY 2020 Completed

General Fund Revenue and Expense Summary: General Fund revenues to date total \$6,633,516.21 or 58.54% of budget. General Fund expenditures to date total \$4,362,069.30 plus encumbrances of \$386,728.54 for a total of \$4,748,797.84 or 41.45% of budget.

The City's current tax levy reports 92.53% collection of budgeted amounts. Total maintenance and operations property tax revenue to date is \$4,025,543.69. The bulk of Ad Valorem revenues are received between the months of December through February.

The City's total sales tax budget (2 cents) is estimated at a net \$4,301,250. The City has received a total of \$2,731,127.68 to date with the portion retained by the City totaling \$2,048,345.76. The Athens Economic Development Corporation receives ½ cent of collections via a transfer from the General Fund each month. The total YTD transfers to AEDC is \$682,781.92.

Important Expenditure Notations:

- PO Encumbrances from FY 2019 carried into FY 2020 via Budget Amendment approved December 9, 2019:
 - 10-532-6520; \$147,256 for Carroll Street Improvements incomplete at 9/30/19
 - 10-553-6204; \$57,297 for Portable Radios for Patrol Officers incomplete at 9/30/19
- Council approved the prepayment of the Wildland Fire Engine in the amount of \$469,188. This expenditure is classified as a prepaid and is not reflected as a General Fund expenditure, although cash was decreased to complete the purchase. FAST Grant funds will be received upon delivery of the Engine in March 2021.

Airport Fund: Revenues YTD total \$36,838.03 or 70.30% of budget. This sharp increase is due to the receipt of RAMP Grant reimbursement in the amount of \$12,350.22. Expenditures YTD equal \$39,436.19 or 76.06% of budget. The higher than anticipated increase in YTD budgeted expense is due to the replacement of the Airport's beacon and additional required maintenance.

Finance Department

Budget Report – 41.67% of FY 2020 Completed

Hotel/Motel Occupancy Fund: Revenues YTD total \$140,082.93 or 46.46% of budget. Expenditures YTD equal \$112,059.52 plus encumbrances of \$56,996 for a total of \$169,055.52 or 55.21% of budget. Purchase Orders for Aid to Other Organizations are reflected in the encumbrance column totaling \$40,000, plus advertising encumbrances of \$11,000 and \$5,000 for Façade Improvements.

Important Expenditure Notations:

- PO Encumbrances from FY 2019 carried into FY 2020 via Budget Amendment approved December 9, 2019:
 - 12-572-6380; \$5,000 for Downtown Façade Improvements incomplete at 9/30/19

Debt Service Revenue and Expense Summary: Revenues YTD total \$785,010.37 or 90.44% of budgeted revenues. Expenditures YTD total \$258,944.50 or 29.83% of budget.

Capital Projects Fund: Interest earned YTD is \$26,597.40 or 21.28% of budgeted revenues. Expenditures YTD are \$171,514.30 plus encumbrances of \$53,750 for a total of \$225,264.30 or 6.07% of budgeted amounts. Expenditures this period include \$132,983.62 for the Cain Center Project to PGAL and \$1,293.10 for improvements at Central Fire Station.

Water and Sewer Fund: The City's Utility revenue YTD is \$2,367,537.19 or 39.88% of budgeted revenues. Water related income totals \$1,183,750.45, sewer related income totals \$1,098,173.88 and other revenues total \$85,612.86. Expenditures YTD are \$1,758,905.01 plus encumbrances of \$565,823.44 for a total of \$2,324,728.45 or 38.30% of budgeted expenditures.

Important Expenditure Notations:

- Supplemental Appropriation Budget Amendment approved January 27, 2020:
 - 40-565-6506; \$134,608 for the purchase of a Crane Truck

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

10 -GENERAL FUND

% OF YEAR COMPLETED: 41.67

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>AD VALOREM /OTHER TAXES</u>						
10-4011 CURRENT TAXES	4,309,480	317,196.03	3,987,410.09	0.00	322,069.91	92.53
10-4012 DELINQUENT TAXES	50,000	1,778.45	23,216.02	0.00	26,783.98	46.43
10-4015 PENALTY/INTEREST: TAXES	55,000	4,927.75	14,917.58	0.00	40,082.42	27.12
10-4021 SALES TAX COLLECTIONS	5,735,000	709,652.51	2,731,127.68	0.00	3,003,872.32	47.62
10-4021.1 SALES TAX CONTRA-AEDC	(1,433,750)	(177,413.13)	(682,781.93)	0.00	(750,968.07)	47.62
10-4022 STATE MIXED BEVERAGE TAX	32,000	0.00	20,657.42	0.00	11,342.58	64.55
TOTAL AD VALOREM /OTHER TAXES	8,747,730	856,141.61	6,094,546.86	0.00	2,653,183.14	69.67
<u>FRANCHISE</u>						
10-4100 FRANCHISE FEES	790,000	9,168.75	99,499.53	0.00	690,500.47	12.59
10-4121 FRANCHISE: SOLID WASTE	100,000	9,211.74	45,797.84	0.00	54,202.16	45.80
TOTAL FRANCHISE	890,000	18,380.49	145,297.37	0.00	744,702.63	16.33
<u>COURT/PUBLIC SAFETY</u>						
10-4201 INCOME FROM FINES/OTHER FEE	150,000	14,192.38	47,561.04	0.00	102,438.96	31.71
10-4201.2 FIVE/TEN PERCENT COURT FEES	6,000	476.16	1,784.26	0.00	4,215.74	29.74
10-4201.3 TIME PAYMENT FEES	5,000	217.04	484.10	0.00	4,515.90	9.68
10-4201.4 FAILURE TO APPEAR FEES	1,500	145.46	324.42	0.00	1,175.58	21.63
10-4201.5 CHILD SAFETY RESTRAINT FEES	100	0.00	0.00	0.00	100.00	0.00
10-4201.6 COURT TECH. FEE (RESTRICTED	4,000	344.45	1,318.03	0.00	2,681.97	32.95
10-4201.65 BUILDING SECURITY (RESTRICT	2,500	248.26	899.43	0.00	1,600.57	35.98
10-4201.66 LOCAL TRUANCY (RESTRICTED)	0	115.57	191.84	0.00	(191.84)	0.00
10-4201.67 LOCAL JURY FUND (RESTRICTED)	0	2.30	3.82	0.00	(3.82)	0.00
10-4201.8 JUDICIAL FEE RETAINED	1,000	37.74	175.59	0.00	824.41	17.56
10-4201.9 JUROR REIMBURSEMENT FEES	500	25.17	117.08	0.00	382.92	23.42
TOTAL COURT/PUBLIC SAFETY	170,600	15,804.53	52,859.61	0.00	117,740.39	30.98
<u>LICENSES/PERMITS</u>						
10-4345 RE-ZONING FEES	4,000	0.00	250.00	0.00	3,750.00	6.25
10-4360 CONTRACTOR REGISTRATION	0	550.00	3,125.00	0.00	(3,125.00)	0.00
10-4361 PLATTING FEES	6,500	400.00	2,790.00	0.00	3,710.00	42.92
10-4362 PERMITS : MISCELLANEOUS	500	0.00	315.00	0.00	185.00	63.00
10-4365 PERMITS : BUILDING	75,000	3,352.00	11,896.00	0.00	63,104.00	15.86
10-4366 PERMITS : ELECTRICAL	8,000	320.00	1,545.00	0.00	6,455.00	19.31
10-4367 PERMITS : PLUMBING	7,500	280.00	1,280.00	0.00	6,220.00	17.07
10-4368 PERMITS : MECHANICAL	2,000	90.00	370.00	0.00	1,630.00	18.50
10-4369 PERMITS : MOBILE HOMES	300	0.00	400.00	0.00	(100.00)	133.33
10-4371 PERMITS-CERT OF OCCUPANCY	4,000	600.00	2,400.00	0.00	1,600.00	60.00
10-4372 PERMITS : TREE REMOVAL	100	0.00	40.00	0.00	60.00	40.00
10-4373 PERMIT-KITCHEN SUPPRESSION	200	0.00	0.00	0.00	200.00	0.00
10-4374 PERMIT-FIRE SPRINKLER	1,000	0.00	303.00	0.00	697.00	30.30
10-4375 PERMITS : BURN	1,500	50.00	1,220.00	0.00	280.00	81.33
10-4376 PERMITS: ALCOHOL	750	360.00	600.00	0.00	150.00	80.00
10-4379 CURB CUTTING	100	0.00	0.00	0.00	100.00	0.00
10-4380 BLDG LINE VARIANCE	500	0.00	0.00	0.00	500.00	0.00
10-4399 FARMERS MKT. RV SPACE FEE	1,000	0.00	24.00	0.00	976.00	2.40
TOTAL LICENSES/PERMITS	112,950	6,002.00	26,558.00	0.00	86,392.00	23.51

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

10 -GENERAL FUND

% OF YEAR COMPLETED: 41.67

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>OTHER OPERATING REVENUE</u>						
<u>INTRAGOVERNMENTAL</u>						
10-4511 OPERATING TRANSFERS - FUND	7,000	0.00	0.00	0.00	7,000.00	0.00
10-4512 OPERATING TRANSFERS - FUND	50,252	0.00	12,563.00	0.00	37,689.00	25.00
10-4516 OPERATING TRANSFER- FUND 16	5,000	0.00	0.00	0.00	5,000.00	0.00
10-4540 OPERATING TRF - FUND 40	831,205	0.00	207,801.25	0.00	623,403.75	25.00
10-4595 OPERATING TRF - FUND 95	170,883	0.00	0.00	0.00	170,883.38	0.00
TOTAL INTRAGOVERNMENTAL	1,064,340	0.00	220,364.25	0.00	843,976.13	20.70
<u>INTERGOVERNMENTAL</u>						
10-4633 CNTY FIRE/FIRST RESPONDER A	14,500	0.00	0.00	0.00	14,500.00	0.00
10-4635 AEDC ADMINISTRATIVE FEES	10,800	0.00	2,700.00	0.00	8,100.00	25.00
TOTAL INTERGOVERNMENTAL	25,300	0.00	2,700.00	0.00	22,600.00	10.67
<u>REIMBURSING REVENUE</u>						
10-4710 WORKERS COMPENSATION REIM.	5,000	0.00	0.00	0.00	5,000.00	0.00
10-4711 OTHER INSURANCE REIMBURSEME	2,500	0.00	0.00	0.00	2,500.00	0.00
10-4740 HOUSE DEMO/LOT CLEANUP	2,500	1,376.00	5,293.92	0.00	2,793.92	211.76
10-4799 OTHER REIMBURSING REVENUE	195,000	0.00	55,741.29	0.00	139,258.71	28.59
TOTAL REIMBURSING REVENUE	205,000	1,376.00	61,035.21	0.00	143,964.79	29.77
<u>OTHER NON-OPERATING</u>						
10-4801 INTEREST EARNED	70,000	5,489.52	27,746.20	0.00	42,253.80	39.64
10-4810 LEASE REVENUE:PARKING LOT	500	0.00	0.00	0.00	500.00	0.00
10-4830 DONATIONS	10,000	0.00	0.00	0.00	10,000.00	0.00
10-4840 SALES OF CAPITAL ASSETS	25,000	0.00	0.00	0.00	25,000.00	0.00
10-4899 MISCELLANEOUS REVENUE	10,000	(83.81)	2,408.71	0.00	7,591.29	24.09
TOTAL OTHER NON-OPERATING	115,500	5,405.71	30,154.91	0.00	85,345.09	26.11
<u>OTHER NON-OPERATING</u>						
TOTAL REVENUE	11,331,420	903,110.34	6,633,516.21	0.00	4,697,904.17	58.54
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CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

10 -GENERAL FUND

% OF YEAR COMPLETED: 41.67

EXPENSES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
10-ADMINISTRATION						
61-PERSONNEL SERVICES	192,276	22,151.54	81,079.83	0.00	111,196.19	42.17
62-SUPPLIES	3,340	7.92	78.76	0.00	3,261.24	2.36
63-CONTRACTUAL SERVICES	22,350	545.67	5,815.31	0.00	16,534.69	26.02
TOTAL 10-ADMINISTRATION	217,966	22,705.13	86,973.90	0.00	130,992.12	39.90
11-LEGAL						
63-CONTRACTUAL SERVICES	25,000	682.50	6,515.13	0.00	18,484.87	26.06
TOTAL 11-LEGAL	25,000	682.50	6,515.13	0.00	18,484.87	26.06
12-HUMAN RESOURCES						
61-PERSONNEL SERVICES	108,259	11,848.76	44,025.24	0.00	64,233.28	40.67
62-SUPPLIES	14,400	526.64	6,865.02	0.00	7,534.98	47.67
63-CONTRACTUAL SERVICES	16,400	341.62	4,924.97	0.00	11,475.03	30.03
65-CAPITAL OUTLAY	23,500	2,307.50	2,307.50	0.00	21,192.50	9.82
TOTAL 12-HUMAN RESOURCES	162,559	15,024.52	58,122.73	0.00	104,435.79	35.75
13-TECHNOLOGY						
61-PERSONNEL SERVICES	105,557	11,725.50	42,623.86	0.00	62,932.64	40.38
62-SUPPLIES	18,360	863.55	3,939.54	0.00	14,420.46	21.46
63-CONTRACTUAL SERVICES	45,300	1,223.46	35,492.97	0.00	9,807.03	78.35
65-CAPITAL OUTLAY	6,000	0.00	0.00	0.00	6,000.00	0.00
TOTAL 13-TECHNOLOGY	175,217	13,812.51	82,056.37	0.00	93,160.13	46.83
14-FINANCE & TECHNOLOGY						
61-PERSONNEL SERVICES	263,019	29,263.97	107,176.98	0.00	155,842.10	40.75
62-SUPPLIES	5,150	272.89	2,481.97	0.00	2,668.03	48.19
63-CONTRACTUAL SERVICES	52,400	241.37	41,608.10	0.00	10,791.90	79.40
TOTAL 14-FINANCE & TECHNOLOGY	320,569	29,778.23	151,267.05	0.00	169,302.03	47.19
15-MAYOR/COUNCIL						
62-SUPPLIES	1,350	0.00	894.40	0.00	455.60	66.25
63-CONTRACTUAL SERVICES	36,150	3,166.95	9,713.41	4,000.00	22,436.59	37.93
TOTAL 15-MAYOR/COUNCIL	37,500	3,166.95	10,607.81	4,000.00	22,892.19	38.95
16-CITY SECRETARY						
61-PERSONNEL SERVICES	125,706	12,878.04	47,953.25	0.00	77,752.81	38.15
62-SUPPLIES	5,150	77.47	1,828.60	0.00	3,321.40	35.51
63-CONTRACTUAL SERVICES	19,250	1,218.90	5,904.82	0.00	13,345.18	30.67
TOTAL 16-CITY SECRETARY	150,106	14,174.41	55,686.67	0.00	94,419.39	37.10
17-FACILITIES						
61-PERSONNEL SERVICES	27,752	3,096.05	11,520.26	0.00	16,232.08	41.51
62-SUPPLIES	11,520	240.40	3,856.80	0.00	7,663.20	33.48
63-CONTRACTUAL SERVICES	190,550	13,783.16	57,902.25	15,785.00	116,862.75	38.67
65-CAPITAL OUTLAY	65,000	0.00	1,197.30	0.00	63,802.70	1.84
TOTAL 17-FACILITIES	294,822	17,119.61	74,476.61	15,785.00	204,560.73	30.62

1) Technology Department - Annual hosting fees paid for FY 2020, in addition to annual City-wide technology training.

