



AGENDA

CITY OF NEVADA

424 E FM 6 NEVADA, TX 75173 | 972-853-0027



AGENDA CITY COUNCIL MEETING

Tuesday, April 16, 2024
7:00PM at City Hall

Mayor – Benito Ponce

Council Member Place 1 – Mike Laye

Council Member Place 2 – Donald Deering

Council Member Place 3 – Kerrie Longoria

Council Member Place 4 – Clayton Laughter

Council Member Place 5 – Frank Hudson

REGULAR MEETING

1. Call to Order and Declaration of Quorum- Time:
2. Invocation.
3. Pledge of Allegiance to the United States of America -
I pledge Allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with Liberty and Justice for all.

Pledge of Allegiance to the Texas Flag -

Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.

4. Public Comment –

Citizens are invited to address the City Council with public comments. Comments regarding items for which notice has not been given will be limited to three minutes, prior to discussion of agenda items, and Council responses shall be in accordance with Sec. 551.042 of the Texas Government Code. Comments regarding an item on the agenda may be given before or during discussion of that item. An intentional act intended to disrupt a Government meeting is prohibited.

NOTE: The City of Nevada, Texas, City Council meets regularly on the first and third Tuesday of each month at 7:00 P.M. The Council adheres to the printed Agenda for official action. Any individuals desiring official action on a matter should submit a request for the item to be considered for inclusion on a future Agenda to the office of the City Secretary no later than fourteen (14) days prior to the Council Meeting.

REPORTS

5. Reports:
 - a. City Secretary Report
 - b. City Attorney Report
 - c. Code Enforcement Report
 - d. P&Z Report
 - e. EDC Report
 - f. Financial Report (2nd Council Meeting)
 - g. Mayor Pro Tem Report
 - h. Mayor's Report/Status
 - i. NVFD Report (2nd Council Meeting)

CONSENT AGENDA: ACTION

6. Approval of Previous Meeting Minutes – March 26, 2024, and April 2, 2024.

REGULAR AGENDA

7. Discuss and take any appropriate action on Ordinance O041624.
Summary: AN ORDINANCE OF THE CITY OF NEVADA, TEXAS, RATIFYING AND APPROVING THE OPERATION OF THE CITY COUNCIL OF NEVADA TO PERFORM THE DUTIES OF A BOARD OF ADJUSTMENT FOR THE CITY OF NEVADA, MAKING PROVISIONS FOR CHANGING THE MEMBERS OF THE BOARD OF ADJUSTMENT FROM COUNCIL MEMBERS TO NON COUNCIL MEMBERS; REPEALING ANY CONFLICTING PROVISIONS OF OTHER ORDINANCES OF THE CITY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.
8. Discuss and take any appropriate action on the variance request submitted to the City of Nevada.
Summary: A fence variance was submitted by the homeowner at 124 West Street, Nevada TX 75173.
9. Discuss and take any appropriate action on the resignation of Shane Brinton as a Commissioner of the Planning & Zoning Commission.
10. Discuss and take any appropriate action on the resignation of Jeff Cook as a Commissioner of the Planning & Zoning Commission.
11. Discuss and take any appropriate action on the resignation of Mike Laye as a Director of the Nevada Economic Development Corporation.

FUTURE AGENDA ITEMS

Future Agenda Items

Future agenda items shall be designated by the Mayor. In addition, a motion and a second from any two Councilpersons shall be sufficient to add an agenda item for a future meeting. Staff and council shall have prior consent of the Mayor to add an agenda item for a future meeting.

- | | | |
|----|-----|-----|
| 1. | 6. | 11. |
| 2. | 7. | 12. |
| 3. | 8. | 13. |
| 4. | 9. | 14. |
| 5. | 10. | 15. |

Executive Session - Time: _____

Regular Session: Reconvene from Executive Session - Time: _____

If required, take any action deemed necessary as the result of any executive session deliberations.

Adjournment / Closing - Time: _____

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting, the Council reserves the right to adjourn into executive session on any of the above-posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of an interest in real property], 551.073 [contract for gift to City], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices] 551.087 [deliberation regarding economic development negotiations].

The City of Nevada is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at (469) 788-7610 Ext: 102 for information.**

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the other boards, commissions and/or committees shall not deliberate or decide any matters relating to items listed on this agenda and no minutes shall be prepared.

A member or member of the government body holding this meeting may attend via

videoconference pursuant to the provisions of Tex. Gov't Code 551.127. In the event that a member or members of the government body holding this meeting attends via videoconference, a quorum of the government body holding this meeting will be physically present at the location identified above.

I certify that the above agenda for this meeting of the City Council of the City of Nevada, Texas, was posted on the bulletin board at City Hall, in Nevada, Texas, on **Friday, April 12, 2023, at 5:00 pm** pursuant to Chapter 551 of the Texas Government Code.

Morgan Kowaleski

Morgan Kowaleski, City Secretary



**CITY
SECRETARY
REPORT**



**CITY
ATTORNEY
REPORT**



**CODE
ENFORCEMENT
REPORT**

A light blue silhouette of the state of Texas is centered on the page. The text is overlaid on this map.

