

**A G E N D A**  
**CITY COUNCIL MEETING**  
**August 8, 2016 @ 6:00 p.m.**  
**Council Chambers - Government Center**  
**200 North 12<sup>th</sup> Street - Corsicana, Texas 75110**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. INVOCATION**

**4. MINUTES**

Consider approving the minutes for the Work Session and Regular Meeting of July 25, 2016, and the Budget Work Session of August 1, 2016.

**5. PUBLIC FORUM**

Public Comments.

**6. PUBLIC HEARINGS**

- a. Receive public input regarding proposed amendments to Chapter 13, entitled *Municipal Fees*, of the City Code of Ordinances to provide revisions related to Health fees.
- b. Receive public input regarding a proposed amendment to Chapter 6, entitled *Health and Sanitation*, Article 6.300, *Food Products Establishments*, to repeal Subarticle F, *Food Service Employees* in its entirety, of the City Code of Ordinances.

**7. ORDINANCES**

- a. Consider amending Chapter 13, entitled *Municipal Fees*, of the City Code of Ordinances to provide revisions to related Health fees. **PAGE 13**
- b. Consider amending Chapter 6, entitled *Health and Sanitation*, Article 6.300, *Food Products Establishments*, to repeal Subarticle F, *Food Service Employees* in its entirety, of the City Code of Ordinances. **PAGE 16**

**8. RESOLUTIONS**

- a. Consider authorizing the process to begin establishing a tax rate for the 2017 budget year. **PAGE 20**
- b. Consider approving substitution/addition to the 10-year capital lease/purchase financing for a 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories. **PAGE 22**
- c. Consider approving an agreement between the City of Corsicana and Jamie Wyatt for a property tax abatement in the Corsicana Downtown Revitalization District, and authorizing execution by the Mayor, and providing for an effective date. **PAGE 29**

- d. Consider accepting a donation of property from Ronald Watkins. **PAGE 41**
- e. Consider adopting a Corsicana Fire Department Emergency Medical Services Compliance Plan. **PAGE 45**
- f. Consider designating the Mayor, City Manager, and Finance Director as authorized signatories for the Texas Community Development Block Grant Contract No. 7215172, Main Street Program to provide sidewalks and streetlights. **PAGE 47**

**9. APPOINTMENTS**

**10. REPORTS and MISCELLANEOUS ANNOUNCEMENTS**

- a. Presentation of Quarterly Report from the Corsicana Convention and Visitors Bureau.
- b. Mayor/Council

**11. ADJOURN**

# **AGENDA INFORMATION**

- \* INFORMATION ON THE FOLLOWING PAGES IS SUBJECT TO CHANGE PRIOR TO COUNCIL MEETING.**

**ITEM NO. 4**

**Date:** August 8, 2016

**Subject:** Minutes

**Comments:**

A copy of the minutes for the Work Session and Regular Meeting of July 25, 2016, and the Budget Work Session of August 1, 2016, are attached for review.

**Recommendation:** Approve the minutes as printed.

**CITY OF CORSICANA  
COUNTY OF NAVARRO  
STATE OF TEXAS**

**Work Session  
July 25, 2016**

The Corsicana City Council met in a Work Session on July 25, 2016, in the Corsicana Government Center Conference Room, 200 N. 12<sup>th</sup> Street, Corsicana, Texas. The following members were present: Chuck McClanahan, Mayor; Susan Hale, Council Member Precinct One; Ruby Williams, Mayor Pro Tem/Council Member Precinct Two; John McClung, Council Member Precinct Three; and Don Denbow, Council Member Precinct Four.

In addition, Connie Standridge, City Manager; Kerri Anderson Donica, City Attorney; Virginia Richardson, City Secretary/Director of Finance; Robert Johnson, Police Chief; Elizabeth Borstad, City Engineer; Terry Franks, Public Works Director; and other interested citizens were also present.

Mayor McClanahan called the meeting to order at 5:01 p.m.

The City Council discussed proposed construction on US Highway 287.

Mayor McClanahan declared the meeting adjourned at 5:50 p.m.

**Attested This, the 8<sup>th</sup> day  
of August 2016**

**Attested This, the 8<sup>th</sup> day  
of August 2016**

\_\_\_\_\_  
**Finance Director/City Secretary**

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\_\_\_\_\_  
**Mayor**

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**CITY OF CORSICANA  
COUNTY OF NAVARRO  
STATE OF TEXAS**

**Council Regular Session**

July 25, 2016

The Corsicana City Council met in a Regular Session on July 25, 2016, in the Corsicana Government Center Council Chambers, 200 N. 12<sup>th</sup> Street, Corsicana, Texas. Mayor Chuck McClanahan called the meeting to order at 6:03 p.m. The following members were present: Susan Hale, Council Member Precinct 1; Ruby Williams, Mayor Pro Tem/Council Member Precinct 2; John McClung, Council Member Precinct 3; and Don Denbow, Council Member Precinct 4.

Connie Standridge, City Manager; Kerri Anderson Donica, City Attorney; Virginia Richardson, City Secretary/Director of Finance; Robert Johnson, Police Chief; Elizabeth Borstad, City Engineer; Pam Gibson, Human Resource Director; Sara Beth Wilson, Main Street Director; and other interested citizens were also present.

The invocation was given by the Dr. Steven Bell of First United Methodist Church.

**Approval of Minutes**

The motion was made by Ruby Williams, and seconded by John McClung, *to approve the minutes for the Regular Meeting of July 11, 2016 and the Special Meeting of July 19, 2016.* Motion passed, 5-0.

**Public Forum**

Charky Marquis, 6453 NW CR 1120, Corsicana, spoke regarding the Cayuga Project.

Chloe Marquis, 6453 NW CR 1120, Corsicana, spoke regarding the Cayuga Project.

Ralph Gonzalez, 312 E. 1<sup>st</sup> Ave., Corsicana, spoke as a representative of the Corsicana Concerned Citizens, presenting a proposal for charter amendments.

Charles Raines, 604 N. Gilmer, Dawson, spoke regarding the Cayuga Project.

Liz Smith, 6082 SW CR 0050 Corsicana, spoke regarding the Cayuga Project.

Jackie King, 8040 FM 642, Purdon, spoke regarding the Cayuga Project.

Janice Barlow, 2771 NE CR 1030, Chatfield, spoke regarding the Cayuga Project.

Rosanna Partida, 21545 W. Hwy 31, Dawson, spoke regarding the Cayuga Project.

Don Parks 620 Mockingbird Place, Corsicana, spoke regarding the Cayuga Project.

Mayor McClanahan closed the public forum.

**Public Hearings**

N/A

**Ordinances**

N/A

**Resolutions**

**Resolution 3893 (approved)**

This item was presented by Elizabeth Borstad, City Engineer.

The motion was made by Don Denbow, and seconded by John McClung, that Resolution 3893, authorizing award of bid to J.T. Williams Construction for 600 LF of 8" HDPE Waterline Bore on Business 45. The motion passed, 5-0. Against: none.

**RESOLUTION NO. 3893**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, TO AWARD THE CONTRACT FOR 600 LF OF 8" HDPE WATERLINE BORE ON BUSINESS 45.**

**WHEREAS**, the City solicited bids for 600 LF of 8" HDPE Waterline Bore located on Business 45; and

**WHEREAS**, two (2) contractors submitted complete bids; and

**WHEREAS**, J.T. Williams Construction submitted the lowest bid for the project; and

**WHEREAS**, the proposed construction cost is \$57,732; and

**WHEREAS**, this project will be funded through the Utility Fund.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, THAT** J.T. Williams Construction be awarded a contract for the 600 LF of 8" HDPE Waterline Bore on Business 45.

**PASSED and APPROVED** by majority vote of the City Council of the City of Corsicana, Texas, this **25<sup>th</sup>** day of **July, 2016**.

**Resolution 3894 (approved)**

This item was presented by City Manager Connie Standridge.

The motion was made by John McClung, and seconded by Susan Hale, that Resolution 3894, authorizing the Memorandum of Understanding between Cayuga Home for Children and the City of Corsicana. The motion passed, 5-0. Against: none.

**RESOLUTION NO. 3894**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH CAYUGA HOME FOR CHILDREN (D/B/A CAYUGA CENTERS).**

**WHEREAS**, the City of Corsicana has submitted a request to the Texas Juvenile Justice Department to have the Corsicana Residential Treatment Center (CRTC) transferred to the City of Corsicana; and

**WHEREAS**, Cayuga Centers, a private non-profit company that operates a transitional residential care program for unaccompanied minors funded by the United States Office of Refugee Resettlement, has approached the City of Corsicana to request the City to consider leasing the CRTC property to Cayuga Centers, subject to the resolution of existing contingencies and the negotiation of definitive agreements; and

**WHEREAS**, such contingencies mentioned include the City acquiring the title to the CRTC and Cayuga Centers receiving adequate funding for the program; and

**WHEREAS**, the City of Corsicana recognizes that leasing the CRTC property to Cayuga Centers will be valuable to the community in areas of employment, economic development, and taxes; and

**WHEREAS**, the attached proposed Memorandum of Understanding Between Cayuga Home For Children and the City of Corsicana, Texas allows Cayuga Home for Children to lease the CRTC property from the City of Corsicana pursuant to the above-mentioned contingencies and to make significant capital improvements to the same; and

**WHEREAS**, the terms and conditions are set forth in the attached Memorandum of Understanding and incorporated herein as if fully set forth at length.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS THAT** the City of Corsicana and Cayuga Home for Children (D/B/A Cayuga Centers) agree to enter into the Memorandum of Understanding.

**PASSED and APPROVED** by majority vote of the City Council of the City of Corsicana, Texas, this **25th** day of **July, 2016**.

**Appointments:**

- a. Confirm the City Manager's appointment of the Economic Development Director for the City of Corsicana.

This item was presented by City Manager Connie Standridge.

The motion was made by John McClung, and seconded by Don Denbow, to confirm the appointment of Scott Jones to the position of Economic Development Director for the City of Corsicana. The motion passed 5-0. Against: none.