2) Finance Department - FY 2019 annual audit fees fully expended.

CITY OF ATHENS
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: FEBRUARY 29TH, 2020

10 -GENERAL FUND

% OF YEAR COMPLETED: 41.67

EXPENSES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>18-SANITATION</u>						
<u>20-COMMUNITY DEVELOPMENT</u>						
<u>22-CODE ENFORCEMENT</u>						
61-PERSONNEL SERVICES	147,181	16,577.60	59,758.10	0.00	87,422.64	40.60
62-SUPPLIES	8,700	0.00	1,595.51	0.00	7,104.49	18.34
63-CONTRACTUAL SERVICES	27,100	1,420.51	13,007.03	0.00	14,092.97	48.00
TOTAL 22-CODE ENFORCEMENT	182,981	17,998.11	74,360.64	0.00	108,620.10	40.64
<u>24-PLANNING/DEVELOPMENT</u>						
61-PERSONNEL SERVICES	175,490	19,879.39	73,199.39	0.00	102,291.01	41.71
62-SUPPLIES	2,950	220.70	717.49	0.00	2,232.51	24.32
63-CONTRACTUAL SERVICES	121,100	3,694.66	29,882.88	74,786.67	16,430.45	86.43 3
TOTAL 24-PLANNING/DEVELOPMENT	299,540	23,794.75	103,799.76	74,786.67	120,953.97	59.62
<u>32-STREET DEPARTMENT</u>						
61-PERSONNEL SERVICES	464,775	50,211.28	197,258.85	0.00	267,516.49	42.44
62-SUPPLIES	106,820	4,896.13	35,534.07	24,881.28	46,404.65	56.56
63-CONTRACTUAL SERVICES	248,000	19,039.05	71,109.23	0.00	176,890.77	28.67
65-CAPITAL OUTLAY	547,256	(79,857.61)	162,782.54	252,811.81	131,661.65	75.94 4
TOTAL 32-STREET DEPARTMENT	1,366,851	(5,711.15)	466,684.69	277,693.09	622,473.56	54.46
<u>34-PARKS DEPARTMENT</u>						
61-PERSONNEL SERVICES	419,305	49,750.37	178,781.60	0.00	240,523.27	42.64
62-SUPPLIES	49,320	2,244.60	19,999.84	0.00	29,320.16	40.55
63-CONTRACTUAL SERVICES	98,200	7,630.86	27,664.29	0.00	70,535.71	28.17
TOTAL 34-PARKS DEPARTMENT	566,825	59,625.83	226,445.73	0.00	340,379.14	39.95
<u>35-CAIN CENTER</u>						
<u>38-FLEET MAINTENANCE</u>						
61-PERSONNEL SERVICES	181,879	16,102.00	61,244.20	0.00	120,635.11	33.67
62-SUPPLIES	15,020	818.28	4,552.53	0.00	10,467.47	30.31
63-CONTRACTUAL SERVICES	8,150	384.86	6,400.12	0.00	1,749.88	78.53
TOTAL 38-FLEET MAINTENANCE	205,049	17,305.14	72,196.85	0.00	132,852.46	35.21
<u>45-CIVIL SERVICE</u>						
61-PERSONNEL SERVICES	53,297	5,842.69	21,763.39	0.00	31,533.93	40.83
62-SUPPLIES	2,000	320.15	1,796.04	0.00	203.96	89.80
63-CONTRACTUAL SERVICES	7,000	1,433.95	5,602.35	0.00	1,397.65	80.03 5
TOTAL 45-CIVIL SERVICE	62,297	7,596.79	29,161.78	0.00	33,135.54	46.81
<u>46-FIRE SERVICES</u>						
61-PERSONNEL SERVICES	2,396,250	251,085.56	1,043,185.40	0.00	1,353,064.74	43.53
62-SUPPLIES	117,170	5,840.80	69,295.51	0.00	47,874.49	59.14
63-CONTRACTUAL SERVICES	94,347	8,053.60	30,637.55	0.00	63,709.45	32.47
65-CAPITAL OUTLAY	2,053	0.00	0.00	2,053.00	0.00	100.00
TOTAL 46-FIRE SERVICES	2,609,820	264,979.96	1,143,118.46	2,053.00	1,464,648.68	43.88

- 3) Planning & Development - Encumbrance for Norris Design (Master Plan) captured in Development Services budget.
- 4) Street Department - Encumbrances for annual street repair and capital improvements posted.
- 5) Civil Service - Increased number of pre-employment testing causing higher than anticipated expenditure YTD.

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

10 -GENERAL FUND

% OF YEAR COMPLETED: 41.67

EXPENSES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>47-EMERGENCY OPERATIONS</u>						
62-SUPPLIES	12,750	1,251.48	1,381.98	0.00	11,368.02	10.84
63-CONTRACTUAL SERVICES	5,600	49.34	334.33	0.00	5,265.67	5.97
TOTAL 47-EMERGENCY OPERATIONS	18,350	1,300.82	1,716.31	0.00	16,633.69	9.35
<u>49-ANIMAL CONTROL</u>						
61-PERSONNEL SERVICES	53,431	6,039.86	22,548.65	0.00	30,882.08	42.20
62-SUPPLIES	5,100	36.88	959.86	0.00	4,140.14	18.82
63-CONTRACTUAL SERVICES	67,275	22.77	16,403.30	0.00	50,871.70	24.38
TOTAL 49-ANIMAL CONTROL	125,806	6,099.51	39,911.81	0.00	85,893.92	31.72
<u>50-MUNICIPAL COURT</u>						
61-PERSONNEL SERVICES	93,023	8,788.15	32,370.68	0.00	60,651.91	34.80
62-SUPPLIES	5,300	213.61	1,263.29	0.00	4,036.71	23.84
63-CONTRACTUAL SERVICES	40,800	2,898.91	17,191.37	0.00	23,608.63	42.14
TOTAL 50-MUNICIPAL COURT	139,123	11,900.67	50,825.34	0.00	88,297.25	36.53
<u>51-POLICE ADMINISTRATION</u>						
61-PERSONNEL SERVICES	280,213	31,210.06	117,364.76	0.00	162,848.46	41.88
62-SUPPLIES	6,800	16.98	1,409.08	0.00	5,390.92	20.72
63-CONTRACTUAL SERVICES	8,350	971.22	3,161.92	0.00	5,188.08	37.87
TOTAL 51-POLICE ADMINISTRATION	295,363	32,198.26	121,935.76	0.00	173,427.46	41.28
<u>52-POLICE INVESTIGATION</u>						
61-PERSONNEL SERVICES	520,449	54,248.60	198,067.44	0.00	322,381.43	38.06
62-SUPPLIES	16,050	193.93	3,010.27	0.00	13,039.73	18.76
63-CONTRACTUAL SERVICES	15,150	(254.26)	4,184.19	0.00	10,965.81	27.62
TOTAL 52-POLICE INVESTIGATION	551,649	54,188.27	205,261.90	0.00	346,386.97	37.21
<u>53-POLICE PATROL</u>						
61-PERSONNEL SERVICES	1,924,966	183,823.42	703,847.94	0.00	1,221,118.18	36.56
62-SUPPLIES	136,247	60,036.67	77,331.60	0.00	58,915.40	56.76
63-CONTRACTUAL SERVICES	30,350	(9,531.22)	(7,155.14)	12,410.78	25,094.36	17.32
TOTAL 53-POLICE PATROL	2,091,563	234,328.87	774,024.40	12,410.78	1,305,127.94	37.60
<u>54-POLICE SUPPORT SERV</u>						
61-PERSONNEL SERVICES	587,483	41,560.09	207,685.49	0.00	379,797.36	35.35
62-SUPPLIES	22,450	780.70	5,993.89	0.00	16,456.11	26.70
63-CONTRACTUAL SERVICES	81,500	2,256.43	32,817.20	0.00	48,682.80	40.27
TOTAL 54-POLICE SUPPORT SERV	691,433	44,597.22	246,496.58	0.00	444,936.27	35.65
<u>55-NON-DEPARTMENTAL</u>						
63-CONTRACTUAL SERVICES	301,630	15,267.00	177,028.42	0.00	124,601.58	58.69
66-OPERATING TRANSFERS	392,868	0.00	78,000.00	0.00	314,868.04	19.85
TOTAL 55-NON-DEPARTMENTAL	694,498	15,267.00	255,028.42	0.00	439,469.62	36.72

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

10 -GENERAL FUND

% OF YEAR COMPLETED: 41.67

EXPENSES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>95-AEDC PAYROLL</u>						
61-PERSONNEL SERVICES	170,652	14,467.80	25,394.60	0.00	145,257.66	14.88
TOTAL 95-AEDC PAYROLL	170,652	14,467.80	25,394.60	0.00	145,257.66	14.88
TOTAL EXPENSES	11,455,539	916,401.71	4,362,069.30	386,728.54	6,706,741.48	41.45
REVENUE OVER/(UNDER) EXPENSES	(124,119)	(13,291.37)	2,271,446.91	(386,728.54)	(2,008,837.31)	1,518.48-

6) AEDC Payroll - Personnel expenditures reimbursement request through March 2020 to be taken to AEDC Board in April.

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

11 -AIRPORT FUND

% OF YEAR COMPLETED: 41.67

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>OPERATING REVENUE</u>						
11-4348.2 LAND/BUILDING LEASE	6,000	0.00	3,348.19	0.00	2,651.81	55.80
11-4348.25 HANGER RENT	40,000	3,102.00	20,299.68	0.00	19,700.32	50.75
11-4348.3 INSTRUCTION AND PLANE RENTA	250	18.00	90.00	0.00	160.00	36.00
11-4348.4 AIRCRAFT CHARTER AND TAXI	50	0.00	0.00	0.00	50.00	0.00
11-4348.5 AIRPORT SALES	150	1.41	114.50	0.00	35.50	76.33
11-4348.6 AIRCRAFT MAINTENANCE	300	11.50	94.50	0.00	205.50	31.50
11-4348.7 FUEL SALES	1,500	106.02	515.59	0.00	984.41	34.37
TOTAL OPERATING REVENUE	48,250	3,238.93	24,462.46	0.00	23,787.54	50.70
<u>INTRAGOVERNMENTAL RECEIPTS</u>						
11-4502 RAMP GRANT	4,000	12,350.22	12,350.22	0.00	(8,350.22)	308.76
TOTAL INTRAGOVERNMENTAL RECEIPTS	4,000	12,350.22	12,350.22	0.00	(8,350.22)	308.76
<u>INTERGOVERNMENTAL RECEIPTS</u>						
<u>REIMBURSING REVENUE</u>						
<u>OTHER NON-OPERATING</u>						
11-4801 INTEREST EARNED	150	4.94	25.35	0.00	124.65	16.90
TOTAL OTHER NON-OPERATING	150	4.94	25.35	0.00	124.65	16.90
<u>OTHER FINANCING SOURCES</u>						
TOTAL REVENUE	52,400	15,594.09	36,838.03	0.00	15,561.97	70.30
	=====	=====	=====	=====	=====	=====

7) RAMP Grant - received reimbursement for 50% of expenditure of Airport Beacon and annual maintenance to date.

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

11 -AIRPORT FUND

% OF YEAR COMPLETED: 41.67

EXPENSES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>36-AIRPORT</u>						
61-PERSONNEL SERVICES	25,274	2,884.82	10,471.55	0.00	14,802.24	41.43
62-SUPPLIES	4,225	74.57	1,161.79	0.00	3,063.21	27.50
63-CONTRACTUAL SERVICES	15,350	365.88	12,313.85	0.00	3,036.15	80.22
65-CAPITAL OUTLAY	0	0.00	15,489.00	0.00	(15,489.00)	0.00
66-OPERATING TRANSFERS	7,000	0.00	0.00	0.00	7,000.00	0.00
TOTAL 36-AIRPORT	51,849	3,325.27	39,436.19	0.00	12,412.60	76.06
<hr/>						
TOTAL EXPENSES	51,849	3,325.27	39,436.19	0.00	12,412.60	76.06
<hr/>						
REVENUE OVER/(UNDER) EXPENSES	551	12,268.82	(2,598.16)	0.00	3,149.37	471.36-

8) Airport - Beacon repair and additional expenditure for repairing the AWOS system.

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

12 -HOTEL OCCUPANCY TAX FUND

% OF YEAR COMPLETED: 41.67

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>AD VALOREM/OTHER TAXES</u>						
12-4023 HOTEL/MOTEL OCC'Y TAX	300,000	26,976.23	139,313.32	0.00	160,686.68	46.44
12-4801 INTEREST INCOME	1,500	117.50	604.05	0.00	895.95	40.27
12-4899 MISCELLANEOUS REVENUE	0	159.93	165.56	0.00	(165.56)	0.00
TOTAL AD VALOREM/OTHER TAXES	301,500	27,253.66	140,082.93	0.00	161,417.07	46.46
TOTAL REVENUE	301,500	27,253.66	140,082.93	0.00	161,417.07	46.46
	=====	=====	=====	=====	=====	=====

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

12 -HOTEL OCCUPANCY TAX FUND

% OF YEAR COMPLETED: 41.67

EXPENSES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>72-TOURISM</u>						
61-PERSONNEL SERVICES	74,393	8,426.94	30,113.08	0.00	44,279.82	40.48
62-SUPPLIES	6,350	136.51	564.34	0.00	5,785.66	8.89
63-CONTRACTUAL SERVICES	175,191	4,279.46	68,819.10	56,996.00	49,375.90	71.82
66-OPERATING TRANSFERS	50,252	0.00	12,563.00	0.00	37,689.00	25.00
TOTAL 72-TOURISM	306,186	12,842.91	112,059.52	56,996.00	137,130.38	55.21
TOTAL EXPENSES	306,186	12,842.91	112,059.52	56,996.00	137,130.38	55.21
REVENUE OVER/(UNDER) EXPENSES	(4,686)	14,410.75	28,023.41	(56,996.00)	24,286.69	618.29

9) Tourism - Encumbrances for approved Aid to Other Organizations funding and Kessler Entertainment are recorded in the Contractual Services category.