**P&Z
COMMISSION
REPORT**

A light blue silhouette of the state of Texas is centered on the page. The text "NEDC REPORT" is overlaid on the map in a bold, blue, sans-serif font.

NEDC REPORT



**FINANCIAL
REPORT**

City of Nevada - General Fund
2023-2024 Actual Vs. Budget Financial Report
For the six months ended March 31, 2024

	B	C	D	R	S	AD	A	AF	A	AH	A	AV	A	BH	B	BJ	E	BL
1				Current Period Revenue and Expenses						Prior Period Revenue and Expenses								
2				Mar 2024	Current YTD	% of Budget	FY 2023-2024				Mar 2023	Prior YTD	% of Budget	FY 2022-2023				
				Actuals	Actuals	Current YTD	Budget				Actuals	Actuals	Prior YTD	Budget				
4	Revenue																	
5			City Sales Taxes	\$ 14,802	\$ 92,494	48%	\$ 193,057				\$ 9,499	\$ 66,647	53%	\$ 125,000				
6			Franchise Fees															
7			Electric Franchise Fee		61,353	101%	61,000					59,364	94%	63,000				
8			Gas Franchise Fee	4,685	4,685	%	5,512				5,512	5,512	122%	4,500				
9			Telephone Franchise Fee		467	23%	2,000					468	47%	1,000				
10			Trash Service Franchise Fee	3,464	11,785	67%	17,600				1,339	8,900	49%	18,000				
11			Franchise Fees - Other		-	%	-					-	%	-				
12			Total Franchise Fees	8,149	78,290		86,112				6,852	74,244	91%	86,500				
13			Other Revenue															
14			Interest Income	6,886	34,477	34477%	100				8	16	%	-				
15			Credit Card Fee Revenue	118	1,021	45%	2,270					-	%	-				
16			Donation		-	%	-					-	%	-				
17			Miscellaneous Income		6	%	-				74	269	538%	50				
18			Tax attorney/collector			%	1,100											
19			Total Other Revenue	7,004	35,504		3,470				82	285		50				
20			Property Taxes															
21			General Property Taxes	9,502	584,921	92%	637,802				8,250	358,502	97%	370,536				
22			Total Property Taxes	9,502	584,921		637,802				8,250	358,502	97%	370,536				
23			Total Revenue from Administration	39,457	791,208		920,441				24,683	499,677	86%	582,086				
25			Fees															
26			Building Permit and Inspections	1,610	27,343	15%	188,186				16,686	48,910	40%	121,000				
27			Contractor Registration	550	2,420	78%	3,090					-	%	-				
28			Health/Food Permit Fees		600	20%	3,000					975	177%	550				
29			Subdivision/Development Fees	400	4,088	7%	55,000					510	1%	55,000				
30			Septic Permit Fees	600	3,650	12%	30,980					3,070	12%	24,750				
31			Permit Fees - Other	200	500	37%	1,340				110	440	%	-				
32			Total Permit Fees	3,360	38,601		281,596				16,796	53,905	14%	201,300				
34			Code and Traffic Enforcement															
35			Property Code Enforcement		-	%	8,000					-	0%	4,500				
36			Traffic Violations		-	%	2,000					-	%	-				
37			Total Code and Traffic Enforcement		-	%	10,000				-	-	0%	4,500				
39			Total Revenue from City Services	3,360	38,601	13%	291,596				16,796	53,905	26%	205,800				
41			Total Revenue	42,817	829,809	68%	1,212,037				41,479	553,582	70%	787,886				
43			Expenses															
44			City Administration Expenses															
45			City Council Expenses															
46			Consultant Fees		-	%	0					-	%	0				
47			Council Meeting Supplies	99	856	428%	200					30	37%	82				
48			Dues and Memberships		295	15%	2,000				181	545	75%	725				
49			Election Fees and Supplies		275	6%	4,800					2,475	78%	3,163				
51			Training/Seminars		-	%	1,200					-	%	-				

City of Nevada - General Fund
2023-2024 Actual Vs. Budget Financial Report
For the six months ended March 31, 2024