**Reports/Miscellaneous Announcements:**

**Adjournment**

There being no further business, the Mayor declared the meeting adjourned at 6:34 p.m.

**Attested This, the 8<sup>th</sup> day  
of August 2016**

**Attested This, the 8<sup>th</sup> day  
of August 2016**

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**Finance Director/City Secretary**

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**Mayor**

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**CITY OF CORSICANA  
COUNTY OF NAVARRO  
STATE OF TEXAS**

**Budget Work Session  
August 1, 2016**

The Corsicana City Council met in a Budget Work Session on August 1, 2016, in the Corsicana Government Center Conference Room, 200 N. 12<sup>th</sup> Street, Corsicana, Texas. The following members were present: Chuck McClanahan, Mayor; Susan Hale, Council Member Precinct One; John McClung, Council Member Precinct Three; and Don Denbow, Council Member Precinct Four. Ruby Williams, Council Member Precinct Two, was absent.

In addition, Connie Standridge, City Manager; Virginia Richardson, City Secretary/Director of Finance; Robert Johnson, Police Chief; Donald McMullan, Fire Chief; Sharla Allen, Director of Parks & Recreation; Elizabeth Borstad, City Engineer; Terry Franks, Public Works Director; Pam Gibson, Human Resources Director; Sharon Jennings, Court Administrator; Lisa Magenheimer, Library Director; Sara Beth Wilson, Main Street Director; Kyle Pritchett, Environmental Services Superintendent; Cliff Nesmith, Environmental Services Superintendent; Bobby Perry, Landfill Superintendent; and other interested citizens were also present.

Mayor McClanahan called the meeting to order at 1:01 p.m.

The City Council discussed proposed budget for Fiscal Year 2017 Major Funds.

Mayor McClanahan declared the meeting in recess at 3:00 p.m.

Mayor McClanahan declared the meeting be reconvened at 3:22 p.m. (Mr. Denbow was not present at the time the meeting was reconvened.) Mr. Denbow returned to the meeting at 3:33 p.m.

Mayor McClanahan declared the meeting adjourned at 5:00 p.m.

**Attested This, the 8<sup>th</sup> day  
of August 2016**

**Attested This, the 8<sup>th</sup> day  
of August 2016**

\_\_\_\_\_  
**Finance Director/City Secretary**

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\_\_\_\_\_  
**Mayor**

\*\*\*\*\*      \*\*\*\*\*      \*\*\*\*\*

**ITEM NO. 5**

**Date:** August 8, 2016

**Subject:** **Public Forum**

**Comments:** Receive comments from public, if any.

**Recommendation:** No action required.

**ITEM NO. 6A & 6B**

**Date:** August 8, 2016

**Subject:** Public Hearings

**Comments:**

- a. Receive public input regarding proposed amendments to Chapter 13, entitled *Municipal Fees*, of the City Code of Ordinances to provide revisions related to Health fees.
- b. Receive public input regarding a proposed amendment to Chapter 6, entitled *Health and Sanitation*, Article 6.300, *Food Products Establishments*, to repeal Subarticle F, *Food Service Employees* in its entirety, of the City Code of Ordinances.

**Recommendation:** N/A

**ITEM NO. 7A**

**Date:** August 8, 2016

**Subject:** Amend Chapter 13, Municipal Fees as related to Health Fees

**Comments:** The Corsicana-Navarro County Public Health District has requested the City Council to consider increasing the permit fees for the City Food Establishment permits. Their request states that the fees have not been increased since 2004, when the current rates were adopted.

The attached ordinance proposes an amendment to Chapter 13 entitled *Municipal Fees* of the City Code of Ordinances. The proposed fee revisions are under *Health* of the Fee Schedule. The proposed revised fees are highlighted in the attached Exhibit A.

NOTE: The fee for Roadside Vendors will not change at this time.

**Recommendation:** Approve amendment as shown to Chapter 13 of the City Code of Ordinances

**MOTION:**

**I MOVE TO APPROVE/DENY THE AMENDMENT AS SHOWN TO CHAPTER 13 OF THE CITY CODE OF ORDINANCES.**

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, AMENDING CHAPTER 13, ENTITLED *MUNICIPAL FEES*, OF THE CITY CODE OF ORDINANCES AS RELATED TO HEALTH FEES.**

**BE IT ORDAINED** by the City Council of the City of Corsicana, Texas, that Chapter 13, entitled *Municipal Fees*, of the City Code of Ordinances be amended to revise certain fees to the fee schedule identified under *Health* as set forth in the attached Exhibit "A".

**PASSED and APPROVED** by the City Council of the City of Corsicana, Texas, this the 8<sup>th</sup> day of **August, 2016**.

\_\_\_\_\_  
Chuck McClanahan, Mayor

**ATTEST:**

\_\_\_\_\_  
Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kerri Anderson Donica, City Attorney

EXHIBIT A  
CITY OF CORSICANA, TEXAS  
CHAPTER 13  
FEES AND COST OF SERVICES

THE FOLLOWING SHALL BE THE SCHEDULE OF FEES AND COST OF SERVICES

DIVISION	TYPE	RATE	PER (UNIT)	OTHER INFORMATION
<b>HEALTH</b>	City-Food Establishment Permit Fees	FROM: 250.00	Per year	Class 1
		TO: 350.00		
		FROM: 200.00	Per year	Class 2
		TO: 300.00		
		FROM: 175.00	Per year	Class 3
		TO: 275.00		
		FROM: 150.00	Per year	Class 4
		TO: 225.00		
		FROM: 250.00	Per year + \$50/unit area	Class 5
		TO: 350.00		
		FROM: 100.00	Per year	Class 6
		TO: 150.00		
		FROM: 100.00	Per year	Daycare
		TO: 200.00		
		FROM: 25.00	Per year	Temporary Food Establishment
		TO: 50.00		
		FROM: 100.00	Per year	Mobile unit
TO: 200.00				
	100.00	Per year	Roadside vendors	
	FROM: 50.00	Per year	Caterers	
	TO: 100.00			
	Outside-City Food Establishment Registration Fee	25.00	Per Year	Operating outside City/ Sells inside City
	Administrative Service Fee	10.00	As needed	Name change only
	Food Service Employee Registration	20.00	Every 2 years	
	Replacement Card	10.00	As needed	

**ITEM NO. 7B**

**Date:** August 8, 2016

**Subject:** Consider amending Chapter 6, Article 6.300, Subarticle F of the City Code of Ordinances concerning Food Service Employees

**Comments:** The Corsicana-Navarro County Public Health District has requested an amendment to Chapter 6, *Health and Sanitation*, Article 6.300, *Food Products Establishments*, of the City Code of Ordinances to repeal Subarticle F, *Food Service Employees*.

The Texas Food Establishment Rules (TFER), which are adopted by reference in the City of Corsicana Health and Sanitation Code, have undergone revisions. One revision that will have an impact on the local Food Safety Program will eliminate the food safety training program. This revision will become effective on September 1, 2016. Therefore, making it necessary to request to repeal Subarticle F from the City Code of Ordinances.

Wording to be repealed for Subarticle F currently reads as follows:

**CHAPTER 6 – HEALTH AND SANITATION**

**ARTICLE 6.300 - FOOD PRODUCTS ESTABLISHMENTS**

**SUBARTICLE F—FOOD SERVICE EMPLOYEES**

~~Sec. 6.319—Registration Card Required~~

~~No person who has not obtained a valid food service employee registration card within (30) days of the date of his employment shall be employed or work in any food establishment in any capacity requiring contact with food equipment, single service articles, or food product—whether packaged or not. The card shall be kept at the place of employment.~~

~~Sec. 6.320—Application~~

~~To obtain a food service employee registration card, an individual must apply on a form furnished by the Director and as part of the application, he shall:~~

~~(1) —state his name, address, sex and telephone number;~~

- (2) ~~request that he be admitted into a food service employee training course taught under the authority of the Director;~~
- (3) ~~pay a fee of twenty dollars (\$20.00); and~~
- (4) ~~sign the application acknowledging that the fee is non-transferable and non-refundable.~~

~~Sec. 6.321 — Receipt~~

~~After an applicant has complied with Section 6.320 of this article, the Director shall immediately issue a receipt to him and, as soon as practicable, shall admit him into a food service employee training course. The receipt is valid as a food service employee registration card until the date of the course for which he is registered.~~

~~Sec. 6.322 — Employee Training Course~~

~~The food service employee training course shall consist of not less than (1) nor more than four (4) hours of instruction on the sanitary handling of food and the statutes and ordinances relating to food handling. When an individual completes the course, the Director shall issue to him a food service employee registration card.~~

~~Sec. 6.323 — Term of Card~~

~~The food service employees' registration card shall be valid for a period of two (2) years from its date of issue.~~

~~Sec. 6.324 — Replacement of Card~~

~~An individual who has misplaced a current valid food service employee registration card may obtain a replacement card from the Director for a fee of ten dollars (\$10.00).~~

**Recommendation:** Consider the request to repeal Subarticle F of the City Code of Ordinances.

**MOTION:**

**I MOVE TO APPROVE/DENY AMENDING CHAPTER 6 OF THE CITY CODE OF ORDINANCES CONCERNING FOOD SERVICE EMPLOYEES.**

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
CORNICANA, TEXAS, AMENDING CHAPTER 6, *HEALTH AND  
SANITATION*, TO REPEAL SUBARTICLE F, *FOOD SERVICE  
EMPLOYEES*, OF ARTICLE 6.300, *FOOD PRODUCTS  
ESTABLISHMENTS*, OF THE CITY CODE OF ORDINANCES.**

**WHEREAS**, in accordance with the provisions of the laws of the State of Texas, the City Council has conducted a public hearing for the purpose of considering the amendment to the Code of Ordinances for the City of Corsicana, Texas; and

**NOW, THEREFORE BE IT ORDAINED**, by the City Council of the City of Corsicana, Texas, that Subarticle F, of Article 6.300, of Chapter 6, *Health and Sanitation* of the City Code of Ordinances is repealed in its entirety:

**CHAPTER 6 – HEALTH AND SANITATION**

**ARTICLE 6.300 - FOOD PRODUCTS ESTABLISHMENTS**

**SUBARTICLE F – FOOD SERVICE EMPLOYEES**

~~Sec. 6.319 – Registration Card Required~~

~~No person who has not obtained a valid food service employee registration card within (30) days of the date of his employment shall be employed or work in any food establishment in any capacity requiring contact with food equipment, single service articles, or food product – whether packaged or not. The card shall be kept at the place of employment.~~

~~Sec. 6.320 – Application~~

~~To obtain a food service employee registration card, an individual must apply on a form furnished by the Director and as part of the application, he shall:~~

- ~~(1) — state his name, address, sex and telephone number;~~
- ~~(2) — request that he be admitted into a food service employee training course taught under the authority of the Director;~~
- ~~(3) — pay a fee of twenty dollars (\$20.00); and~~
- ~~(4) — sign the application acknowledging that the fee is non-transferable and non-refundable.~~

~~Sec. 6.321 — Receipt~~

~~After an applicant has complied with Section 6.320 of this article, the Director shall immediately issue a receipt to him and, as soon as practicable, shall admit him into a food service employee training course. The receipt is valid as a food service employee registration card until the date of the course for which he is registered.~~

~~Sec. 6.322 — Employee Training Course~~

~~The food service employee training course shall consist of not less than (1) nor more than four (4) hours of instruction on the sanitary handling of food and the statutes and ordinances relating to food handling. When an individual completes the course, the Director shall issue to him a food service employee registration card.~~

~~Sec. 6.323 — Term of Card~~

~~The food service employees' registration card shall be valid for a period of two (2) years from its date of issue.~~

~~Sec. 6.324 — Replacement of Card~~

~~An individual who has misplaced a current valid food service employee registration card may obtain a replacement card from the Director for a fee of ten dollars (\$10.00).~~

**PASSED, APPROVED and ADOPTED this the 8th day of August, 2016.**

\_\_\_\_\_  
Chuck McClanahan, Mayor

**ATTEST:**

\_\_\_\_\_  
Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kerri Anderson Donica, City Attorney

**ITEM NO. 8A**

**Date:** August 8, 2016

**Subject:** Authorization to Begin Establishing Tax Rate

**Comments:** The attached resolution authorizes the process of establishing a tax rate of \$0.6272 for the budget year 2017 to support Corsicana's municipal government to begin. This will be the thirteenth (13<sup>th</sup>) consecutive fiscal year at the same tax rate. While the tax rate would remain at \$0.6272 for the taxpayers, the taxes paid by Corsicana homeowners will not increase. This tax rate will raise more money than last year's tax rate, due to an increase in the City's tax base. It will raise less money for Maintenance and Operations, due to an increase in the debt service rate.

With approval of this resolution, the process will begin to establish the tax rate which includes: holding a public hearing on August 22, 2016 and on September 12, 2016, publishing the required legal notifications to the public and final adoption of the tax rate on September 26, 2016.

**FYI:** Prior to adopting the rate of \$0.6272, the City tax rate remained at \$0.5995 for eight years.

**Recommendation:** Approve the resolution to begin the process of establishing the tax rate at \$0.6272 for the budget year 2017.

**MOTION:**

**I MOVE TO APPROVE/DENY THE RESOLUTION TO BEGIN THE PROCESS OF ESTABLISHING THE TAX RATE OF \$0.6272 FOR THE 2017 BUDGET YEAR, WHICH WILL RAISE MORE MONEY FOR PROPERTY TAXES, LESS MONEY FOR MAINTENANCE AND OPERATIONS, AND WILL NOT INCREASE TAXES PAID BY A HOMEOWNER.**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, AUTHORIZING THE PROCESS TO BEGIN ESTABLISHING A TAX RATE OF \$0.6272 FOR THE 2017 BUDGET YEAR, WHICH WILL RAISE MORE MONEY FOR PROPERTY TAXES, LESS MONEY FOR MAINTENANCE AND OPERATIONS AND WILL NOT INCREASE TAXES PAID BY A HOMEOWNER.**

**WHEREAS**, in accordance with the provisions of the laws of the State of Texas, the City Council will conduct two public hearings for the purpose of considering an increase in the total tax revenues of the City of Corsicana from properties on the tax roll in the preceding year; and

**WHEREAS**, the considered tax rate will raise more money for property taxes than last year's tax rate due to an increase in the City's tax base; and

**WHEREAS**, the considered tax rate will raise less money for Maintenance and Operations than last year's tax rate, due to an increase in the debt service rate; and

**WHEREAS**, the current tax rate is \$0.6272 and the considered tax rate is \$0.6272, which will not increase taxes paid by a homeowner; and

**WHEREAS**, the tax assessor/collector has calculated the tax rates as follows:

Effective Tax Rate:	<u>\$0.622200</u>
Roll-Back Tax Rate:	<u>\$0.686700</u>
Maintenance and Operations (M&O) Tax Rate:	<u>\$0.439700</u>
Debt Service (I&S) Tax Rate:	<u>\$0.187500</u>
Total Considered Tax Rate for Fiscal Year 2017:	<u>\$0.627200</u>

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Corsicana, Texas authorizes the process to begin of establishing a tax rate of \$0.6272 for the 2017 budget year, which will raise more money for property taxes, less money for Maintenance and Operations, and will not increase taxes paid by a homeowner.

**PASSED and APPROVED** this the 8<sup>th</sup> day of **August, 2016** at a regular meeting of the City Council of the City of Corsicana, Texas, with the following record vote:

Chuck McClanahan, Mayor: \_\_\_\_\_  
 Ruby Williams, Council Member/Mayor Pro Tem: \_\_\_\_\_  
 Susan Hale, Council Member: \_\_\_\_\_  
 John McClung, Council Member: \_\_\_\_\_  
 Don Denbow, Council Member: \_\_\_\_\_

\_\_\_\_\_  
Chuck McClanahan, Mayor

**ATTEST:**

\_\_\_\_\_  
Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kerri Anderson Donica, City Attorney

**ITEM NO. 8B**

**Date:** August 8, 2016

**Subject:** **Resolution to Authorize the Amendment of the List of Items to be Purchased with 10-Year Capital Lease Financing to include a 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories**

**Comments:** In January 2016, Council awarded the bid for FY 2016 10-Year Lease/Purchase Financing for a Caterpillar D6 Bulldozer and Accessories to JPMorgan Chase Bank, N.A. "Chase", and an additional resolution authorizing the related debt issuance.

Chase requires a resolution from Council for any additions or substitutions of items that substantially change the original debt issuance.

The City financed \$550,000 for the purchase of the bulldozer, but the purchase price ended up being \$470,000. This leaves an amount of \$80,000 lease/purchase funds available to be spent. The Landfill has need of a water truck. This resolution authorizes the substitution/addition of a 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories to the list of items to be purchased with the 2016 10-Year lease/purchase funds.

**Recommendation:** Approve authorization of the substitution/addition of a 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories to the list of items to be purchased with the 10-Year Capital Lease/Purchase Financing funds from JPMorgan Chase Bank, N.A.

**MOTION:**

**I MOVE TO APPROVE/DENY THE SUBSTITUTION/ADDITION OF A 2013 PETERBILT 337 TRUCK WITH MOUNTED WATER TANK AND ACCESSORIES TO THE LIST OF ITEMS TO BE PURCHASED WITH THE 10-YEAR CAPITAL LEASE/PURCHASE FINANCING FUNDS FROM JPMORGAN CHASE BANK.**

# LONESTAR TRUCK GROUP



WACO FREIGHTLINER  
 4800 NORTH INTERSTATE 35  
 WACO TX, 76705  
 (254) 752-9735

## 2013 Peterbilt 337

### Vehicle Details

Stock#	DM181086
Year	2013
Make	Peterbilt
Model	337
VIN	2NP2HN7X2DM181086
Odometer	54,500
Interior Color	Gray
Wheelbase	224
Frame	Double
GVWR	33,000
Steering	Tilt Telescopic
Driver Seat	Air Ride
Passenger Seat	Stationary
Radio	AM FM

### Sleeper

Sleeper	None
Sleeper Type	Daycab

### Engine

Engine	Paccar
Engine Model	PX8
HP	300
Engine Brake	No

### Transmission

Transmission	Allison
Transmission Model	3500 RDS
Speeds	6 spd

### Axle Information

Axels	Single Axle
FA Weight	12,000
RA Weight	21,000
Ratio	5.29

### Suspension

Suspension	21,000
Suspension Type	Air

### Fuel Tank

Fuel Tanks	1
Fuel Type	Diesel
Tank LH	90

### Wheels/Tires

Tire Size	11R22.5
Wheels	All Steel

*HAS Hid Pump*



*+water tank*

*+ install  
 \$60K  
 CA*

*\$73,500*

\$52,500.00

Low mileage Pete ready for any application...CA - 155"

Don Brinson

Phone: (361)548-5486 - E-Mail: dbrinson@lonestartruckgroup.com



**4,000 GALLON STAINLESS STEEL WATER TANK**

Truck mounted 202" x 94" x 61". An 8' elliptical oval shaped tank with stainless steel straps mounted on a cradle suitable for mounting on truck or trailer bed. Options include a PTO driven series 400 bowie pump with a compatible hydraulic pump PTO, in cab PTO operation and air operated spray bar.