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

20 -INTEREST AND SINKING FUND

% OF YEAR COMPLETED: 41.67

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>AD VALOREM / OTHER TAXES</u>						
20-4011 CURRENT TAXES	848,027	61,794.38	776,805.02	0.00	71,221.98	91.60
20-4012 DELINQUENT	9,000	363.70	4,901.86	0.00	4,098.14	54.47
20-4015 PENALTY/INTEREST-TAX	10,000	962.46	3,037.40	0.00	6,962.60	30.37
TOTAL AD VALOREM / OTHER TAXES	867,027	63,120.54	784,744.28	0.00	82,282.72	90.51
<u>INTRAGOVERNMENTAL RECEIPTS</u>						
<u>OTHER NON-OPERATING</u>						
20-4801 INTEREST EARNED	1,000	143.53	266.09	0.00	733.91	26.61
TOTAL OTHER NON-OPERATING	1,000	143.53	266.09	0.00	733.91	26.61
<u>OTHER FINANCING SOURCES</u>						
TOTAL REVENUE	868,027	63,264.07	785,010.37	0.00	83,016.63	90.44
	=====	=====	=====	=====	=====	=====

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

20 -INTEREST AND SINKING FUND

% OF YEAR COMPLETED: 41.67

EXPENSES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>68-DEBT SERVICE</u>						
64-LONG-TERM DEBT	868,027	11,798.09	258,944.50	0.00	609,082.50	29.83
TOTAL 68-DEBT SERVICE	868,027	11,798.09	258,944.50	0.00	609,082.50	29.83
TOTAL EXPENSES	868,027	11,798.09	258,944.50	0.00	609,082.50	29.83
REVENUE OVER/(UNDER) EXPENSES	0	51,465.98	526,065.87	0.00	(526,065.87)	0.00

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

30 -CAPITAL PROJECTS FUND

% OF YEAR COMPLETED: 41.67

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>INTRAGOVERNMENTAL RECEIPTS</u>						
<u>OTHER NON-OPERATING</u>						
30-4801 INTEREST EARNED	125,000	4,780.86	26,597.40	0.00	98,402.60	21.28
TOTAL OTHER NON-OPERATING	125,000	4,780.86	26,597.40	0.00	98,402.60	21.28
<u>OTHER FINANCING SOURCES</u>						
TOTAL REVENUE	125,000	4,780.86	26,597.40	0.00	98,402.60	21.28
	=====	=====	=====	=====	=====	=====

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

30 -CAPITAL PROJECTS FUND

% OF YEAR COMPLETED: 41.67

EXPENSES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>03-CAPITAL IMPROVEMENTS</u>						
65-CAPITAL OUTLAY	3,713,474	134,276.72	171,514.30	53,750.00	3,488,209.70	6.07
TOTAL 03-CAPITAL IMPROVEMENTS	3,713,474	134,276.72	171,514.30	53,750.00	3,488,209.70	6.07
<u>04-FEDERAL GRANTS</u>						
TOTAL EXPENSES	3,713,474	134,276.72	171,514.30	53,750.00	3,488,209.70	6.07
REVENUE OVER/(UNDER) EXPENSES	(3,588,474)	(129,495.86)	(144,916.90)	(53,750.00)	(3,389,807.10)	5.54

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

40 -UTILITY FUND

% OF YEAR COMPLETED: 41.67

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>OPERATING REVENUE</u>						
40-4461 WATER INCOME	2,940,000	207,017.47	1,138,270.04	0.00	1,801,729.96	38.72
40-4462 WATER TAP FEES	15,000	760.00	8,762.44	0.00	6,237.56	58.42
40-4463 WASTEWATER SERVICES	2,680,000	213,775.52	1,065,271.88	0.00	1,614,728.12	39.75
40-4468 BULK WATER SALES	10,000	863.75	3,632.97	0.00	6,367.03	36.33
40-4469 INSPECTION FEE	20,000	1,860.00	8,760.00	0.00	11,240.00	43.80
40-4469.1 TURN ON FEE/VACATION	500	30.00	150.00	0.00	350.00	30.00
40-4469.2 RECONNECT FEE	40,000	5,950.00	23,700.00	0.00	16,300.00	59.25
40-4471 SYSTEM FEES	1,000	175.00	475.00	0.00	525.00	47.50
40-4472 WASTEWATER TAP FEE	7,000	0.00	5,470.00	0.00	1,530.00	78.14
40-4475 DISPOSAL FEES/PERMITS	50,000	5,994.00	27,432.00	0.00	22,568.00	54.86
40-4499.1 RETURNED CK FEES	750	100.00	450.00	0.00	300.00	60.00
TOTAL OPERATING REVENUE	5,764,250	436,525.74	2,282,374.33	0.00	3,481,875.67	39.60
<u>INTRAGOVERNMENTAL RECEIPTS</u>						
<u>INTERGOVERNMENTAL RECEIPTS</u>						
<u>REIMBURSING REVENUE</u>						
<u>OTHER NON-OPERATING REVENUE</u>						
40-4801 INTEREST EARNED	40,000	4,076.99	19,119.44	0.00	20,880.56	47.80
40-4802 DISCOUNTS EARNED	500	40.66	202.39	0.00	297.61	40.48
40-4803 PENALTY RECEIPTS	90,000	5,509.93	35,317.20	0.00	54,682.80	39.24
40-4815 NECHES COMPOST FACILITY SAL	17,500	26,996.87	26,996.87	0.00	(9,496.87)	154.27
40-4821 AUCTION PROCEEDS	15,000	0.00	0.00	0.00	15,000.00	0.00
40-4899 MISCELLANEOUS REVENUE	10,000	2,053.42	3,526.96	0.00	6,473.04	35.27
TOTAL OTHER NON-OPERATING REVENUE	173,000	38,677.87	85,162.86	0.00	87,837.14	49.23
<u>OTHER FINANCING SOURCES</u>						
TOTAL REVENUE	5,937,250	475,203.61	2,367,537.19	0.00	3,569,712.81	39.88
	=====	=====	=====	=====	=====	=====

CITY OF ATHENS
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: FEBRUARY 29TH, 2020

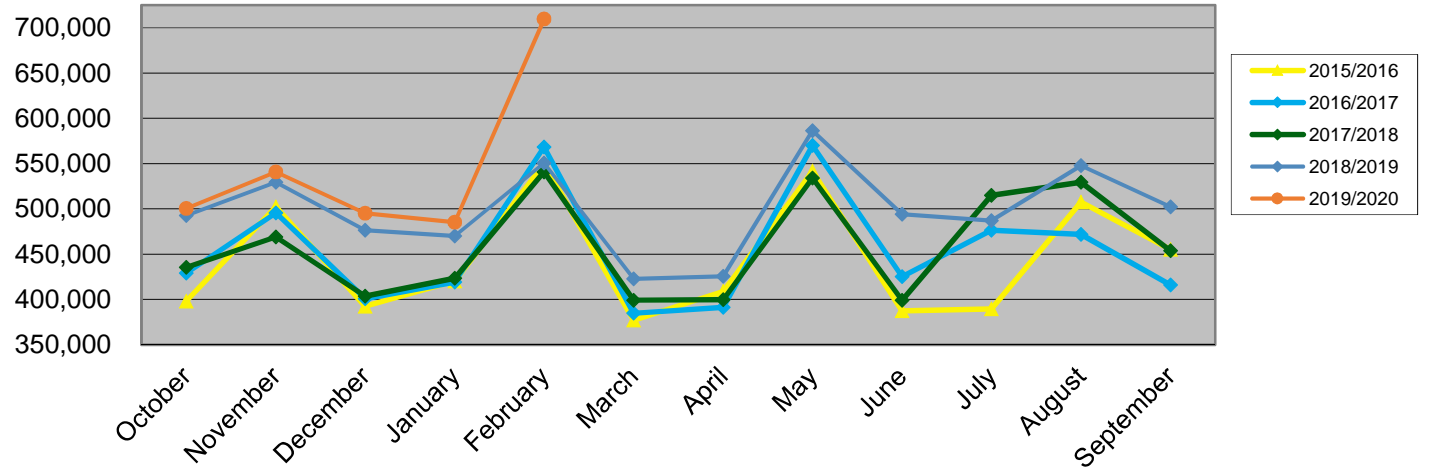
40 -UTILITY FUND

% OF YEAR COMPLETED: 41.67

EXPENSES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBERED	BUDGET BALANCE	% YTD BUDGET
<u>61-UTILITY ADMINISTRATION</u>						
61-PERSONNEL SERVICES	192,795	23,366.12	61,479.07	0.00	131,316.36	31.89
62-SUPPLIES	11,770	963.61	3,665.10	0.00	8,104.90	31.14
63-CONTRACTUAL SERVICES	194,000	12,933.60	44,400.67	9,140.80	140,458.53	27.60
TOTAL 61-UTILITY ADMINISTRATION	398,565	37,263.33	109,544.84	9,140.80	279,879.79	29.78
<u>62-WATER UTILITY</u>						
61-PERSONNEL SERVICES	447,407	48,215.70	178,513.18	0.00	268,894.20	39.90
62-SUPPLIES	146,900	9,855.24	38,198.55	85,553.98	23,147.47	84.24
63-CONTRACTUAL SERVICES	499,400	12,014.70	144,742.82	16,088.00	338,569.18	32.20
65-CAPITAL OUTLAY	32,000	15,612.50	17,164.50	345.00	14,490.50	54.72
TOTAL 62-WATER UTILITY	1,125,707	85,698.14	378,619.05	101,986.98	645,101.35	42.69
<u>63-DISTRIBUTION&COLLECTIO</u>						
61-PERSONNEL SERVICES	661,932	69,096.49	247,908.69	0.00	414,023.36	37.45
62-SUPPLIES	193,800	15,386.78	99,852.81	37,697.66	56,249.53	70.98
63-CONTRACTUAL SERVICES	169,600	11,185.61	56,542.22	800.00	112,257.78	33.81
65-CAPITAL OUTLAY	334,335	(20,687.02)	91,809.55	81,659.35	160,866.10	51.88
TOTAL 63-DISTRIBUTION&COLLECTIO	1,359,667	74,981.86	496,113.27	120,157.01	743,396.77	45.33
<u>65-WASTEWATER UTILITY</u>						
61-PERSONNEL SERVICES	395,166	36,408.34	137,835.03	0.00	257,331.15	34.88
62-SUPPLIES	116,600	7,700.03	43,094.60	15,620.00	57,885.40	50.36
63-CONTRACTUAL SERVICES	714,600	37,477.12	193,688.27	184,310.75	336,600.98	52.90
65-CAPITAL OUTLAY	166,608	0.00	6,390.00	134,607.90	25,610.10	84.63
TOTAL 65-WASTEWATER UTILITY	1,392,974	81,585.49	381,007.90	334,538.65	677,427.63	51.37
<u>66-UTILITY BILLING</u>						
61-PERSONNEL SERVICES	171,756	19,531.36	70,848.05	0.00	100,907.87	41.25
62-SUPPLIES	28,600	1,673.87	9,889.11	0.00	18,710.89	34.58
63-CONTRACTUAL SERVICES	18,500	408.07	4,173.66	0.00	14,326.34	22.56
65-CAPITAL OUTLAY	25,000	0.00	0.00	0.00	25,000.00	0.00
TOTAL 66-UTILITY BILLING	243,856	21,613.30	84,910.82	0.00	158,945.10	34.82
<u>69-NON-DEPARTMENTAL</u>						
63-CONTRACTUAL SERVICES	81,000	3,110.53	69,582.88	0.00	11,417.12	85.90
64-LONG-TERM DEBT	551,210	0.00	17,350.00	0.00	533,860.00	3.15
65-CAPITAL OUTLAY	85,000	13,975.00	13,975.00	0.00	71,025.00	16.44
66-OPERATING TRANSFERS	831,205	0.00	207,801.25	0.00	623,403.75	25.00
TOTAL 69-NON-DEPARTMENTAL	1,548,415	17,085.53	308,709.13	0.00	1,239,705.87	19.94
TOTAL EXPENSES	6,069,185	318,227.65	1,758,905.01	565,823.44	3,744,456.51	38.30
REVENUE OVER/(UNDER) EXPENSES	(131,935)	156,975.96	608,632.18	(565,823.44)	(174,743.70)	32.45

10) Wastewater Utility - Encumbrances for annual chemical purchases and Neches Compost Facility have been posted.

Sales Tax 5 Year Trend



Month	2015/2016	2016/2017	2017/2018	2018/2019	Δ	2019/2020	Δ
October	397,977.26	429,223.87	435,347.60	492,728.63	13.18%	500,457.73	1.57%
November	502,322.44	495,416.14	468,987.18	529,436.67	12.89%	540,716.07	2.13%
December	392,381.40	400,761.26	403,528.16	476,373.35	18.05%	495,068.35	3.92%
January	420,215.70	419,324.96	423,617.14	469,985.83	10.95%	485,233.02	3.24%
February	549,654.92	568,262.39	540,892.25	550,780.58	1.83%	709,652.51	28.84%
March	377,041.27	384,777.75	399,207.43	422,805.27	5.91%	422,805.27	5.91%
April	409,054.22	391,226.90	399,760.46	425,562.16	6.45%	425,562.16	6.45%
May	541,772.46	569,935.89	533,982.65	586,411.44	9.82%	586,411.44	9.82%
June	387,333.00	425,204.18	399,232.27	494,094.61	23.76%	494,094.61	23.76%
July	389,591.96	476,368.93	515,028.18	486,936.36	-5.45%	486,936.36	-5.45%
August	507,640.98	471,986.44	529,260.85	547,809.13	3.50%	547,809.13	3.50%
September	455,423.08	415,978.94	453,877.45	502,255.76	10.66%	502,255.76	10.66%
Total	5,330,408.69	5,448,467.65	5,502,721.62	5,985,179.79	8.77%	2,731,127.68	-

Fiscal YTD Compared to Prior Fiscal YTD:	
2019 - 2020:	2,731,127.68
2018 - 2019:	2,519,305.06
Difference:	211,822.62 8.41%

Allocation of Sales Tax Received:		
	City of Athens	AEDC
2019 - 2020	2,048,345.76	682,781.92
2018 - 2019	1,889,478.80	629,826.27

Monthly Property Tax Reconciliation Worksheet

	October 2019	November 2019	December 2019	January 2020	February 2020	March 2020	April 2020	May 2020	June 2020	July 2020	August 2020	September 2020	TOTAL
COA General Ledger													
<i>General Fund</i>													
Current (10-4011)	\$216,777.92	\$185,029.45	\$1,456,298.78	\$1,812,107.91	\$317,196.03								\$3,987,410.09
Delinquent (10-4012)	\$7,919.23	\$3,441.59	\$5,652.82	\$4,423.93	\$1,778.45								\$23,216.02
Penalty & Interest (10-4015)	\$1,850.76	\$1,007.19	\$2,119.53	\$5,012.35	\$4,927.75								\$14,917.58
Total GF	\$226,547.91	\$189,478.23	\$1,464,071.13	\$1,821,544.19	\$323,902.23	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,025,543.69
<i>Debt Service</i>													
Current (20-4011)	\$42,231.29	\$36,046.27	\$283,708.05	\$353,025.03	\$61,794.38								\$776,805.02
Delinquent (20-4012)	\$1,681.36	\$702.62	\$1,219.25	\$934.93	\$363.70								\$4,901.86
Penalty & Interest (20-4015)	\$387.43	\$198.72	\$497.28	\$991.51	\$962.46								\$3,037.40
Total Debt Service	\$44,300.08	\$36,947.61	\$285,424.58	\$354,951.47	\$63,120.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$784,744.28
Total Deposits	\$270,847.99	\$226,425.84	\$1,749,495.71	\$2,176,495.66	\$387,022.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,810,287.97
HC Monthly Summary													
<i>M&O</i>													
Current	\$216,777.92	\$185,029.45	\$1,456,298.78	\$1,812,107.91	\$317,196.03								\$3,987,410.09
Discounts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Penalty & Interest	\$0.00	\$0.00	\$0.00	\$3,964.92	\$4,400.19								\$8,365.11
Delinquent Taxes	\$7,919.23	\$3,441.59	\$5,652.82	\$4,423.93	\$1,778.45								\$23,216.02
Penalty & Interest	\$1,850.76	\$1,007.19	\$2,119.53	\$1,047.43	\$527.56								\$6,552.47
<i>I&S</i>													
Current	\$42,231.29	\$36,046.27	\$283,708.05	\$353,025.03	\$61,794.38								\$776,805.02
Discounts	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Penalty & Interest	\$0.00	\$0.00	\$0.00	\$772.42	\$857.27								\$1,629.69
Delinquent Taxes	\$1,681.36	\$702.62	\$1,219.25	\$934.93	\$363.70								\$4,901.86
Penalty & Interest	\$387.43	\$198.72	\$497.28	\$219.09	\$105.19								\$1,407.71
<i>Adjustments-VIT Overage</i>													\$0.00
Total Collections	\$270,847.99	\$226,425.84	\$1,749,495.71	\$2,176,495.66	\$387,022.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,810,287.97
Difference	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Amounts are shown for reconciliation purposes in the month of collection rather than the month of deposit. This is done to be able to reconcile to the County reports which include all collection for a particular month regardless of the deposit date. This is only an issue at the beginning and end of the month. Difference should be zero after entering all figures, if not zero there is a recon error.

----- CURRENT -----		----- DELINQUENT -----		----- OTHER -----	
LEVY	378,990.41	LEVY	2,142.15	ATTY FEES	425.54
DISCOUNT .....	.00			COURT COST .....	.00
PENALTY	4,505.45	PENALTY	259.65	ABST FEES .....	.00
INTEREST	752.01	INTEREST	373.10	OTHER FEES .....	.00
TOTAL	384,247.87	TOTAL	2,774.90	TOTAL	425.54
M&O LEVY	317,196.03	M&O LEVY	1,778.45		
M&O DISCOUNT ..	.00				
M&O PENALTY ...	3,770.87	M&O PENALTY ...	215.57		
M&O INTEREST ..	629.32	M&O INTEREST ..	311.99		
M&O TOTAL	321,596.22	M&O TOTAL	2,306.01		
I&S LEVY	61,794.38	I&S LEVY	363.70		
I&S DISCOUNT ..	.00				
I&S PENALTY ...	734.58	I&S PENALTY ...	44.08		
I&S INTEREST ..	122.69	I&S INTEREST ..	61.11		
I&S TOTAL	62,651.65	I&S TOTAL	468.89		
TOTAL M&O	323,902.23				
TOTAL I&S	63,120.54				
		REF LEVY/PI (MO)	225.22-		
		REF LEVY/PI (IS)	43.88-		
		REFUND PI ONLY.	11.89-	RET CHK PI ONLY	.00
DUE TO AGENCY .	387,022.77	RFND LEVY/PI ..	269.10-	RET CHK LEVY/PI	3,247.85-
DUE TO ATTY ...	425.54	REFUND ATTY ...	.00	RET CHK ATTY ..	.00
DUE TO ABST ...	.00	REFUND ABST ...	.00	RET CHK ABST ..	.00
DUE TO COURTS .	.00	REFUND COURTS .	.00	RET CHK COURTS.	.00
DUE TO OTHER ..	.00	REFUND OTHER ..	.00	RET CHK OTHER .	.00
DUE TOT REN PEN	.00	REF TOT REN PEN	.00	RCK TOT REN PEN	.00
(AGENCY PART)	.00	(AGENCY PART)	.00	(AGENCY PART)	.00
(CAD PART)	.00	(CAD PART)	.00	(CAD PART)	.00

THE ESTIMATED TAXES HAVE BEEN PAID

 PEGGY GOODALL

 NOTARY PUBLIC



Agenda Memorandum

AGENDA DATE: March 23, 2020

DEPARTMENT: Administration

CONTACT: City Manager

SUBJECT: Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the City Manager to enter into a contract with Berry and Clay Construction for a guarantee maximum price of \$7,590,016.26 for construction of the City of Athens Civic and Aquatic Center.

SUMMARY: Staff issued a request for proposal on 8/17/19. Sealed seal proposals were opened on September 20, 2019 for City of Athens Civic and Aquatic Center Renovations for Construction Manager at Risk (CMAR) for the Cain Center Project. Three (3) proposals were received. Berry and Clay Construction Managers received the highest scoring at this time Council authorized the City Manager to accept a proposal and negotiate a contract with Berry and Clay Construction as Construction Manager at Risk (CMAR) for the City of Athens Civic and Aquatic Center Renovations proposal.

BACKGROUND: This resolution will authorize the City Manager to enter into a contract with Berry and Clay Construction for a guaranteed maximum price of \$7,590,016.26 for construction of the City of Athens Civic and Aquatic Center.

ISSUE: n/a

ALTERNATIVES: n/a

FISCAL IMPACT: n/a

RECOMMENDATION: Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the City Manager to enter into a contract with Berry and Clay Construction for a guaranteed maximum price of \$7,590,016.26 for construction of the City of Athens Civic and Aquatic Center

RESOLUTION NO. 2020-R-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BERRY AND CLAY CONSTRUCTION FOR A GUARANTEED MAXIMUM PRICE OF \$7,590,016.26 FOR CONSTRUCTION OF THE CITY OF ATHENS CIVIC AND AQUATIC CENTER

WHEREAS, Staff, advertised and received seal proposals on September 20, 2019 for City of Athens Civic and Aquatic Center Renovations for Construction Manager at Risk (CMAR) for the Cain Center Project; and

WHEREAS, three (3) proposals were received; and

WHEREAS, after review and evaluation of the proposals, Berry and Clay Construction submitted the highest scoring proposal; and were awarded the contract as Construction Manager at Risk (CMAR) on 10-14-19 for the City of Athens Civic and Aquatic Center.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS THAT the City Manager is authorized to enter into a contract with Berry and Clay Construction for a guaranteed maximum price of \$7,590,016.26 for construction of the City of Athens Civic and Aquatic Center.

PASSED AND APPROVED by the City Council of the City of Athens, Texas on this 23rd day of MARCH, 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary



City of Athens Civic and Aquatic Center

Value Engineering, Exclusions, Clarifications and Assumptions

DATE: March 18, 2020

Note: The Guaranteed Maximum Price we are presenting is contingent on these items becoming part of the contract documents.

GENERAL

1. Bid alternates are as stated on our Add Alternate List.
2. Allowances are as stated on GMP.
3. Charges for utility company infrastructure not included.
4. Building permit cost waived.
5. Third party testing lab services and inspections are provided by the City of Athens.
6. Temporary water and electricity usage by City of Athens per agreement.
7. Pre- construction material (submittal) testing.
8. No mock up walls, or mock up testing.
9. Architect to provide CAD files for our usage at no additional cost.
10. Owner /Architect to provide Vector art work.
11. Work Scope modified in Multi-sport Room 125. The Racquetball Room will remain as is with updated lighting. The adjacent room will become a Yoga Studio and remain as is but will receive new flooring and updated lighting.

CONCRETE STRUCTURES

1. Concrete piers to 19' depth below 100 F.F. Additional depth if required is by owner contingency.
2. No pier casings included in base bid. Contingency Item if required.

MASONRY

1. The glass blocks in the main corridor have been omitted from the project. Existing wall to remain (new paint)

METALS

1. Work in Multipurpose Room 125 omitted.
2. Steel for the Folding Door has been omitted.
3. Saddles for beams in Multisport 125 have been omitted.
4. Repairs to framing support members that are non-visible will be done on "as needed" basis from contingency.
5. We have Peterson HWP Wall Panels on the exterior of the elevator.
6. Deduct structural Steel for the folding door. Folding door omitted.
7. The stainless steel and glass railing has been omitted. The existing steel handrails to remain. Modification and painting are required to make the existing railing work.

WOODS PLASTICS AND COMPOSITES

1. We have no millwork in Civic Hall Room 216. The floor plans shows a council table in dashed lines but when you go to the elevations there is no millwork shown. See Add Alternate for budget pricing. Details will be required by the architect to complete this work.
2. The reception counter to consist of a pony wall with a solid surface top. No Glass.
3. No AWI certification required for millwork sub-contractor.
4. All demo, Glulam beams, drywall assemblies and renovation work in the Multipurpose Room 125 had been omitted. We will add new flooring in the dance studio only.

ROOFING

1. We have a PVC Roof System included in our quote. (NO modified bituminous roofing.) We propose to spud back existing gravel and mechanically attach 2" ISO Board with ½" cover board followed by 60mil PVC roofing. This carries a 20 year warranty. Keeping the existing roof membrane in place also protects the exposed wood decking during construction.
2. We have roofing for the Swimming Pool Room included in our base bid. We do not have insulated metal panels as specified. We have standing seam metal over 2" rigid insulation. See Add Alternate for the insulated metal panels specified.
3. Undamaged scuppers and downspouts to remain.
4. Existing roof hatch to remain.
5. We have Peterson HWP Wall Panels on the Elevator.
6. Large steel gutters at the Multi-sport Hall (Gym) and Pool Room will be repaired and refurbished. (not replaced)

r-panel

OPENINGS

1. The hardware schedule has been Value Engineered.
 - Use standard key in lever cylinders in lieu of interchangeable patented keyways.

- Omit key management software.
 - Omit key cabinets and bitting list.
 - Corbin Russwin closures in lieu of Norton 7500
 - Use Corbin Russwin cl300 series grade 1 locks with standard cylinders in lieu of the specified morticed locks. Cylindrical locks do not come in stainless steel. Brushed chrome finish.
2. The Folding Door in meeting Rooms 218 and 219 has been Omitted.
 3. We have not included Specialty Graphics laminated on glass where shown.
 4. Caulk and sealant restoration work to existing Storefronts and Windows has been omitted. See ADD alternate has been provided.
 5. The rolling counter door in the kitchen has been changes from Stainless Steel to Aluminum.
 6. All Sectional Doors and associated work at the Pool Room has been omitted for existing windows to remain. Mechanical Engineer to verify if intake air is effected for ventilation.

SPORTS EQUIPMENT

1. All work in Multisport 125 has been omitted including the sports equipment in this room.
2. All gym curtains have been omitted from the base bid.
3. Wall pads have been omitted from the base bid.

FINISHES

1. The Specified LVT was discontinued. Our price included an LVT allowance of \$2.24 (material only) price assigned by PGAL. Deviating from this price range may increase cost.
2. We have included pressure washing the exterior masonry and applying a masonry sealer with Loxon Siloxane 7%.
3. The rubber stair treads on stair A and B have been omitted for existing to remain. See Add Alternate. *code request + verification*
4. All finishes include standard colors selections unless a special color is called out on plans.
5. Paint material manufacturer selection by paint subcontractor.
6. No Vinyl wall covering in ~~206C~~²¹⁸. Location not indicated. Schedule calls for paint.
7. We have no vinyl wall covering in ~~206C~~²¹⁸. Location not indicated. Schedule calls for paint.
8. The Main Gym floor finish is to remain ~~as is~~²¹⁸. No sand and refinish. See ADD Alternate for Price.
9. We DO have Acoustical Panels in the Multipurpose Hall 204
10. We DO have Acoustical Panels in the ceiling of Fitness 121
11. We DO NOT have Linear Wave Panels in the Lobby. Insufficient Information. *Get price*
12. We DO NOT have acoustical panels in the Multisport Room 125. There is no layout provided.
13. We DO NOT have ~~and~~^{any} Fabric Panels included. Insufficient Information.
14. Flooring adhesives have sensitivity to slab moisture content. If the slab moisture content is higher than 95% additional slab moisture mitigation measures are required. The existing first level slab could likely have a high moisture content. We do not have slab moisture mitigation included in our price because the need for it is unknown and cannot be

determined until a slab moisture test is performed. If the need arises it will be a contingency item.