<b>PRODUCT NAME</b>	<b>MOUNTING AND INSTALLATION FOR A STAINLESS STEEL WATER TANK</b>
<b>DESCRIPTION</b>	Including 2" self priming PTO driven 300 series bowie pump mounted on right side of transmission with Lectra shift control, in-cab controls and air operated spray bar. Mounting cradle and lid included, tank sold separately.
<b>ORDERING DETAILS</b>	830-67-87200-8 2,000 Gallon 830-67-87105-5 1,700 Gallon

<b>PRODUCT NAME</b>	<b>STAINLESS STEEL WATER TANK</b>
<b>MEASUREMENTS</b>	48" x 72" x 144" 10 GA (1/8") 1,700 Gallon 48" x 84" x 144" 10 GA (1/8") 2,000 Gallon
<b>DESCRIPTION</b>	See listing for skids and mounting.
<b>ORDERING DETAILS</b>	830-67-85300-8 1,700 Gallon 830-67-87200-8 2,000 Gallon

<b>PRODUCT NAME</b>	<b>STAINLESS STEEL SKID</b>
<b>DESCRIPTION</b>	1,700 gallon water tank skid with tank installation only. Gravity flow, no pump, tank sold separately. Fits 10 yd. dump bed.
<b>ORDERING DETAILS</b>	830-49-00006-6

Water Tank will be similar to the one pictured

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, APPROVING THE SUBSTITUTION/ADDITION OF A 2013 PETERBILT 337 TRUCK WITH MOUNTED WATER TANK AND ACCESSORIES FROM TEN-YEAR CAPITAL LEASE FINANCING FUNDS; NAMING AUTHORIZED OFFICERS; AND RELATED MATTERS.**

**WHEREAS**, on February 5, 2016 the CITY OF CORSICANA, TEXAS ("*Lessee*") entered into lease/purchase number 1000141100, by and between Lessee and JPMorgan Chase Bank, N.A. ("*Lessor*"), subject to and incorporating the terms of that certain **CATERPILLAR D6 BULLDOZER AND ACCESSORIES LEASE/PURCHASE AGREEMENT** (the "*Master Lease*"), by and between Lessee and Lessor, to enable Lessee to finance the lease/purchase acquisition of up to \$550,000 principal amount for the purchase of a Caterpillar D6 Bulldozer and Accessories (as defined in Schedule A with the intent that the interest portion of the Rental Payments (as defined in the Master Lease) therefore, in an amount not to exceed 2.367% per annum, be excluded from gross income for federal income tax purposes and, as security for such Rental Payments, Lessee has agreed to grant a first lien security interest in the Caterpillar D6 Bulldozer and Accessories to Lessor, and to make payments, as set forth in Schedule A, sufficient to pay both the principal and interest portion of the Rental Payments under the Master Lease and Schedule A; and

**WHEREAS**, the cost of the **CATERPILLAR D6 BULLDOZER AND ACCESSORIES** was \$470,000; and

**WHEREAS**, the CITY OF CORSICANA, TEXAS ("*Lessee*") desires to amend the items to be purchased in the original Schedule A by and between Lessee and JPMorgan Chase Bank, N.A. ("*Lessor*"), subject to and incorporating the terms to include a **2013 PETERBILT 337 TRUCK WITH MOUNTED WATER TANK AND ACCESSORIES LEASE/PURCHASE AGREEMENT** (the "*Master Lease*"), by and between Lessee and Lessor, to enable Lessee to utilize the remaining financed lease/purchase funds for up to an \$80,000 (\$550,000 original amount financed less the cost of the Caterpillar D6 Bulldozer and Accessories of \$470,000) principal amount for the purchase of a 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories (as noted in the attached amended list of items to be purchased, with the intent that the interest portion of the Rental Payments (as defined in the Master Lease) therefore, in an amount not to exceed 2.367% per annum, be excluded from gross income for federal income tax purposes and, as security for such Rental Payments, Lessee has agreed to grant a first lien security interest in the 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories to Lessor, and to make payments, as set forth in Lease Schedule 1000141100, sufficient to pay both the principal and interest portion of the Rental Payments under the Master Lease and Schedule A; and

**WHEREAS**, the amended list of items to be purchased has been presented at this meeting.

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

**Section 1.** The City Council agrees to allow the substitution/addition of the amended list of items to be purchased in order to finance acquisition of the 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories in a principal amount of up to \$80,000 (\$550,000 original amount financed less the cost of the Caterpillar D6 Bulldozer and Accessories of \$470,000) at an interest rate not to exceed 2.367% per annum and, in order to secure the Master Lease and Schedule A, to grant a first lien security interest in the 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories, in accordance with said amended list of items to be purchased.

**Section 2.** That any one or more of the authorized Officers of Lessee listed in Section 3 below be, and each of them hereby is, authorized to execute, acknowledge and deliver in the name and on behalf of Lessee to Lessor the amended list of items to be purchased to be in substantially the form presented to this meeting with such changes as the signing officer shall determine to be advisable. Further, said Authorized Officers are authorized to execute, acknowledge and deliver in the name and on behalf of Lessee any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Master Lease and Schedule A; the execution thereof by any such Authorized Officer shall be conclusive as to such determination.

**Section 3.** That for the purpose of this resolution, the following persons, or the persons holding the following positions, are "*Authorized Officer*" duly authorized to enter into the transaction contemplated by this resolution in the name and on behalf of Lessee:

<u>Title</u>	<u>Name</u>
City Manager	Connie Standridge
Director of Finance/City Secretary	Virginia Richardson

**Section 4.** That there is hereby authorized the continuing execution and delivery by the Authorized Officers or any one of them in the name of and on behalf of Lessee the Schedule A and Attachments in substantially the form presented to this meeting with such changes as the signing officer shall determine advisable, and the execution thereof shall be conclusive as to such determination.

**Section 5.** The Lease of the 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories which is described in or incorporated by reference in the amended list of items to be purchased to the Agreement is hereby approved by the City Council of the City of Corsicana, Texas. The Authorized Officers shall be authorized to make replacements or otherwise substitute other similar equipment for any of the items so described or incorporated if necessary due to inability of the Vendor to deliver the 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories, so long as such substitution does not frustrate the purpose of Lessee for which the 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories is being leased or result in an increase in the amount required to be

paid by Lessee for the 2013 Peterbilt 337 Truck with Mounted Water Tank and Accessories, as provided in Section 1 hereof.

**Section 6.** That this Resolution shall take effect immediately.

**PASSED** and **APPROVED** by majority vote of the City Council of the City of Corsicana, Texas, this **8th** day of **August, 2016**.

---

Chuck McClanahan, Mayor

**ATTEST:**

---

Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**

---

Kerri Anderson Donica, City Attorney

City of Corsicana														
Chase Equipment Financing - <i>Amended List of Items to be Purchased</i>														
2016 FY Ten-Year Lease/Purchase Financing Summary														
For All Departments - Fund 339														
Debt Issued February 2016														
			Original Budget			Revised Budget			Actual					
			# of	Price	Total	# of	Price	Total	# of	Price	Total	Total	# Years	Account
Dept	Department	Item Description	Items	per Item	Budgeted	Items	per Item	Budgeted	Items	per Item	Spent	Remaining	Financed	Number
100	Landfill	D6 Dozier	1	550,000.00	550,000.00	1	470,000.00	470,000.00	1	470,000.00	470,000.00	-	10	339-58910-502
100	Landfill	2013 Peterbilt 337, Mounted Water Tank, and Accessories	1	-	-	1	80,000.00	80,000.00			-	80,000.00	10	339-58910-502
<b>00 Total</b>		<b>Landfill Total</b>			550,000.00			550,000.00			470,000.00	80,000.00		
		<b>Sanitation Fund Totals</b>			550,000.00			550,000.00				80,000.00		
<b>and Total</b>					550,000.00			550,000.00			470,000.00	80,000.00		
			Ten-Year Purchase Financing Summary:		Budget	Ten-Year Purchase Financing Summary:		Budget	Actual		Unspent			
			Capital Purchases		550,000.00	Capital Purchases		550,000.00	Fund 502		470,000.00	80,000.00	502	
									Interest Earnings		177.07	177.07		
			Combined Ten-Year Financing Purchases		550,000.00	Combined Ten-Year Financing Purchases		550,000.00			470,177.07	80,177.07	-	80,177.07

**ITEM NO. 8C**

**Date:** August 8, 2016

**Subject:** Corsicana Downtown Revitalization District (CDRD) 5-Year Tax Freeze for Jamie Wyatt

**Comments:** This is a resolution approving a 5-Year tax freeze for Jamie Wyatt, who is investing a substantial sum in renovating the property located 116 West 5th Avenue, in the Corsicana Downtown Revitalization District.

The applicant has followed established guidelines, and the project has been deemed eligible for this incentive by city staff.

City of Corsicana Ordinance No. 2785 provides that, following approval by the City Council, the increase in the appraised value of the structural alterations or new construction completed shall not be added to the tax roll for a period of five (5) years.

At the conclusion of that five-year period, the subject property must remain on the tax rolls at 100% value for a minimum of 10 years before that property is eligible for another 5-year tax freeze.

**Recommendation:** Approve applications for Historic Downtown District Tax Freeze for Jamie Wyatt at 116 West 5th Avenue.

**MOTION:**

**I MOVE TO APPROVE/DENY THE APPLICATION FOR A HISTORIC DOWNTOWN DISTRICT TAX FREEZE FOR JAMIE WYATT AT 116 WEST 5TH AVENUE.**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY OF CORSICANA, TEXAS AND JAMIE WYATT FOR A PROPERTY TAX ABATEMENT IN THE CORSICANA DOWNTOWN REVITALIZATION DISTRICT, AND AUTHORIZING ITS EXECUTION BY THE MAYOR; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has been presented a proposed tax abatement agreement between the City of Corsicana, Texas and **JAMIE WYATT** providing for a property tax abatement for certain improvements, a copy of which is attached hereto and incorporated herein by reference (hereinafter called "AGREEMENT"); and

**WHEREAS**, upon full review and consideration of the AGREEMENT, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor shall be authorized to execute it on behalf of the City of Corsicana;

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

**Section 1.** The terms and conditions of the proposed AGREEMENT, having been reviewed by the City Council of the City of Corsicana and found to be acceptable and in the best interests of the City of Corsicana and its citizens, are hereby in all things approved.

**Section 2.** The Mayor is hereby authorized to execute the AGREEMENT and all other documents in connection therewith on behalf of the City of Corsicana, substantially according to the terms and conditions set forth in the AGREEMENT.