SPECIALTIES

1. We have black Core Phenolic toilet partitions. See add Alternate for stainless steel.
2. No shelf ledge on Stainless mirrors as indicated in spec. large mirror has been separated into two separate mirrors.

EQUIPMENT

1. We have no exercise equipment noted in gym equipment spec. None specified.

FURNISHINGS

1. We have no window treatments included in our bid. None shown.

CONVEYING EQUIPMENT

1. The Elevator supplier in our quote is Otis. ThyssenKrupp is an upcharge.
2. The interior finish of the elevator is standard stainless steel on all sides. The wave wall shown on the elevations has been omitted from the base bid.

FIRE SPRINKLER SYSTEM

1. We have an alternate fire riser configuration. Our proposal includes installing a spool piece separating the riser spigot into risers. One riser will then feed each floor. Each riser will receive a tamper and flow switches, once control valve and a backflow to feed both risers.
2. The fire sprinkler heads in Pool Room and Multipurpose Hall will not be replaced unless they are found to be faulty. We have provided an ADD alternate if it is determined that they need to be replaced once tests are performed.

HVAC

1. We have excluded the Energy Management System. Unit to control by thermostats. We have included an ADD alternate if the city prefers to keep the EMS.
2. Pool Room Ventilation- Our base bid number includes deduct alternate #10 to infill the pool crawlspace and use alternate ventilation utilizing the existing overhead spiral duct.
3. The duct sock in the Gym has been omitted and the existing spiral duct will be reused.
4. We have excluded duct cleaning.
5. We have excluded certified air balancing. Air balance work to be performed by subcontractor.

PLUMBING

1. We have schedule 40 PVC piping in our bid. No cast Iron ductile pipe is included in this quote.
2. We have native soil backfill in all plumbing and electrical trenches. Imported select fill is excluded.

ELECTRICAL

1. We have an alternate lighting package in the base bid. See ADD Alternate to revert to the exact specified lighting package.
2. We have no switch gear coordination study or Arch Flash Study in base bid. See ADD Alternate provided to include the study.
3. We have excluded the lightning protection and UL Master label. See Add Alternate to include this work in the scope.

ACCESS, SECURITY, PHONE AND DATA

1. This quote contains no door access controls. See ADD Alternate.
2. This quote contains no Data cabling or Phone lines. See Add alternate.
3. This quote contains no Audio & Visual work.
4. This quote contains no Security Systems.
5. Please note there are exposed security wires running all over the building. This will be an issue if existing is to remain. We are not responsible for repairs if this system is to remain.

SWIMMING POOL

1. Our base bid number includes infilling the crawlspace under pool deck.
2. Standard non slip concrete at the pool deck in base bid. See ADD alternate for stamped concrete.
3. All Sectional Doors and associated work at the Pool Room have been omitted for existing windows to remain. Mechanical Engineer to verify if intake air is effected for ventilation.
4. Existing floor hatch to surge tank will remain. (new paint)
5. No crawlspace ventilation. We propose to reuse the existing spiral duct.
6. No stamped concrete on pool deck. We have slip resistant concrete.

ADDITION VE TO CONSITTER (NOT INCLUDED IN CURRENT PRICE)

1. Stair A -Omit rubber treads for "existing to remain". It matches the Main Corridor.
2. Omit site HMAC paving and build concrete HC parking with sloped approach.

3. Omit Drainage Flume for grass drainage swale.
4. Omit PLAM walls in Multipurpose for another option
5. Chang exterior wall panels at elevator.



City of Athens Civic & Aquatic Center Bid Tabulation
 GMP 3-18-2020 (Contains Value Engineering)

ALLOWANCES

Owners Contingency	\$75,000.00
Contractor Contingency	\$75,000.00
Commemorative Plaque Allowance	\$3,500.00

TEMPORARY FACILITIES

Temporary Lighting	\$8,550.00
Temp Fencing	\$8,550.00
Portable Toilets	\$2,120.00

CLEANING

Waste Disposal	\$33,500.00
Final Cleaning	\$36,850.00
Continuous Cleaning & Labor	\$35,750.00

SITE WORK

Project Sign	\$500.00
SW3P	\$750.00
Site Demo, Earthwork, Base & HMAC	\$60,826.00
Fill & Compaction at Pool	\$18,020.00
De-watering	\$500.00
Fine Grading, Seeding & Sod	\$10,250.00
Stripping, HC & Wheel Stops	\$3,502.00
Splash Blocks	\$150.00
Erosion Control	\$7,400.00

DEMOLITION

Interior Selective Demolition	\$125,200.00
HVAC Demo	\$33,900.00
Pool Demo	\$38,000.00
Exterior Structures Demo	\$6,550.00
Floor Protection	\$4,670.00
Spoils Removal	\$6,550.00

CONCRETE STRUCTURES

CIP Concrete	\$143,270.00
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Break out/Pour Back	\$26,500.00
Compaction	\$1,550.00
Core Drilling	\$2,100.00
Side Wall Core Drilling	\$2,575.00
Hydraulic Self Leveling Underlayment	\$10,259.00

MASONRY

<i>VE</i> Masonry	\$239,414.00
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METALS

<i>VE</i> Structural Steel and Erection	\$61,350.00
Space Frame Fastener Repairs	\$3,550.00
<i>VE</i> Glazed Decorative Railing Glass	\$0.00

WOOD PLASTICS AND COMPOSITES

Rough Carpentry	\$5,750.00
T&G Wood Decking Repair	\$35,230.00
<i>VE</i> Glue Lam Beams and Framing	\$0.00
<i>VE</i> Stair Tread Overlay	\$0.00
Millwork	\$110,613.00
<i>VE</i> P-Lam Walls	\$0.00

THERMAL AND MOISTURE CONTROL

<i>VE</i> PVC Roofing Over Existing	\$208,000.00
<i>VE</i> Metal Wall Panels (elevator)	\$6,500.00
Pool Room Standing Seam	\$80,750.00
Interior R-Panel Roofing	\$2,300.00
Urethane Joint Sealants	\$24,410.00
Fire Stop	\$3,559.00
Damp-proofing	\$1,790.00
<i>VE</i> Roof Hatches	\$0.00
<i>VE</i> Floor Hatch Pool Equip. Room	\$0.00
Temporary Dry in	\$3,500.00
Applied Fire Proofing	\$3,540.00

OPENINGS

Hollow Metal Doors & Frames	\$16,658.00
Hollow Metal Labor	\$4,500.00
Wood Doors	\$10,647.00
Wood Door Labor	\$5,100.00
FRP Doors	\$38,420.00
FRP Door Labor	\$2,450.00
Aluminum Door Frames	\$3,348.00
Aluminum Frames Labor	\$1,500.00

<i>VE</i> Aluminum Counter Doors	\$3,750.00
<i>VE</i> Overhead Sectional Doors	\$0.00
<i>VE</i> Door Hardware	\$117,752.00
Door Hardware Installation	\$26,300.00
<i>VE</i> Aluminum SF Doors & Windows	\$422,385.00
Refurbish Louvers	\$550.00
<i>VE</i> Floor Hatch in Pool Equip. Room	\$0.00
Access Panels	\$3,570.00
<i>VE</i> Operable Panel Partition	\$0.00

FINISHES

<i>VE</i> Wall Assemblies	\$173,795.00
Paint and Coatings	\$298,319.00
Pressure Wash & Seal Brick	\$112,515.00
Ceramic Tile	\$85,100.00
LVT, CPT, RB	\$53,840.00
<i>VE</i> Grind & Seal Concrete	\$7,871.00
<i>VE</i> Resinous Flooring	\$38,313.00
Floor Float	\$6,500.00
FRP Panels	\$625.00
Slab Moisture Testing	\$4,500.00

SPECIALITIES

Room Signage & Installation	\$3,632.00
<i>VE</i> Black Phenolic Core Toilet Partitions	\$15,253.00
Toilet Partitions Install	\$3,650.00
Fire Extinguishers and Cab/ Install	\$6,871.00
<i>VE</i> Toilet Accessories	\$13,162.00
Toilet Accessories Install	\$3,750.00
Joint Covers/ Install	\$1,570.00
Lockers & Install	\$5,250.00
Fire Control Key Box	\$1,122.00

EQUIPMENT

<i>VE</i> Residential Appliances	\$2,250.00
Commercial Appliances	\$24,000.00
<i>VE</i> Gym Equipment	\$19,070.00
Floor Plate Installation	\$1,575.00
Volley Ball Standards Install	\$3,425.00

FURNISINGS

<i>VE</i> Roller Window Shades	\$0.00
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CONVEYING EQUIPMENT

<i>VE</i> Hydraulic Elevator	\$67,000.00
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FIRE SUPPRESSION SYSTEM

IE Fire Suppression	\$87,990.00
IE Fire Line Riser	\$15,840.00

HVAC

IE HVAC	\$1,022,038.00
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PLUMBING

IE Plumbing	\$481,712.00
Trench Drains	\$49,399.00
Roof Drain Piping	\$2,970.00
Sump Pump System	\$1,200.00

ELECTRICAL

IE Electrical	\$781,000.00
Pool Grounding System	\$2,750.00

DATA, SAFETY AND SECURITY

Fire Alarm	\$44,718.00
IE Security System	\$0.00
IE Data Cabling	\$0.00
IE Audio & Visual	\$0.00

SWIMMING POOL

IE Pool Sub-contractor	\$1,475,978.00
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SUB TOTAL

<i>General Conditions, Builders Risk, General Liability, Payment and Performance Bond</i>	<i>3.59 %</i>
<i>Construction Manager's Fee</i>	<i>2.6%</i>
	<hr/>
	6.19%

TOTAL GMP

\$7,590,016.26



City of Athens Civic and Aquatic Center

Add Alternate List

THERMAL AND MOISTURE

Revert to specified Modified Bit Roofing System ADD \$53,980.00

METALS

Add decorative stainless and glazes railing back into project Add \$22,592.00

WOOD PLASTICS AND COMPOSITES

Add Budget figure for council desk and dias Millwork in Civic Hall 216. (no details on the plans) ADD \$42,000.00

OPENINGS

Add caulk and sealant work to existing aluminum storefront openings ADD \$58,915.00

Revert to specified door hardware ADD \$14,423.00

Revert to specified overhead door manufacturer ADD \$34,350.00

Add Folding Partition back into project ADD \$24,300.00

FINISHES

Add rubber treads at stair A. Existing stair treads to remain in base bid. ADD \$4,800.00

Add rubber treads at Stair B. Existing to remain in base bid. ADD \$2,320.00

SPECIALTIES

Revert to stainless steel Toilet Partitions ADD \$1,693.00

GYM EQUIPMENT

Sand and finish and stripe basket ball court in Multi-purpose Hall ADD \$11,900.00

Add (2) 52"x35' divider curtain in Multipurpose Hall ADD \$32,500.00

CONVEYING EQUIPMENT

Revert to specified Thyssen Krupp Elevator ADD \$27,000.00

Specified wave design inside elevator cab in lieu of stainless steel ADD \$4,900.00

FIRE SPRINKLER SYSTEM / FIRE LINE

Replace fire sprinkler heads in the pool room	ADD	\$16,480.00
Replace fire sprinkler heads I the multipurpose hall/gym	ADD	\$15,750.00
Rework Fire Line as specified in lieu if our VE option	ADD	\$15,995.00

HVAC

Add Duct sock in gym.	ADD	\$7,000.00
Add Certified Air Balance.	ADD	\$15,000.00
Add Underground Blue Duct at Crawlspace	ADD	\$70,500.00

PLUMBING

Cast Iron Ductile Pipe under slab in lieu of PVC SCH 30	ADD	PENDING
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ELECTRICAL & LOW VOLTAGE SYSTEMS

Revert to the exact specified lighting package.	ADD	\$65,000.00
Switch gear coordination study or Arch Flash Study in base bid.	ADD	\$4,000.00
Lightning protection and UL master label.	ADD	\$25,000.00
Access Controls	ADD	\$37,000.00
Data Cabling and Pathways	ADD	\$17,500.00

SWIMMING POOL

Revert to crawlspace ventilation design with stamped concrete deck.	ADD	\$107,113.00
Replace existing surge tank door	ADD	\$1,650.00



Agenda Memorandum

AGENDA DATE: March 23, 2020

DEPARTMENT: Administration

CONTACT: City Manager

SUBJECT: Discuss postponing the City of Athens General Election scheduled to be held on Saturday, May 2, 2020 until Tuesday, November 3, 2020.

SUMMARY: On March 18, 2020, Governor Greg Abbott authorized all political subdivisions holding general or special elections on May 2, 2020 to postpone their election to the November 3, 2020 uniform election date. The postponement of the City's election does not happen automatically; the governing body of the political subdivision **MUST** take an official action for such a change to be effective.

BACKGROUND: The purpose of the advisory is to provide guidance to local political subdivisions regarding their options for any general or special elections that have been ordered for the May 2, 2020 uniform election date. Pursuant to Section 418.016 of the Texas Government Code, the Governor has issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date.

ISSUE: n/a

ALTERNATIVES: n/a

FISCAL IMPACT: n/a

RECOMMENDATION: Discuss postponing the City of Athens General Election scheduled to be held on Saturday, May 2, 2020 until Tuesday, November 3, 2020.

Bonnie Hambrick

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, March 18, 2020 11:12 AM
To: Elections Internet
Subject: MASS EMAIL ADVISORY - (CSO-3492) - Advisory 2020-12- Actions for May 2, 2020 Uniform Election (COVID-19)

Sensitivity: Personal

Dear Election Officials:

Pursuant to a [proclamation](#) issued earlier today, Governor Greg Abbott has authorized all political subdivisions holding general or special elections on May 2, 2020 to postpone their election to the November 3, 2020 uniform election date. Please be advised that a postponement of your election does not happen automatically; the governing body of the political subdivision **MUST** take an official action for such a change to be effective.

Today, our office has issued [Advisory 2020-12 – Actions for May 2, 2020 Uniform Election Date](#), providing guidance to political subdivisions seeking to move their May 2, 2020 election date in accordance with the Governor’s proclamation.

We are in the middle of a public health crisis that is rapidly changing. Through this crisis, our primary concern is the health and safety of voters, election workers, and our local election officials. As the situation progresses, we stand ready to provide additional guidance regarding the upcoming elections. In the meantime, please continue to send us your questions so that we can revise and update our materials and guidance as necessary.