**Section 3.** That this approval and execution of the AGREEMENT on behalf of the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

**Section 4.** This Resolution shall become effective from and after its passage.

**PASSED and APPROVED** on this the 8<sup>th</sup> day of August, 2016.

\_\_\_\_\_  
Chuck McClanahan, Mayor

**ATTEST:**

\_\_\_\_\_  
Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kerri Anderson Donica, City Attorney

STATE OF TEXAS §

COUNTY OF NAVARRO §

**TAX ABATEMENT AGREEMENT**

This Tax Abatement Agreement (the "Agreement") is entered into by and between THE CITY OF CORSICANA, TEXAS, a home rule city and a municipal corporation of Navarro County, Texas, acting herein by and through its Mayor and hereinafter referred to as CITY, and JAMIE WYATT, hereinafter referred to as OWNER.

**WITNESSETH:**

**WHEREAS**, on the 24<sup>th</sup> day of February, 2014, the City Council of the CITY passed an Ordinance creating and designating the Corsicana Downtown Revitalization District (the "Reinvestment Zone") for commercial tax abatement, as authorized by Chapter 312, Texas Tax Code; and

**WHEREAS**, the CITY has previously adopted a Tax Abatement Policy (the "Tax Abatement Policy") and a Historic Downtown Tax Abatement Program; and

**WHEREAS**, the Historic Downtown Tax Abatement Program constitutes appropriate guidelines and criteria governing tax abatement agreements to be entered into by CITY as required by Chapter 312, Texas Tax Code; and

**WHEREAS**, CITY has adopted a resolution stating that it elects to be eligible to participate in tax abatement; and

**WHEREAS**, CITY has sent written notice that CITY intends to enter into this AGREEMENT, including a copy of this AGREEMENT, to the presiding officer of the governing body of each other taxing unit in which property to be subject to this AGREEMENT is located, as required by Section 312.2041 of the Texas Tax Code; and

**WHEREAS**, in order to maintain and/or enhance the commercial economic and employment base of the Corsicana area to the long term interest and benefit of the CITY, the CITY has determined that the contemplated use of the PROPERTY, as hereinafter defined, the contemplated improvements to the PROPERTY in the amount as set forth in this AGREEMENT, and the other terms hereof are consistent with encouraging development of said Reinvestment Zone in accordance with the purposes for its creation and are in compliance with CITY'S Historic Downtown Tax Abatement Program.

**NOW THEREFORE**, in consideration of the mutual benefits and promises contained herein and for good and other valuable consideration, the adequacy and receipt of which is hereby acknowledged, the parties hereto do mutually agree as follows:

**I.**  
**DEFINITIONS**

Whenever used in this Agreement, the following terms shall have the meanings ascribed to them:

1.1 “Estimated Tax Value” means the estimated depreciated Tax Net Book Values applicable to the real property improvements and the Tangible Personal Property improvements comprising the Investment described in Paragraph 2.2 below. For reference purposes, the Estimated Tax Values scheduled on are determined using the Navarro Central Appraisal District's appraisal guidelines in effect as of the date of this Agreement.

1.2 “Event of Bankruptcy or Insolvency” means the dissolution or termination of a party's existence as a going business, insolvency, appointment of receiver for any part of a party's property and such appointment is not terminated within ninety (90) days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against such party and such proceeding is not dismissed within ninety (90) days after the filing thereof.

1.3 “Force Majeure” means any contingency or cause beyond the reasonable control of OWNER including, without limitation, acts of God or the public enemy, war, riot, civil commotion, insurrection, adverse weather, governmental or de facto governmental action (unless caused by acts or omissions of OWNER), fires, explosions or floods, and strikes.

1.4 “In Service Project Cost” means the initial project cost of the Improvements identified and defined below, as of the date such Improvements are first placed into service by OWNER

1.5 “Tangible Personal Property” means tangible personal property classified as such under state law and hereafter located on the Property, but expressly excludes inventory and supplies, and any tangible personal property that was located in the Reinvestment Zone at any time before the date of this Agreement.

1.6 “Taxable Value” means the appraised value as certified by the Navarro County Appraisal District as of January 1 of a given year.

Other terms defined elsewhere in this Agreement shall have the meanings therein ascribed to those terms.

**II.**  
**OWNER'S OBLIGATIONS**

2.1 The specific property to be the subject of this Agreement shall be the Real Property, including land and improvements, located 116 W. 5th Avenue, in Corsicana, described as Block 251, LOT B .092 ACRES (40 X 100), and by map attached hereto as EXHIBIT A and made a part hereof, and shall be herein referred to as the PROPERTY.

2.2 For the purposes of fulfilling this Agreement, the OWNER shall make improvements to the real property as described in Exhibit "C" attached hereto and incorporated herein by reference (collectively the "Improvements"), having a total In Service Project Cost of at least \$15,530.00. On or before December 31, 2020, OWNER shall substantially complete all Improvements. Notwithstanding the foregoing deadlines, OWNER shall have such additional time to satisfy the obligations contained in this Paragraph 2.2 as may reasonably be required in the event of Force Majeure if OWNER is diligently and faithfully pursuing satisfaction of the applicable obligation. The date of substantial completion of the Improvements shall be defined as the date a Certificate of Occupancy is issued by the CITY.

2.3 As good and valuable consideration for this Agreement, OWNER agrees and covenants that it will diligently and faithfully pursue the completion of the Improvements in a good and workmanlike manner. OWNER further covenants and agrees that all construction of the Improvements and use of the Property will be in accordance with all applicable State and local laws, codes, and regulations (or valid waiver thereof).

2.4 OWNER further agrees that the CITY, its agents and employees shall have reasonable right of access to the Property, upon not less than ten (10) days prior written notice, to inspect the Improvements in order to ensure that the construction of the Improvements is in accordance with this Agreement and all applicable State and local laws and regulations (or valid waiver thereof). After completion of the Improvements, the CITY shall have the continuing right to inspect the Property, upon not less than ten (10) days prior written notice, to ensure that it is thereafter maintained in accordance with this Agreement throughout the Term of this Agreement. In addition, the OWNER agrees that appraisal district representatives shall have reasonable right of access to the Property, upon not less than ten (10) days prior written notice, for the purpose of ad valorem property tax appraisal for all real property and improvements to real property.

### III. ABATEMENT OF TAXES

3.1 Subject to the terms and conditions of this Agreement, and subject to the rights of holders of any outstanding bonds of the CITY, a portion of ad valorem real property taxes from the Property that are otherwise owed to the CITY, shall be frozen at the appraised value of the Property on December 31, 2016. Said ad valorem real property tax abatement/freeze shall be for a five (5) year term, beginning in tax year 2017, and shall apply to the taxes assessed upon the increased value of the eligible Property, after installation of the real property improvements contemplated by Paragraph 2.2, over the value of the Property in the year in which this Agreement is executed; all subject to and in accordance with the terms of this Agreement, the Tax Abatement Policy, Chapter 312, Texas Tax Code, and all applicable state and local regulations (or valid waiver thereat).

3.2 It is understood and agreed among the parties that the Property shall be appraised at market value for the purposes of the applicable real property tax assessments effective as of December 31, 2016, and continued at market value until the expiration of the Term of this Agreement.

3.3 It is understood and agreed among the parties that, at the end of the Abatement term, the real property must remain on the tax rolls at the full appraised value for a minimum of ten (10) years before

the property is eligible for tax abatement again.

#### IV.

#### TERM OF THE AGREEMENT

4.1 The term of this Agreement (the "Term") shall begin on the date of this Agreement and end upon completion of the final abatement year.

4.2 Prior to December 1st of each year during the Term of this Agreement, OWNER shall certify to the governing body of the CITY, on behalf of each taxing unit, that OWNER is in compliance with all of the terms and conditions of this Agreement.

#### V.

#### DEFAULT AND RECAPTURE OF ABATED TAX

5.1 In the event that (a) OWNER fails to incur the minimum In Service Project Cost of an amount that, at a minimum, is equal to 20 percent of the most recent valuation of the property, or \$20,000, whichever is less; (b) OWNER fails to maintain throughout the Term of this Agreement minimum Taxable Values for the real property of at least Ninety Three Thousand One Hundred Eighty dollars (\$93,180.00), which includes the 2016 real property appraised value of \$77,650.00 plus a minimum of \$15,530.00 in real property improvements; (c) OWNER allows its ad valorem taxes owed the CITY to become delinquent and fails to timely and properly follow the legal procedures for protest and/or contest of any such ad valorem taxes; (d) OWNER has an Event of Bankruptcy or Insolvency (as defined in Paragraph 1.2); or (e) OWNER otherwise fails to comply with any of the terms, conditions, or obligations of this Agreement, then this Agreement shall be in default.

5.2 In the event of default, CITY shall give the OWNER written notice of such default and, if the OWNER has not cured such default within sixty (60) days after said written notice, this Agreement may be terminated by the CITY. If the CITY terminates this Agreement in the event of default, OWNER shall repay to the CITY all taxes which otherwise would have been paid to the CITY without the benefit of abatement during the Term of this Agreement, together with interest at the statutory rate for delinquent taxes as determined by Section 33.01 of the Texas Tax Code (but without the addition of penalty), reasonable attorney's fees, and costs. Such amounts shall be due, owing, and payable to the CITY within sixty (60) days after the expiration of the above mentioned 60-day cure period. The parties acknowledge that CITY will suffer damages in the event of OWNER's default under this Agreement. The parties acknowledge that actual damages in the event of default and termination would be speculative and difficult to determine. OWNER's obligation to pay any amounts hereunder shall survive termination of this Agreement.

5.3 It is expressly acknowledged and agreed between the parties that the CITY shall have the right to place a tax lien against the Property pursuant to Section 32.01 of the Texas Tax Code. Such lien shall secure the payment of all taxes abated and subject to recapture under this Agreement, together with all other amounts payable hereunder. Any such lien may be fully enforced pursuant to the provisions of the Texas Tax Code. Also, to collect any amounts payable hereunder, the CITY shall have all other remedies provided generally in the Tax Code for the collection of delinquent property tax.

#### VI.

## GENERAL PROVISIONS

6.1 The CITY represents and warrants that the Property does not include any property that is owned by a member of the City Council approving, or having responsibility for the approval of this Agreement.