Please let us know if you have any additional questions or concerns. This advisory and other resources can be found on your [Conducting Elections](#) pages.

Thank you for all that you do for Texas elections.

Christina Worrell Adkins

Legal Director – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Ruth R. Hughs
Secretary of State

ELECTION ADVISORY

NO. 2020-12

TO: Election Officials

FROM: Keith Ingram, Director of Elections 

DATE: March 18, 2020

RE: Actions for May 2, 2020 Uniform Election Date

The purpose of this advisory is to provide guidance to local political subdivisions regarding their options for any general or special elections that have been ordered for the May 2, 2020 uniform election date. Pursuant to Section 418.016 of the Texas Government Code, the Governor has issued a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their election to the November 3, 2020 uniform election date. Pursuant to Texas Election Code 31.003 and 31.004, our office has issued the following guidelines for entities that choose to exercise this authority and postpone their election to the November uniform election date.

Effect of Postponement of Election

- **Candidate Filings:** By postponing their election date, the political subdivision is preserving all candidate filings and ballot order actions that have already been taken. The postponement does **not** have the effect of reopening candidate filings.
 - **Deadlines related to Candidate Filings, Declarations of Ineligibility, Withdrawals or Death:** The deadlines that apply to the November 3, 2020 election would apply to all candidates who are currently on the ballot for the May 2, 2020 election.
- **Ballot By Mail Requests:** All applications for a ballot by mail (ABBM) that were filed for the May 2, 2020 election that are marked annual would apply for the November 3, 2020 election. All single use ABBMs that were submitted for reasons of age or disability would still be valid for the November 3, 2020 election. If a single use ABBM was submitted and indicated the reason for voting by mail was due to absence from the county, this ABBM would not be valid as the applicable election date has changed. However, we would recommend that the political subdivision send a letter to these voters along with a new ABBM in case the circumstances

surrounding their absence from the county are still valid or the voter is otherwise eligible to vote by mail.

- **Ballots by Mail:** If a political subdivision has already sent out mail ballots, those mail ballots that are returned would still be valid for the November 3, 2020 postponed election date.
- **Election Records:** All records, including candidate filings, applications to vote by mail, ballot proofs, and printed ballots shall be retained and preserved.
 - **Printed Ballots:** If your ballots have already been printed up, you may be able to reuse them for November. However, if you must change your ballot to reflect any corrections or changes that occur between now and November, you would treat the original ballots as you would in a traditional ballot correction and those ballots should be destroyed in accordance with Section 52.0064 of the Texas Election Code.
- **Requirement to use County Election Precincts in November 2020:** Per Section 42.002 of the Texas Election Code, county election precincts are required for all elections occurring in November 2020. You will need to work with your county election officer to determine whether you need to make any modifications to your ballot in light of this requirement.
- **Requirement for County Election Officer to contract with Local Political Subdivisions:** All county election officers are required to contract with local political subdivisions that postponed their May 2, 2020 election and that request a contract for election services or a joint election agreement with their county election officer pursuant to the Governor's suspension of certain Texas Election Code provisions.
- **Office Hours:** The relevant dates for maintaining office hours for election purposes will be based on the November uniform election date rather than the May election date. Under Section 31.122 of the Texas Election Code, those office hours will need to be maintained for at least three hours each day, during regular office hours, on regular business days between September 14, 2020 and December 13, 2020. However, these entities should post contact information for individuals to contact their office about election-related issues during the timeframe that those offices may be closed over the coming months.
- **Holdovers in Public Office:** Under Art. XVI, Sec. 17 of the Texas Constitution, the individuals who currently hold public offices that are scheduled to be on the ballot on the May uniform election date will continue to exercise the duties of those offices until the new officers take their oaths of office, following the November uniform election date.
- **Campaign Finance Filings:** Please contact the Texas Ethics Commission for further guidance on how these modified timelines will affect any campaign finance reporting requirements. Their office can be reached at (512) 463-5800.
- **Candidates on the ballot in both May and November:** For candidates that may be running for two offices (one normally occurring in May and one normally occurring in November), these candidates will not be removed from the ballot as they are separate elections that are normally not occurring on the same date.

Required Action by Governing Body to Move Election Date

In order to utilize this move, the governing body of the political subdivisions holding the elections must **order** the postponement of their election to the November 3, 2020 uniform election date. The order for this official action should contain the following items:

1. A reference to the proclamation that authorizes the entity to postpone their election date, and the fact that the political subdivision is exercising this authority.
2. Confirmation that the candidate filings for the election will remain valid for the election held on the November date and that the filing period will not be re-opened for the November election date.
3. Confirmation that all ABBMs for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the postponed election, and that ABBMs for voters who submitted ABBMs based on expected absence from the county would not be valid for the postponed election.
4. The major relevant dates for the November election, including the voter registration deadline (October 5, 2020), the deadline to submit an ABBM (October 23, 2020), and the dates for early voting (October 19, 2020 – October 30, 2020).

Necessary Revisions to Order of Election

In addition, the entity will need to meet by August 17, 2020 to make any necessary revisions to the entity's original order of election. Those revisions may include:

1. The change to the date of the election;
2. Any change in location of the main early voting location;
3. Any changes to early voting dates and hours, including weekend early voting;
4. Any changes to the identity of the early voting clerk and their contact information; or
5. Any changes to branch early voting locations.

If you are holding a bond election, you may need to make additional revisions to your order of election for that bond election. If this is the case, we recommend reaching out to your bond counsel for additional guidance.

Securing Election Records

All election records should be stored and secured during the postponement period. This may require your entity to use preservation methods that are similar to the methods you would use during the preservation period after the election has occurred. This includes:

- Storing returned ballots by mail in locked, sealed ballot boxes.
- Securely storing any unused ballots.
- Securely retaining any relevant election records, including candidate applications and ABBMs.

Voting System Equipment

If you are leasing voting system equipment from the county or directly from the vendor, then you may need to contact your vendor or your county regarding any necessary modifications to those lease agreements or to modify your procedures and timelines for receiving that equipment.

Open Meeting Requirements

The Governor has suspended and modified certain open meeting requirements pursuant to his disaster declaration. These changes include allowing the entity to establish procedures for telephonic or videoconferenced meetings of governmental bodies that are accessible to the public.

These procedures must include a process for members of the public to participate and address the governmental body in those meetings, notice to the public on the means of participating remotely, and access to the public for recordings of those meetings.

For more information, please review the applicable [documentation](#) from the Governor's Office or contact the Office of the Attorney General.

Update Official Websites and Notify Media

Any entities that are exercising this authority to postpone their election date must post notice on the entity's website and should alert any local media organizations regarding this change to their election date.

The entity must also provide notice to their county election officer regarding this change, as the county is required to post the entity's notice of election on the county's website no later than the 60th day before the date of the election under Election Code 4.008. If that election date will be changing due to the entity's decision to postpone the election then the entity must provide a revised notice to the county for posting on the county's website.

If you have any questions regarding this advisory, please contact the Elections Division at 1-800-252-2216.

KI:CA:CP



Agenda Memorandum

AGENDA DATE: March 23, 2020

DEPARTMENT: Administration

CONTACT: Elizabeth Borstad, City Manager

SUBJECT: Discuss, consider and take action, as necessary, concerning the approval of a Resolution extending the City of Athens Disaster Declaration issued on March 19, 2020 due to the imminent threat to Public Health and Safety as a result of the spread in response to the Coronavirus (COVID – 19), Epidemic, as declared by the World Health Organization as a Pandemic on March 11, 2020.

SUMMARY: On March 19, 2020, Mayor Monte Montgomery, Mayor of the City of Athens, Texas issued a mayoral proclamation declaring a local disaster for public health emergency for the City of Athens, in response to help prevent and control COVID-19.

BACKGROUND: Pursuant to Section 418.108(b) of the Texas Local Government Code, a state of disaster for public health emergency shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council of the City of Athens, Texas.

ISSUE: n/a

ALTERNATIVES: n/a

FISCAL IMPACT: n/a

RECOMMENDATION: Consider and take action, as necessary, concerning the approval of a Resolution extending the City of Athens Disaster Declaration issued on March 19, 2020 due to the imminent threat to Public Health and Safety as a result of the spread in response to the Coronavirus (COVID – 19), Epidemic, as declared by the World Health Organization as a Pandemic on March 11, 2020.

RESOLUTION NO. 2020-R-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS
EXTENDING THE DISASTER DECLARATION ISSUED BY MAYORAL
PROCLAMATION ON MARCH 19, 2020 IN RESPONSE TO COVID-19 A
PUBLIC HEALTH EMERGENCY**

WHEREAS, on March 19, 2020, Mayor Monte Montgomery, Mayor of the City of Athens, Texas issued a mayoral proclamation declaring a local disaster for public health emergency for the City of Athens, in response to help prevent and control COVID-19; and

WHEREAS, the mayoral proclamation declaring a local disaster for public health emergency is attached as **Exhibit A**.

WHEREAS, pursuant to Section 418.108(b) of the Texas Local Government Code, a state of disaster for public health emergency shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council of the City of Athens, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS:

SECTION 1: The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2: The Declaration of the Public Health Emergency, which was signed and executed by the Mayor on Thursday, March 19, 2020, shall be renewed and shall continue until terminated by the City Council of the City of Athens, Texas in accordance with section 418.108 of the Texas Local Government Code.

SECTION 3: Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City Council hereby declares that it would have passed this Resolution, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 4: This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, CITY, TEXAS, on this 23rd day of March, 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary

Exhibit A

ATHENS, TEXAS DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY

WHEREAS the World Health Organization has declared the coronavirus, now designated COVID-19, as a global pandemic on March 11, 2020; and

WHEREAS, COVID-19 was first detected in Wuhan, China in December 2019; and

WHEREAS, symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

WHEREAS, the COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action for the protection of the people of Athens, Texas; and

WHEREAS, the implementation of mitigation strategies can slow the transmission of the disease; and

WHEREAS, the Small Business Association (SBA) has designated COVID-19 as a qualifying event for the provision of Economic Injury Disaster Loans for businesses and private non-profits in affected communities.

WHEREAS, this Declaration activates the City's Emergency Management plan; and

WHEREAS, the Mayor of Athens, Texas has determined that extraordinary measures must be taken to mitigate the effects of this public health emergency and to facilitate the efficient, rapid, and cooperative response to the emergency;

WHEREAS, consistent with guidance from the Centers for Disease Control and Prevention (CDC), I recommend the postponement or cancellation of all public gatherings greater than 10 people.

THEREFORE, Be it Proclaimed by the Mayor of Athens, Texas that;

1. A local state of disaster is hereby declared for Athens, Texas, pursuant to of disaster is hereby declared for Athens, Texas pursuant to §418.108(a) of the Texas Government Code.
2. The state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council of the City of Athens, TX pursuant to §418.108(b) of the Government Code.
3. This declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk, pursuant to §418.018(b) of the Government Code.
4. This declaration of a local state of disaster activates the City of Athens Emergency Plan, pursuant to §418.018(b) of the Government Code.
5. This Declaration shall take effect immediately from and after its issuance.

ORDERED this the 19th day of March 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary



Agenda Memorandum

Agenda Date: March 23, 2020

DEPARTMENT: Development Services

CONTACT: Audrey Sloan, Director of Development Services

SUBJECT: Consider the final reading of a request from Triton Athens I, LLC for approval of a site plan amendment for Lots 1-5, Block 1 of the Triton Athens Subdivision, R.A. Clark Survey A-171, also known as 1006, 1010 and 1012 East Tyler Street.

SUMMARY: The proposal is to amend the drive approach locations, the screening wall and the signage requirements for the Triton project.

BACKGROUND: This property is located on East Tyler Street and is currently under construction. It is located in the Planned Development – 1 zoning district.

The original site plan was approved in October of 2017. A site plan amendment was approved in September of 2018. A site plan amendment concerning the sign package for Lot 1 (Panda Express) was approved last month.

The current proposal shows the following changes:

- Updated drive approach locations as approved by TXDOT
- Increase screening wall height to 10' (which is roughly 8' above the adjacent grade on the Triton side of the wall)
 - Proposing the installation of a temporary fence during construction. The previous site plan required the permanent wall to be installed prior to any vertical construction on the site.
- Proposing wall signs on 3 facades (north, east and west) with following restrictions
 - Street facing sign allowable square footage maintained under current city sign ordinance
 - East and west facing wall signs shall be no more than 50% of the allowable square footage of the street facing sign
 - East and west facing wall signs shall pertain to freestanding buildings, not tenants – meaning the additional sign on multi-tenant retail buildings will be at the developer's discretion which tenant is allowed to utilize that additional sign area.
 - No "rear" facing signs are allowed
- Monument sign requirement is unchanged

The Future Land Use Plan designates this area as Low Density Residential.

City of Athens, Texas

Agenda Memorandum

The site plan is compliant with the City's landscaping and parking requirements.

The Planning & Zoning Commission recommended approval of the site plan amendment with the following stipulations:

- Wall signs shall not be allowed on the east and west facades
- The screening wall shall tie into the Burger King wall and the top portion of the wall shall be at or above 516' (which is 10' above adjacent grade on the Triton side of the wall along the portion bordering the residential properties to the south)
- The temporary fence would be allowed, but the permanent screening wall shall be completed prior to any certificates of occupancy being issued for the site

ISSUE:

n/a

ALTERNATIVES:

n/a

FISCAL IMPACT:

n/a

RECOMMENDATION:

Consider approval of a site plan amendment for Lots 1-5, Block 1 of the Triton Athens Subdivision, R.A. Clark Survey A-171, also known as 1006, 1010 and 1012 East Tyler Street.