6.2 The terms and conditions of the Agreement are binding upon the successors and permitted assigns of all parties hereto. This Agreement may not be assigned by OWNER without the prior written consent of the CITY, such consent to be at the sole discretion of the CITY; provided, however, that upon written notice to the CITY, OWNER may assign its rights under this Agreement to a wholly owned subsidiary of OWNER, subject to OWNER remaining liable for all of its obligations hereunder.

6.3 It is understood and agreed between the parties that the OWNER, in performing its obligations hereunder, is acting independently, and the CITY assumes no responsibility or liability in connection therewith to third parties and OWNER agrees to indemnify and hold harmless the CITY therefrom. It is further understood and agreed among the parties that the CITY, in performing its obligations hereunder, is acting independently, and the OWNER assumes no responsibility or liability in connection therewith to third parties and the CITY agrees to indemnify and hold harmless the OWNER therefrom.

6.4 Notices required to be given to any party to this Agreement shall be given personally or by certified mail, return receipt requested, postage prepaid, addressed to the party at its address set forth below, and given by mail, shall be deemed delivered as of the date personally delivered or three days after deposit in the United States mail:

**For CITY, by notice to:**

City of Corsicana, Texas  
Attention: City Manager  
Corsicana Government Center  
200 North 12th Street  
Corsicana, Texas 75110

**For OWNER, by notice to:**

Jamie Wyatt  
927 N. Beaton Street  
Corsicana, TX 75110

Any party may change the address to which notices are to be sent by giving the other party written notice in the manner provided in this Section.

6.5 This Agreement constitutes the entire and final expression of the agreement of the parties hereto with respect to the subject matter hereof. This Agreement can be modified or amended only by a written agreement executed by both parties.

6.6 If either party commences an action against the other party arising out of or in connection with this Agreement, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees and costs of suit.

6.7 This Agreement shall be governed by the laws of the State of Texas, without regard to its choice of law rules. This Agreement is performable in Navarro County, Texas. Exclusive venue for any litigation related to, or arising out of, this Agreement shall lie in Navarro County, Texas.

6.8 In this Agreement, time is of the essence.

6.9 This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

6.10 This Agreement was authorized by resolution of the City Council at its regularly scheduled meeting on the 8<sup>th</sup> day of August, 2016, authorizing the Mayor to execute the Agreement on behalf of the CITY.

6.11 This AGREEMENT shall constitute a valid and binding agreement between the CITY and OWNER when executed in accordance herewith, regardless of whether any other taxing unit executes a similar agreement for tax abatement.

Witness our h a n d s this 8<sup>th</sup> day of August, 2016.

**APPROVED:**

CITY OF CORSICANA

By: \_\_\_\_\_  
Chuck McClanahan, Mayor

**ATTEST:**

\_\_\_\_\_  
Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kerri Anderson Donica, City Attorney

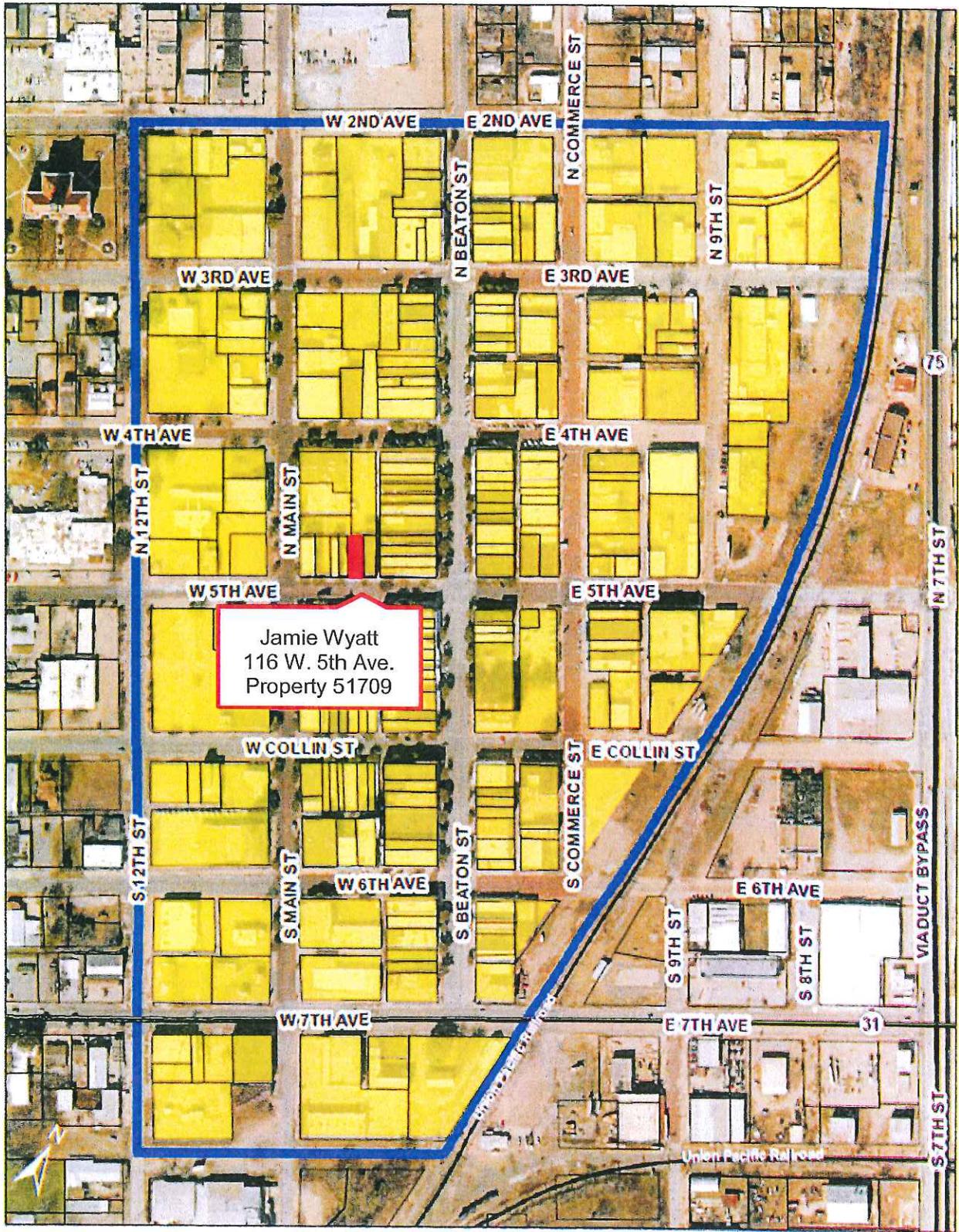
**JAMIE WYATT**

By: \_\_\_\_\_  
Jamie Wyatt, Owner

**EXHIBITS ATTACHED:**

- A. Diagram Map of CDRD Showing Property Location
- B. Proof of Property Purchase
- C. Application for Tax Abatement dated July 1, 2016

Exhibit A  
Downtown Revitalization District / Historic Main Street District  
Tax Abatement Applicant



**EXHIBIT B**  
**COMMITMENT FOR TITLE INSURANCE T-7**  
**ISSUED BY**  
**COMMONWEALTH LAND TITLE INSURANCE COMPANY**  
**SCHEDULE A**

Effective Date: **May 10, 2016, 8:00 am**

GF No. **CT16-1044-C**

Commitment No. \_\_\_\_\_, issued **May 20, 2016, 8:00 am**

1. The policy or policies to be issued are:

- a. OWNER'S POLICY OF TITLE INSURANCE (Form T-1)  
(Not applicable for improved one-to-four family residential real estate)  
Policy Amount: **\$80,000.00**  
PROPOSED INSURED: **Jamie Wyatt**
- b. TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE  
ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)  
Policy Amount:  
PROPOSED INSURED:
- c. LOAN POLICY OF TITLE INSURANCE (Form T-2)  
Policy Amount: **\$264,000.00**  
PROPOSED INSURED: **Community National Bank & Trust of Texas , and  
each successor in ownership of the indebtedness  
secured by the insured mortgage, except a  
successor who is an obligor under the provisions  
of Section 12(c) of the Conditions.**

Proposed Borrower: **Jamie Wyatt**

- d. TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE  
(Form T-2R)  
Policy Amount:  
PROPOSED INSURED:  
Proposed Borrower:
- e. LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN  
(Form T-13)  
Binder Amount:  
PROPOSED INSURED:  
Proposed Borrower:
- f. OTHER  
Policy Amount:  
PROPOSED INSURED:

2. The interest in the land covered by this Commitment is: **Fee Simple**



AMENDMENT TO CONTRACT CONCERNING THE PROPERTY AT

116 W 5th Ave Corsicana TX Corsicana (Street Address and City)

Seller and Buyer amend the contract as follows: (check each applicable box)

- (1) The Sales Price in Paragraph 3 of the contract is: A. Cash portion of Sales Price payable by Buyer at closing \$ B. Sum of financing described in the contract \$ C. Sales Price (Sum of A and B) \$
(2) In addition to any repairs and treatments otherwise required by the contract, Seller, at Seller's expense, shall complete the following repairs and treatments:
(3) The date in Paragraph 9 of the contract is changed to
(4) The amount in Paragraph 12A(1)(b) of the contract is changed to \$
(5) The cost of lender required repairs and treatment, as itemized on the attached list, will be paid as follows: \$ by Seller; \$ by Buyer.
(6) Buyer has paid Seller an additional Option Fee of \$ for an extension of the unrestricted right to terminate the contract on or before 5:00 p.m. on This additional Option Fee will will not be credited to the Sales Price.
(7) Buyer waives the unrestricted right to terminate the contract for which the Option Fee was paid.
(8) The date for Buyer to give written notice to Seller that Buyer cannot obtain Buyer Approval as set forth in the Third Party Financing Addendum is changed to
(9) Other Modifications: (Insert only factual statements and business details applicable to this sale.) Any insurance proceeds from damages to the property under previous ownership will be paid to Ken McCrady.

EXECUTED the 22nd day of June, 2016. (BROKER: FILL IN THE DATE OF FINAL ACCEPTANCE)

Buyer Jamie Wyatt

Seller Ken McCrady

Buyer

Seller

This form has been approved by the Texas Real Estate Commission for use with similarly approved or promulgated contract forms. Such approval relates to this form only. TREC forms are intended for use only by trained real estate license holders. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not intended for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (http://www.trec.texas.gov) TREC No. 39-8. This form replaces TREC No. 39-7.

**EXHIBIT C**

**2016 APPLICATION FOR TAX ABATEMENT CORSICANA  
DOWNTOWN REVITALIZATION DISTRICT**

**Instructions:** Please print or type. Submit the completed and signed original copy of the 2016 Application for Tax Abatement, with attachments, to: The City of Corsicana Main Street Department, 301 South Beaton Street, Corsicana, Texas 75110.

1. Date of Application:

2. Name of Individual, Firm, Partnership or Corporation and mailing address 2a. Have you received a previous tax abatement for this property from the City of Corsicana?

Jamie Wyatt 927 N. Beaton Street Corsicana TX 75110		NO	(YES/ NO)
		2b. If yes, when?	
		N/A	

3. Property Address:

4. Navarro Central Appraisal District Property Tax ID .....

5. Preferred Telephone Number  5a. Email:

6. Year Originally Built .....  6a. Tax Value Before Renovation .....   
(Please attach Tax Receipt from County Tax Assessor)

7. Will work be done to exterior façade or windows that would require a Certificate of Appropriateness (COA) approved by Landmark Commission?  (YES/NO)  
(If yes, please attach approved COA)

8. Estimated value of real property improvements .....

9. Description of real property improvements to be made (attach additional sheet if necessary):

Second Floor Lofts (1,000 sq ft plus)  
 Four level Apartments (700-800 sq. ft)  
 Street Level Retail

10. Estimated Construction Start Date:

11. I certify that this property is located within the boundaries of the Downtown Main Street Commercial District; that all taxes due on this property have been paid (include duplicate tax receipt form Navarro County Tax Assessor/Collector); and that, for exterior modifications to the property, a Certificate of Appropriateness (COA) will be submitted to the Historic Preservation Officer for review by the Corsicana Landmark Commission and that work will not commence until the COA is approved.

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief.

**sign here >**

Phone:  Date:

Submitted By (Please Print)	
Name:	Jamie Wyatt
Title:	Owner
Date:	7/1/2016

Received by the City of Corsicana	
Name:	Sara Beth Wilson
Title:	Main Street Director
Date:	7/1/2016

For assistance in completing this form, call the City of Corsicana, Texas - 903.654.4806. An Equal Opportunity Employer.

**FOR INTERNAL USE ONLY:**

DATE	ENTITY	Initials	DATE	ENTITY	Initials
_____	Main Street Manager	_____	_____	Fire Marshall	_____
_____	Planning & Zoning	_____	_____	City Manager	_____
_____	Landmark Commission	_____	_____	City Council	_____
_____	Economic Development	_____	_____	Commissioner's Court	_____

The City of Corsicana Main Street Department  
 301 South Beaton Street, Corsicana, Texas 75110

**ITEM NO. 8D**

**Date:** August 8, 2016

**Subject:** Acceptance of Donation of Property

**Comments:** Ronald Watkins has offered to donate property to the City of Corsicana. The property being offered is described as all of Blocks 1236 - 1246, also referred to by Property ID No. 27900 in the records of Navarro Central Appraisal District. The property is 1.123 acres and is shown in the attached Exhibit A.

Research of this property does not show that there is anything prohibitive on the property.

**Recommendation:** Accept the donation of property form Ronald Watkins.

**MOTION:**

**I MOVE TO APPROVE/DENY ACCEPTING THE DONATION OF PROPERTY FROM RONALD WATKINS OF BLOCKS 1236 TO 1246.**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CORNICANA, TEXAS, ACCEPTING THE DONATION OF  
CERTAIN PROPERTY.**

**WHEREAS**, Ronald Watkins currently owns property in Corsicana, Texas; and

**WHEREAS**, Ronald Watkins has offered to donate property to the City of Corsicana;  
and

**WHEREAS**, the property offered as a donation is 1.123 acres; and

**WHEREAS**, the property offered as a donation is described as all that certain lot, tract  
or parcel of land situated in the City of Corsicana, Navarro County, Texas, and being all of  
Blocks 1236 - 1246, also referred to by Property ID No. 27900 in the records of Navarro Central  
Appraisal District; and

**WHEREAS**, the City of Corsicana desires to accept the donation of the property.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF CORNICANA, TEXAS**, that the City of Corsicana hereby accepts the donation of  
property from Ronald Watkins.

**PASSED** and **APPROVED** by majority vote of the City Council of the City of  
Corsicana, Texas, this **8th** day of **August, 2016**.