ORDINANCE O-__-20

AN ORDINANCE AMENDING THE ZONING MAP DESCRIBED IN CHAPTER I, SECTION 3 OF THE ZONING ORDINANCE OF CITY OF ATHENS, TEXAS, BY APPROVING AN AMENDED SITE PLAN FOR TRITON ATHENS I, LLC, PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on the 2nd day of March 2020, the Planning and Zoning Commission of the City of Athens, Texas after due notice and hearing did hereby vote to recommend approval of the amended site plan for the Planned Development of quick service restaurants with drive throughs and office and retail space, located on the below described property owned by Triton Athens I, LLC and with the stipulations that wall signs shall not be allowed on the east and west building facades, the screening wall shall tie into the screening wall on the neighboring property (Burger King) and the top of the wall shall be at the minimum elevation of 516 feet, and temporary fencing shall be allowed during construction, but the permanent wall shall be completed prior to the issuance of any certificate of occupancy for the property:

Lots 1-5, Block 1
Triton Athens Subdivision
R. A. Clark Survey, Abstract 171
also known as 1006, 1010 and 1012 East Tyler Street

WHEREAS, on the 9th day of March 2020, the City Council of the City of Athens, Texas after due notice as required by law, held a public hearing for said site plan and heard from those opposed to said modification and those in favor of same. After the close of the public hearing, the ordinance amendment was read aloud for the first time as required by Article III, Section 3.11 of the City of Athens Charter.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS

Section 1. The Zoning Map described in Chapter I, Section 3 of the City of Athens Zoning Ordinance is hereby amended to grant the site plan approval for Triton Athens I, LLC as presented, with the added stipulations that wall signs shall not be allowed on the east and west building facades, the screening wall shall tie into the screening wall on the neighboring property (Burger King) and the top of the entire wall shall be at the minimum elevation of 516 feet, and temporary fencing shall be allowed during construction, but the permanent wall shall be completed prior to the issuance of any certificate of occupancy for the property.

Section 2. Should any clause, phrase, sentence section of this Ordinance be deemed invalid or unconstitutional by a court of competent jurisdiction, said finding shall not affect the remaining clauses, phrases, sentences or sections of this Ordinance.

Section 3. Any ordinance, resolution or order previously passed and/or adopted by the City Council, or any part thereof, if found to be in conflict with the provisions of this Ordinance, shall

be resolved in favor of the terms and conditions of this Ordinance, and any prior conflicting ordinance, resolution or order or any part thereof, is hereby repealed to the extent of said conflict.

Section 4. This ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Athens, Texas.

PASSED, APPROVED and ADOPTED this the **23rd** day of **March 2020** at a regular meeting of the City Council of the City of Athens, Texas, with the following record vote:

Monte Montgomery, Mayor	_____
Ed McCain, Mayor Pro Tem	_____
Aaron Smith, Councilmember	_____
Toni Clay, Councilmember	_____
Robert Gross, Councilmember	_____

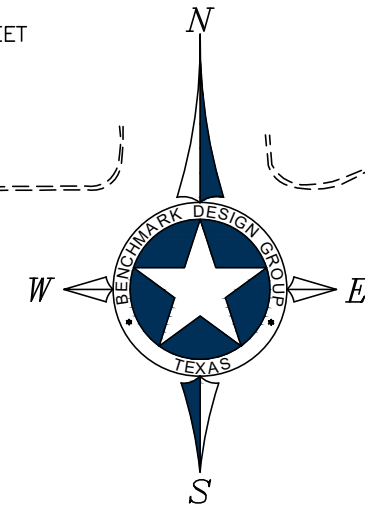
Voted in favor of the motion	_____
Voted against the motion	_____
Motion carried	_____

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary

GRAPHIC SCALE
0 30 60 90 FEET



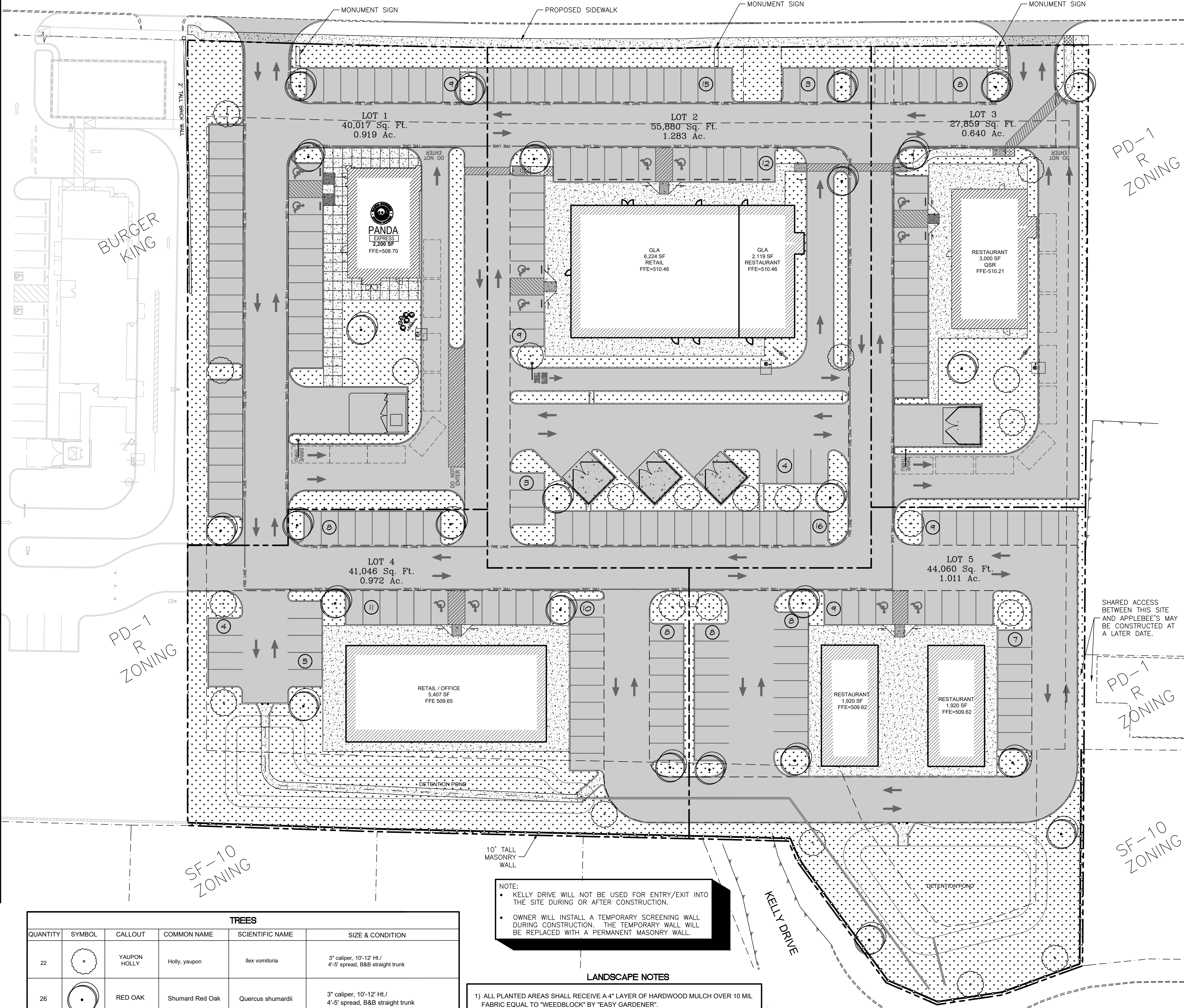
SITE INFORMATION
 PROPERTY OWNER: TRITON ATHENS I, LLC
 PROPERTY ADDRESS: 1006, 1010, 1012 E. TYLER ST.
 ZONING (EXISTING): PD-1 R
 ZONING (PROPOSED): PD-1 R
 SETBACKS: AS SHOWN HEREON
 ARCHITECT: M SPIRE DESIGN
 ACREAGE OF PROJECT: 4.79 AC. (208,863 SF)
 BUILDING AREA: 22,790 SF
 DENSITY OF PROJECT: 10.91%
 LEGAL DESCRIPTION: LOT 1,2,3,4,5 BLOCK 1 TRITON ATHENS SUBDIVISION

NOTE:

- NO METAL BUILDINGS WITHOUT FULL CLADDING OF STONE, STUCCO, OR MASONRY IS ALLOWED. NO EIFS PRODUCTS ARE ALLOWED.
- NIGHTTIME NOISE IS LIMITED TO NO MORE THAN 58 dBA AT ANY BOUNDING PROPERTY LINE
- NIGHTTIME LIGHTING IS LIMITED TO NO MORE THAN 0.25 FOOTCANDLES AT ANY BOUNDING PROPERTY LINE WITH RESIDENTIAL.
- EMC SIGNS ARE NOT ALLOWED UNLESS SPECIFIED ON THE SITE PLANS

EAST TYLER STREET / STATE HIGHWAY 31

WOOD STREET



PLAN INFORMATION

PARKING
 TOTAL BUILDING AREA = 22,790 SF
 RESTAURANT @ 1 SPACE PER 100 SF OF 11,159 SF = 112 SPACES
 RETAIL @ 1 SPACE PER 300 SF OF 11,631 SF = 39 SPACES

	REQUIRED	PROVIDED
TOTAL PARKING	151 SPACES	211 SPACES
ACCESSIBLE PARKING	7 SPACES	12 SPACES

LOT 1
LANDSCAPE TABULATIONS

TOTAL LOT AREA: 40,017 SF
 TOTAL LANDSCAPING REQUIRED @ 10% OF 40,017 SF = 4,002 SF
 TOTAL TREES REQUIRED @ 1/5000 OF 40,017 SF = 8

	REQUIRED	PROVIDED
TOTAL LANDSCAPING:	4,002 SF	8,726 SF
TREES	8 EA	8 EA

NOTES:
 1. ALL LANDSCAPE AREAS SHALL BE IRRIGATED BY A HOSE CONNECTION LOCATED WITHIN 50' OF ALL LANDSCAPED AREAS OR AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM WITH FREEZE SENSOR (DESIGNED BY SUCCESSFUL CONTRACTOR).
 2. OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE.

LOT 2
LANDSCAPE TABULATIONS

TOTAL LOT AREA: 55,880 SF
 TOTAL LANDSCAPING REQUIRED @ 10% OF 55,880 SF = 5,588 SF
 TOTAL TREES REQUIRED @ 1/5000 OF 55,880 SF = 11

	REQUIRED	PROVIDED
TOTAL LANDSCAPING:	5,588 SF	9,416 SF
TREES	11 EA	11 EA

NOTES:
 1. ALL LANDSCAPE AREAS SHALL BE IRRIGATED BY A HOSE CONNECTION LOCATED WITHIN 50' OF ALL LANDSCAPED AREAS OR AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM WITH FREEZE SENSOR (DESIGNED BY SUCCESSFUL CONTRACTOR).
 2. OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE.

LOT 3
LANDSCAPE TABULATIONS

TOTAL LOT AREA: 27,859 SF
 TOTAL LANDSCAPING REQUIRED @ 10% OF 27,859 SF = 2,786 SF
 TOTAL TREES REQUIRED @ 1/5000 OF 27,859 SF = 6

	REQUIRED	PROVIDED
TOTAL LANDSCAPING:	2,786 SF	6,087 SF
TREES	6 EA	7 EA

NOTES:
 1. ALL LANDSCAPE AREAS SHALL BE IRRIGATED BY A HOSE CONNECTION LOCATED WITHIN 50' OF ALL LANDSCAPED AREAS OR AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM WITH FREEZE SENSOR (DESIGNED BY SUCCESSFUL CONTRACTOR).
 2. OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE.

LOT 4
LANDSCAPE TABULATIONS

TOTAL LOT AREA: 41,046 SF
 TOTAL LANDSCAPING REQUIRED @ 10% OF 41,046 SF = 4,105 SF
 TOTAL TREES REQUIRED @ 1/5000 OF 41,046 SF = 8

	REQUIRED	PROVIDED
TOTAL LANDSCAPING:	4,105 SF	13,173 SF
TREES	8 EA	10 EA

NOTES:
 1. ALL LANDSCAPE AREAS SHALL BE IRRIGATED BY A HOSE CONNECTION LOCATED WITHIN 50' OF ALL LANDSCAPED AREAS OR AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM WITH FREEZE SENSOR (DESIGNED BY SUCCESSFUL CONTRACTOR).
 2. OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE.

LOT 5
LANDSCAPE TABULATIONS

TOTAL LOT AREA: 44,060 SF
 TOTAL LANDSCAPING REQUIRED @ 10% OF 44,060 SF = 4,406 SF
 TOTAL TREES REQUIRED @ 1/5000 OF 44,060 SF = 9

	REQUIRED	PROVIDED
TOTAL LANDSCAPING:	4,406 SF	15,013 SF
TREES	9 EA	12 EA

NOTES:
 1. ALL LANDSCAPE AREAS SHALL BE IRRIGATED BY A HOSE CONNECTION LOCATED WITHIN 50' OF ALL LANDSCAPED AREAS OR AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM WITH FREEZE SENSOR (DESIGNED BY SUCCESSFUL CONTRACTOR).
 2. OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE.

DUMPSTER ENCLOSURES
 PROPOSED DUMPSTER ENCLOSURES WILL BE 6' TALL MASONRY WALL

SCREENING
 PROPOSED 10' TALL MASONRY WALL ADJACENT TO RESIDENTIAL AREAS

SIGNAGE
 (1) MONUMENT SIGN PER LOT
 50 S.F. MAX. / 7' HIGH MAX /
 10' SETBACK FROM EDGE OF STREET
 BLDG SIGN:
 PROPOSE BLDG SIGNAGE ON (3) FACADES, STREET FACING, EAST FACADE, AND WEST FACADE WITH THE FOLLOWING RESTRICTIONS:
 • THE STREET FACING SIGN ALLOWABLE SQ FT MAINTAINED UNDER CURRENT CITY SIGN ORDINANCE.
 • THE (2) ADDITIONAL SIGNS (EAST AND WEST FACADES RESPECTIVELY) SHALL BE NO MORE THAN 50% OF THE ALLOWABLE SQ FT OF THE STREET FACING FACADE ALLOWABLE SIGN SQUARE FOOTAGE.
 • THE (2) ADDITIONAL SIGNS (EAST AND WEST FACADES RESPECTIVELY) SHALL PERTAIN TO FREE STANDING BUILDINGS, NOT TENANTS - MEANING THE ADDITIONAL SIGN ON MULTI-TENANT RETAIL BUILDINGS WILL BE AT THE DEVELOPER'S DISCRETION WHICH TENANT IS ALLOWED TO UTILIZE THAT ADDITIONAL SIGN AREA.
 • NO "REAR" FACING SIGNS ARE ALLOWED.

PROPERTY OWNER
 TRITON ATHENS I, LLC
 1845 WOODALL ROGERS FRWY
 DALLAS, TEXAS 75201
 972-388-5431

SITE DEVELOPMENT PLAN PREPARED BY
 BENCHMARK DESIGN GROUP, LLC
 GREG MITCHELL, P.E.
 2026-B REPUBLIC DRIVE
 TYLER, TEXAS 75701
 903-534-5353

THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW AND COMMENTS UNDER THE AUTHORITY OF JOHN G. MITCHELL, P.E., REGISTRATION NO. 82699. THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION OR BIDDING PURPOSES.

TRITON ATHENS I, LLC
 EAST TYLER STREET

PD SITE PLAN

BENCHMARK DESIGN GROUP
 CIVIL / ENVIRONMENTAL / PLANNERS

DRAWN BY: JGM

CHECKED BY: ELS

DATE: FEBRUARY 2017

JOB NO: 2017.005

SHEET NO. 1

TREES					
QUANTITY	SYMBOL	CALLOUT	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION
22		YALUPON HOLLY	Holly, yalupon	Ilex vomitoria	3" caliper, 10'-12' Ht / 4'-5' spread, B&B straight trunk
26		RED OAK	Shumard Red Oak	Quercus shumardii	3" caliper, 10'-12' Ht / 4'-5' spread, B&B straight trunk

GROUND COVER					
QUANTITY	SYMBOL	CALLOUT	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
AS SHOWN		GRASS	Common Bermuda Grass	Cynodon dactylon	Sod refer to specifications

LANDSCAPE CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES

NOTE:
 • KELLY DRIVE WILL NOT BE USED FOR ENTRY/EXIT INTO THE SITE DURING OR AFTER CONSTRUCTION.
 • OWNER WILL INSTALL A TEMPORARY SCREENING WALL DURING CONSTRUCTION. THE TEMPORARY WALL WILL BE REPLACED WITH A PERMANENT MASONRY WALL.

LANDSCAPE NOTES

- ALL PLANTED AREAS SHALL RECEIVE A 4" LAYER OF HARDWOOD MULCH OVER 10 MIL FABRIC EQUAL TO "WEEDBLOCK" BY "EASY GARDENER".
- ALL DISTURBED AREAS NOT RECEIVING PLANTINGS (INCLUDING RIGHT-OF-WAYS) SHALL BE SEEDED ACCORDING TO SEEDING SPECIFICATIONS.
- ALL ISLANDS SHALL BE MULCHED
- UNLESS OTHERWISE NOTED, ALL PARKING STRIPS, ISLANDS AND BERMS SHALL BE SODDED.

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Site Plan Amendment

Applicant:
Bill McMahon

Lot 1-5, Block 1 of Triton
Athens Subdivision

1006, 1010 & 1012 E Tyler St



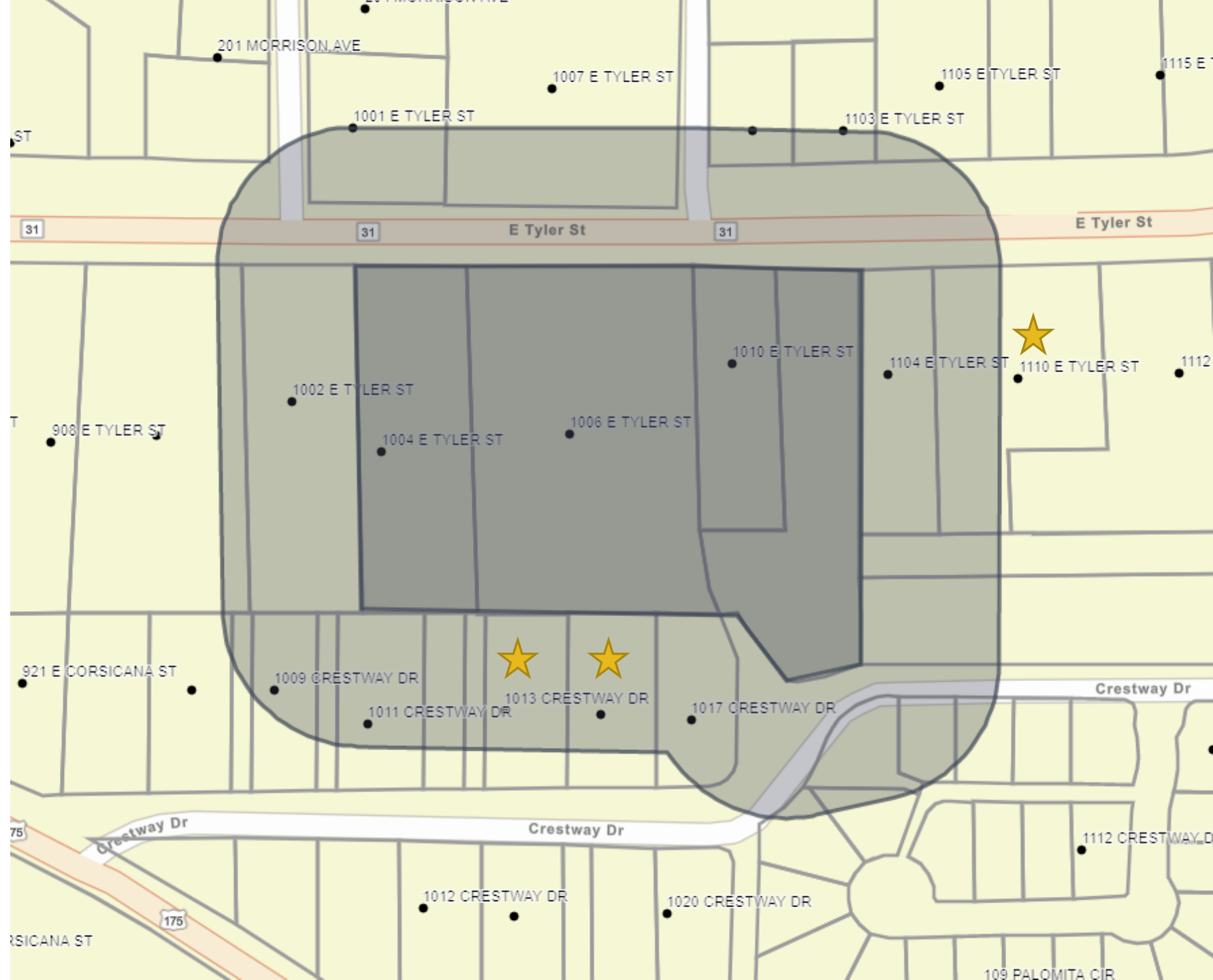
Site Plan Amendment

Applicant:
Bill McMahon

Lot 1-5, Block 1 of Triton Athens
Subdivision

1006, 1010 & 1012 E Tyler St

Surrounding property owners
within 200 ft







511.41 FT

513.73 FT

511.46 FT

515.47 FT





NOTICE OF PUBLIC HEARING

The Planning & Zoning Commission for the City of Athens, Texas, will hold a public hearing for the requests below on **Monday, March 2, 2020 at 5:30 p.m.** and the City Council will hold a public hearing on **Monday, March 9, 2020 at 5:30 p.m.** in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana Street, Athens, Texas to consider the following requests and at which time and place all interested persons will be given an opportunity to be heard.

Public hearing concerning a request from Triton Athens I, LLC for approval of a site plan amendment for Lots 1-5, Block 1 of the Triton Athens Subdivision, R.A. Clark Survey A-171, also known as 1006, 1010 and 1012 East Tyler Street.

Public hearing concerning a request from Triton Athens I, LLC for approval of the amended final plat for Lots 1-5, Block 1 of the Triton Athens Subdivision, R.A. Clark Survey A-171, also known as 1006, 1010 and 1012 East Tyler Street.

=====

A neighboring property owner has requested approval of the site plan amendment and amended plat applications mentioned above. As an interested property owner within 200 feet of the proposed request, you are invited to attend one or both public hearings to give your opinion on the request. You are not required to attend these hearings, but if you do attend you will have the opportunity to speak to the Planning and Zoning Commission and City Council regarding your thoughts or concerns of the request. You may also express your views by returning this form to the Development Services Center, 501 US Hwy 175 W, Athens, Texas, 75751. Please return the form prior to the scheduled Planning & Zoning Commission meeting date. If additional information is needed, please contact the Development Services Department at 903-677-6615.

=====

SURROUNDING PROPERTY OWNER RESPONSE:

As an interested property owner in this area, I PROTEST / APPROVE ^{with conditions} (circle one) the request represented above because:

Please verify Plat/PLAN for proposed S. Branches
Masonry wall height. One plan appears to indicate 18'
The barrier should be of sufficient height to block
most light, noise and foot traffic, and should take into
account that the site has been raised approx 3'.

SIGNATURE Jim J. Kerlin ADDRESS 1015 Coesway Dr
NAME Jim J. Kerlin DATE 2/25/2020

Development Services
501 US Highway 175 W | Athens, Texas 75751 | P 903.677.6615 | F 903.220.0935



NOTICE OF PUBLIC HEARING

The Planning & Zoning Commission for the City of Athens, Texas, will hold a public hearing for the requests below on **Monday, March 2, 2020 at 5:30 p.m.** and the City Council will hold a public hearing on **Monday, March 9, 2020 at 5:30 p.m.** in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana Street, Athens, Texas to consider the following requests and at which time and place all interested persons will be given an opportunity to be heard.

Public hearing concerning a request from Triton Athens I, LLC for approval of a site plan amendment for Lots 1-5, Block 1 of the Triton Athens Subdivision, R.A. Clark Survey A-171, also known as 1006, 1010 and 1012 East Tyler Street.

Public hearing concerning a request from Triton Athens I, LLC for approval of the amended final plat for Lots 1-5, Block 1 of the Triton Athens Subdivision, R.A. Clark Survey A-171, also known as 1006, 1010 and 1012 East Tyler Street.

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A neighboring property owner has requested approval of the site plan amendment and amended plat applications mentioned above. As an interested property owner within 200 feet of the proposed request, you are invited to attend one or both public hearings to give your opinion on the request. You are not required to attend these hearings, but if you do attend you will have the opportunity to speak to the Planning and Zoning Commission and City Council regarding your thoughts or concerns of the request. You may also express your views by returning this form to the Development Services Center, 501 US Hwy 175 W, Athens, Texas, 75751. Please return the form prior to the scheduled Planning & Zoning Commission meeting date. If additional information is needed, please contact the Development Services Department at 903-677-6615.

SURROUNDING PROPERTY OWNER RESPONSE:

As an interested property owner in this area, I PROTEST / APPROVE (circle one) the request represented above because:

I REQUESTED INFORMATION ON THE PROJECT FROM THE CITY ON OR ABOUT 2/18.
AUDREY SLOAN W/ THE CITY WAS TO EMAIL INFORMATION TO ME. IT WAS
NEVER RECEIVED AND NO INFORMATION WAS SUPPLIED WITH THIS NOTICE.
IN ORDER TO HAVE TIME FOR PROPER DUE DILIGENCE WE HEREBY PROTEST THE
PROJECT(S) UNDER CONSIDERATION.

CGRACE@ITCELECTRONICS.COM SIGNATURE [Signature] PROPERTY ADDRESS 1110 EAST TYLER ST. ATHENS, TX
NAME CHARLES GRACE DATE 2/27/2020

Development Services MY OFFICE ADDRESS 21000 S. WILMINGTON AVE. CARSON, CA 90810
501 US Highway 175 W | Athens, Texas 75751 | P 903.677.6615 | F 903.220.0935

Audrey Sloan

From: Kitflores <kitflores@aol.com>
Sent: Friday, February 28, 2020 10:31 PM
To: Audrey Sloan
Subject: Re: Request for Site Plan Update Triton Development

Hi Audrey,

I've had a chance to review the plan and I have some questions.

Due to the change in elevation of the development, I'm concerned about the construction of the retention basin behind my property. Can I get information about how that will be constructed so as not to overflow or otherwise create run off onto my property?

With respect to the actual wall facing my property, I have the following comments:

- The perimeter wall at my property line is called out as 18 foot high on the drawing, but 10 foot under "Screening" in the notes box to the right. Please confirm the intention is to construct an 18 foot tall wall?
- The notes indicate a screen wall to be placed during construction instead of building the wall prior to construction as called out in the Ordinance. Is this correct?
- If so, will the 18' wall be built in the same location as the existing wall? If so, what modifications will be necessary to support this size structure?
- I believe that the developer's failure to match the existing wall finish that faces my property makes an unsightly finished product. More than doubling the height as well as an abrupt transition to the plain block will have a very negative effect on my property. Additionally, the existing wall that extends approximately 25 foot parallel to my property line remains 8 foot tall, and will not prevent light and noise impacts to my property from Panda Express.
- With regard to the signage mentioned at the east and west sides of the building, I would note that the building elevations noted in the previous request for signage were 23' above the new grade. I assume the 18' wall is measured from the original grade at the current footing location. If this is the case, the proposed signage will still likely be visible from my property and certainly from my neighbor to the west's property. I object to any additional signage on the east or west sides of the buildings.

I respectfully request the Commission not approve this plan as submitted, since it will not completely rectify the repercussions to the adjacent properties from the elevation change and creates an unsightly barrier between the longstanding existing neighborhood and the commercial property.

As I am out of town on business, I am not available to attend the Zoning Commission meeting in person on Monday, If the City has a way for me to call in to be able to hear the meeting, I would be very grateful to participate that way. Please let me know if there is a number I can call in, or if Skype or another method of participating remotely is available.

Respectfully,

Kit Flores

1013 Crestway Dr.
Athens, Tx 75751
602.920.2347

-----Original Message-----

From: Audrey Sloan <asloan@athenstx.gov>
To: Kitflores <kitflores@aol.com>
Sent: Thu, Feb 27, 2020 8:58 am
Subject: RE: Request for Site Plan Update Triton Development

Attached is a copy of the amended plat and the amended site plan to be presented at the upcoming meetings. Please let me know if you have any questions.

Thank you,

Audrey Sloan
Director of Development Services
City of Athens

From: Kitflores <kitflores@aol.com>
Sent: Thursday, February 27, 2020 8:55 AM
To: Audrey Sloan <asloan@athenstx.gov>
Subject: Request for Site Plan Update Triton Development

Hi Audrey,

I have spoken with you previously on the Titan Development going on behind my house at 1013 Crestway Dr. I am currently out of town, but I understand there is a revised site plan to be discussed at the Zoning and City meetings over the next couple of weeks.

Could I please get whatever documentation is available about the changes so that I could make comments or ask questions prior to the meetings?

Thanks,

Kit Flores
1013 Crestway Dr.
Athens, TX 75751
602.920.2347