\_\_\_\_\_  
Chuck McClanahan, Mayor

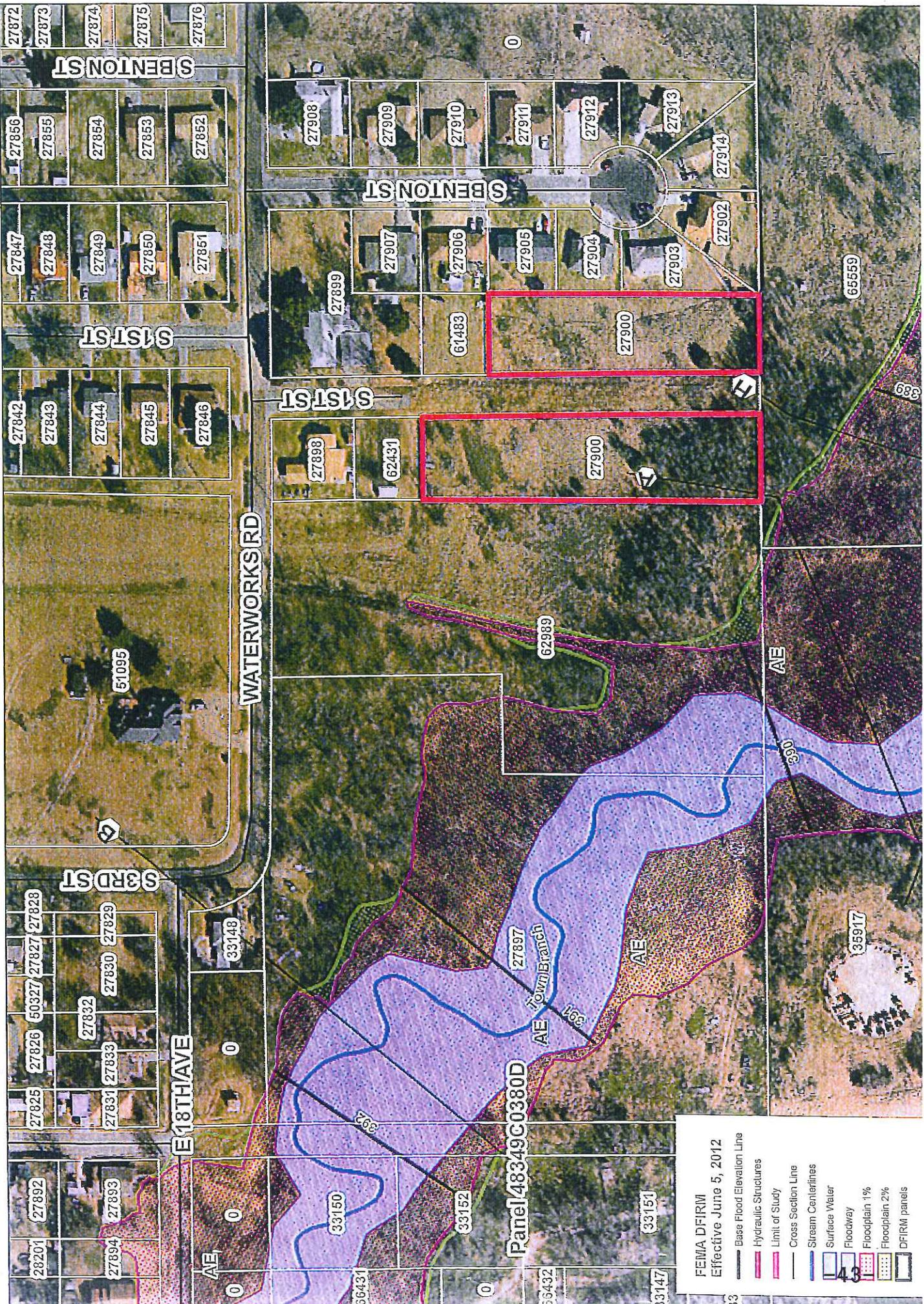
**ATTEST:**

\_\_\_\_\_  
Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**

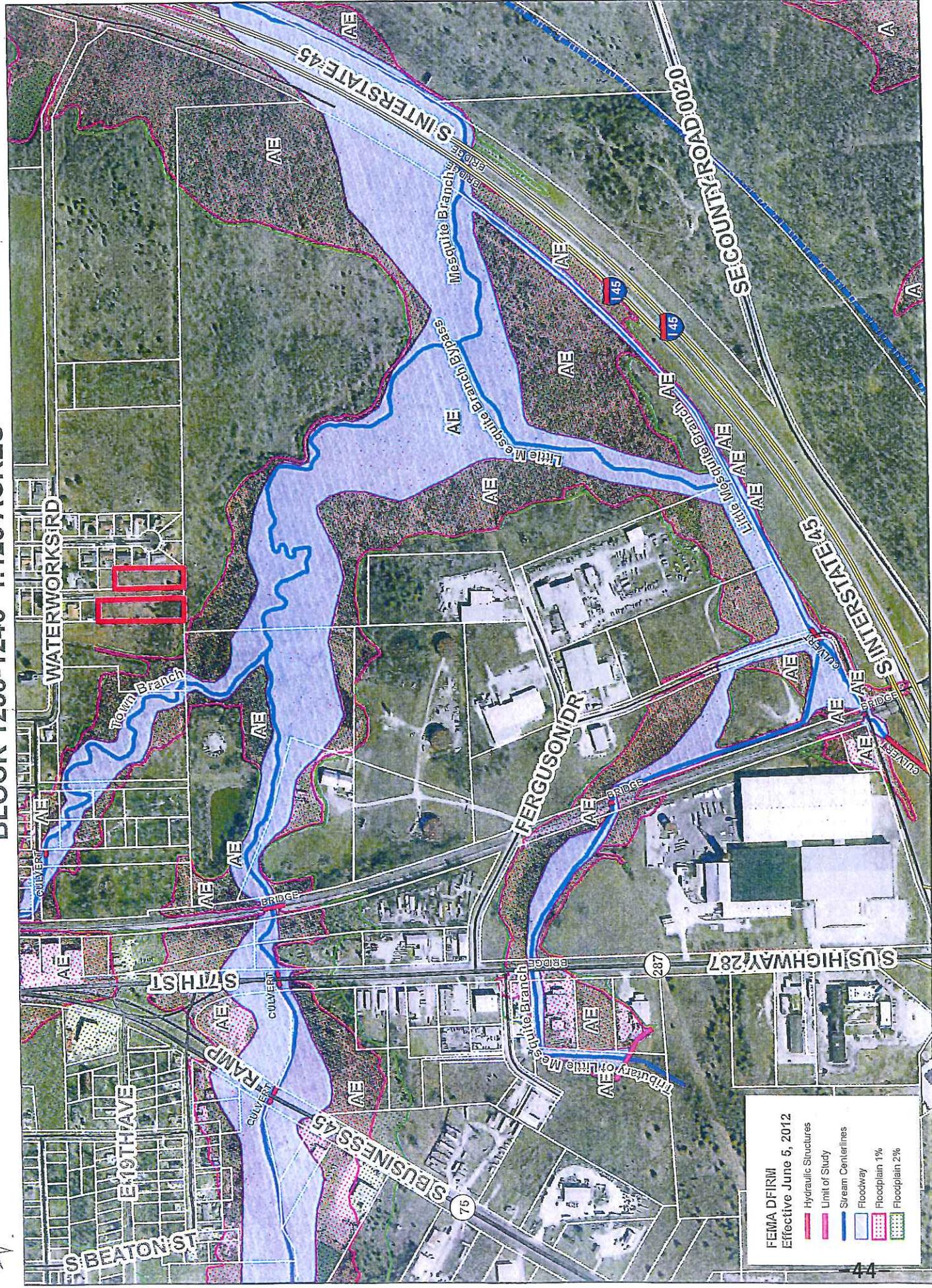
\_\_\_\_\_  
Kerri Anderson Donica, City Attorney

**EXHIBIT A**  
**WATKINS, RONALD PROPID 27900**  
**BLOCK 1236-1246 1.123 ACRES**



- FEMA DFIRM  
 Effective June 5, 2012
- Base Flood Elevation Line
  - Hydraulic Structures
  - Limit of Study
  - Cross Section Line
  - Stream Centerlines
  - Surface Water
  - Floodway
  - Floodplain 1%
  - Floodplain 2%
  - DFIRM panels

**WATKINS, RONALD PROPID 27900  
BLOCK 1236-1246 1.123 ACRES**



FEMA DFIRM  
Effective June 5, 2012

- Hydraulic Structures
- Limit of Study
- Stream Centerlines
- Floodway
- Floodplain 1%
- Floodplain 2%

**ITEM NO. 8E**

**Date:** August 8, 2016

**Subject:** Adoption of EMS Compliance Plan

**Comments:** The Corsicana Fire Department Emergency Medical Services was required to submit a re-enrollment application with Medicaid for 2016. Enrollment with Medicaid is necessary to be paid for ambulance services provided to Medicaid patients. The re-enrollment application for Medicaid was recently completed and submitted by the Fire Department/EMS. A requirement within the Medicaid re-enrollment application asks to attest that the EMS has a Compliance Plan. The Corsicana Fire Department Emergency Medical Services has had a Compliance Plan in the department since 2011. This plan was revised in July 2016.

The proposed resolution adopts the current Corsicana Fire Department Emergency Medical Services Compliance Plan.

**Recommendation:** Approve adoption of the Corsicana Fire Department Emergency Medical Services Compliance Plan.

**MOTION:**

**I MOVE TO APPROVE/DENY ADOPTION OF THE CORSICANA FIRE DEPARTMENT EMERGENCY MEDICAL SERVICES COMPLIANCE PLAN.**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CORSICANA, TEXAS, ADOPTING THE CORSICANA FIRE  
DEPARTMENT EMERGENCY MEDICAL SERVICES  
COMPLIANCE PLAN.**

**WHEREAS**, the Corsicana Fire Department Emergency Medical Services has a current Compliance Plan in place in the department; and

**WHEREAS**, the Corsicana Fire Department Emergency Medical Service provides ambulance service to Medicaid patients; and

**WHEREAS**, the 2016 re-enrollment with Medicaid requires the Emergency Medical Services to have a Compliance Plan in order to be paid for ambulance services provided and filed for Medicaid patients.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, THAT** a Corsicana Fire Department Emergency Medical Services Compliance Plan be adopted.

**PASSED and APPROVED** by majority vote of the City Council of the City of Corsicana, Texas, this 8<sup>th</sup> day of **August, 2016**.

\_\_\_\_\_  
Chuck McClanahan, Mayor

**ATTEST:**

\_\_\_\_\_  
Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kerri Anderson Donica, City Attorney

**ITEM NO. 8F**

**Date:** August 8, 2016

**Subject:** **Resolution Designating Signatories for Contractual Documents and Documents Requesting Funds Pertaining to the Texas Community Development Block Grant Program**

**Comments:** The City of Corsicana received a 2015 Texas Community Development Block Grant award under the Main Street Program (Contract No. 7215172) to provide sidewalks and streetlights. The City is required to designate individuals as authorized signatories to execute contractual documents and documents requesting funds from the Texas Department of Agriculture.

**Recommendation:** Designate the Mayor and City Manager as authorized signatories for contractual documents, and designate the City Manager and Finance Director as authorized signatories for the State of Texas Purchase Voucher and Request for Payment Form.

**MOTION:**

**I MOVE TO APPROVE/DENY DESIGNATING THE MAYOR, CITY MANAGER, AND FINANCE DIRECTOR AS AUTHORIZED SIGNATORIES FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT NO. 7215172**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF CORSICANA, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TxCDBG) CONTRACT NUMBER 7215172.**

**WHEREAS**, the City of Corsicana has received a 2015 Texas Community Development Block Grant award under the Main Street Program to provide sidewalks and streetlights, and;

**WHEREAS**, it is necessary to appoint persons to execute contractual documents and documents for requesting funds from the Texas Department of Agriculture, and;

**WHEREAS**, an original signed copy of the *TxCDBG Depository/Authorized Signatories Designation Form* is to be submitted with a copy of this Resolution, and;

**WHEREAS**, the City of Corsicana, Texas acknowledges that in the event an authorized signatory of the City changes, the City must provide TxCDBG with the following:

- A resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and,
- A revised *TxCDBG Depository/Authorized Signatories Designation Form*

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

The Mayor and the City Manager be authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2015 Main Street Program.

The City Manager and the Finance Director be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2015 Main Street Program.

**PASSED and APPROVED** by majority vote of the City Council of the City of Corsicana, Texas, this 8<sup>th</sup> day of August, 2016.

\_\_\_\_\_  
Chuck McClanahan, Mayor

**ATTEST:**

\_\_\_\_\_  
Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kerri Anderson Donica, City Attorney

**DEPOSITORY/AUTHORIZED SIGNATORIES DESIGNATION FORM**

Grant Recipient **CITY OF CORSICANA**

TxCDBG Contract No. **7215172**

The individuals listed below are designated by resolution as authorized signatories for contractual documents.

<u><b>CHUCK MC CLANAHAN</b></u> (Name)	<u><b>CONNIE STANDRIDGE</b></u> (Name)
<u><b>MAYOR</b></u> (Title)	<u><b>CITY MANAGER</b></u> (Title)
_____ (Signature)	_____ (Signature)
_____ (Name)	_____ (Name)
_____ (Title)	_____ (Title)
_____ (Signature)	_____ (Signature)

In addition to the individuals listed above, the individuals listed below are designated by resolution as authorized signatories for the *State of Texas Purchase Voucher* (Form A204) and the *Request for Payment Form* (Form A203).

<u><b>CONNIE STANDRIDGE</b></u> (Name)	<u><b>VIRGINIA RICHARDSON</b></u> (Name)
<u><b>CITY MANAGER</b></u> (Title)	<u><b>FINANCE DIRECTOR</b></u> (Title)
_____ (Signature)	_____ (Signature)
_____ (Name)	_____ (Name)
_____ (Title)	_____ (Title)
_____ (Signature)	_____ (Signature)

**NOTE:** A copy of a Resolution passed by the city council or county commissioner's court authorizing the signators must be submitted along with this form.

**ITEM NO. 9**

**Date:** August 8, 2016

**Subject:** Appointments/Miscellaneous Business

**Comments:** N/A

**Recommendation:** N/A

**ITEM NO. 10**

**Date:** August 8, 2016

**Subject:** Reports and Miscellaneous Announcements

**Comments:**

- a. Presentation of the Quarterly Report from the Corsicana Convention and Visitors Bureau.
- b. Mayor / Council

**Items to Mention:**

*The following are mandatory announcements:*  
Public Hearing Dates for Property Tax Rate and Budget:

- 1<sup>st</sup> Public Hearing on Property Tax Rate – Monday, August 22, 2016
- 2<sup>nd</sup> Public Hearing on Property Tax Rate – Monday, September 12, 2016
- Public Hearing on Budget - Monday, September 12, 2016
- Vote on Property Tax Rate and Adoption of the 2017 Budget - Monday, Sept. 26, 2016

**Other Items to Mention:**

August 13	Congressman Joe Barton's Town Hall Meeting 1:00 p.m. in Government Center Council Chambers
September 12	Budget Work Session (if needed)
September 29	Ground breaking for US 287 Relief Route, 4:00 p.m.