	B	C	D	R	S	AD	A	AF	A	AH	A	AV	A	BH	B	BJ	E	BL
1				Current Period Revenue and Expenses						Prior Period Revenue and Expenses								
2				Mar 2024	Current YTD	% of Budget	FY 2023-2024	Mar 2023	Prior YTD	% of Budget	FY 2022-2023							
				Actuals	Actuals	Current YTD	Budget	Actuals	Actuals	Prior YTD	Budget							
52			Total City Council Expenses	99	1,426		8,200	181	3,050	77%	3,970							
54			City Government Expenses															
55			Accounting Services	1,500	12,712	47%	27,000	2,463	13,008	48%	27,000							
56			Animal Control		1,562	50%	3,125		1,563	50%	3,125							
57			Bank Service Fee	3	56	%	-	12	53	%	-							
58			Credit Card Service Fee (Intuit)	377	2,101	91%	2,305											
59			Central Appraisal District		2,176	87%	2,498		2,498	114%	2,199							
60			City Property Maintenance	687	3,741	71%	5,265	585	5,742	118%	4,875							
61			Contingency		-	%	-		-	%	-							
62			Contracted Services		-	%	-		-	0%	3,163							
63			Dues and Subscriptions		-	%	-		-	%	-							
64			Electricity	712	5,398	104%	5,200	732	4,806	36%	13,265							
65			Equipment and Furniture		4,115	206%	2,000	1,608	2,952	155%	1,910							
66			Financial Audit		7,550	94%	8,000		7,250	38%	18,840							
67			Fundview			%	9,700		-									
68			Insurance		4,274	171%	2,500		2,356	98%	2,415							
69			Infrastructure			%	100,000		-									
70			Internet		386	284%	136	34	68	16%	441							
71			Legal Fees	4,062	24,378	49%	50,000	4,250	23,750	42%	56,161							
72			Legal Notices		374	15%	2,500		1,895	49%	3,885							
73			Miscellaneous Expense		106	%	-		-	0%	-							
76			Office Supplies	1,444	6,643	237%	2,800	2,690	7,260	263%	2,757							
77			Annex Office Space Rent	2,000	6,000	25%	24,000											
78			Postage	447	560	320%	175	88	88	35%	249							
79			Property Tax Collection Fees		-	%	700	620	620	88%	706							
80			Software/Cloud Services	214	5,612	105%	5,361	356	7,592	213%	3,572							
81			Storage Rent	107	535	%			-									
82			Technical/Legal Books		-	%	300	50	50	7%	715							
83			Telephone	231	1,314	80%	1,650	178	621	28%	2,200							
84			Training/Seminars		855	71%	1,200		46	6%	715							
85			Travel & Lodging Expenses	74	273	%	-		-	%	-							
86			Water	74	261	40%	650	35	355	71%	500							
87			Website		-	0%	2,750		-	%	-							
88			Total City Government Expenses	11,931	90,982		259,815	13,699	82,571	56%	148,693							
90			Payroll Expenses															
91			Salaries	14,192	49,379	33%	149,000	9,059	43,295	38%	115,000							
92			Payroll Taxes	1,000	3,635	32%	11,400	693	3,312	38%	8,798							
93			Unemployment Taxes	216	237	324%	73	7	28	3%	920							
94			Employee Health Insurance	1,240	9,413	38%	25,000	936	2,621	17%	15,600							
95			TMRS	1,409	4,903	44%	11,074	365	365	%	-							
96			Payroll Processing Fees		-	%	-		17	3%	630							
97			Total Payroll Expenses	18,057	67,567		196,547	11,061	49,638	34%	140,948							

**City of Nevada - General Fund
2023-2024 Actual Vs. Budget Financial Report
For the six months ended March 31, 2024**

	B	C	D	R	S	AD	A	AF	A	AH	A	AV	A	BH	B	BJ	E	BL
1				Current Period Revenue and Expenses						Prior Period Revenue and Expenses								
2				Mar 2024	Current YTD	% of Budget	FY 2023-2024	Mar 2023	Prior YTD	% of Budget	FY 2022-2023							
3				Actuals	Actuals	Current YTD	Budget	Actuals	Actuals	Prior YTD	Budget							
99			Public Safety															
100			Ambulance Service		5,783	48%	12,000	-	4,840	40%	12,000							
101			Fire Department Service		42,000	100%	42,000		38,000	100%	38,000							
102			Police Services		-	%	290,000		-	0%	25,000							
103			Total Public Safety		47,783		344,000	-	42,840	14%	75,000							
105			Streets and Roads															
106			City Park/development/upkeep			%	50,000											
107			Ditch and culvert upkeep		-	%	25,000		-	0%	45,000							
108			Signs		-	%	16,000	16,032	16,032	321%	5,000							
109			Street Repairs		31,650	63%	50,000	12,000	12,000	13%	96,000							
110			CR 537 Improvements			%	40,000		-	0%	35,000							
111			Eugene/city share with county			%	90,000		-	0%								
112			Trim bushes/trees		-	%	8,000		-	%	-							
113			Total Streets and Roads		31,650		279,000	28,032	28,032	11%	181,000							
115			Inspections and P&D Expenses															
116			Building Inspections	2,630	24,264	32%	75,584	20,724	38,851	35%	110,000							
117			Septic Inspections	1,200	6,770	68%	10,000		4,950	22%	22,275							
118			Septic Reporting to TCEQ		270	4%	6,750		-									
119			Health/Food Inspections		1,800	73%	2,477	150	1,577	315%	500							
120			P&D Legal Fees		-	%			-									
121			Planning and Development		-	%	45,000		-	0%	49,500							
122			Engineering Fees	2,500	25,186	70%	36,000	7,202	35,662	99%	36,000							
123			Other Inspections	160	760	152%	500		475	0%	-							
124			Total Inspections/P&D Expenses	6,490	59,050		176,311	28,076	81,515	37%	218,275							
126			Municipal Court & Code Enforcement															
127			Clean up of Properties		3,200	160%	2,000		-	0%	2,000							
128			Code Enforcement Services		17,855	85%	21,000	3,900	5,600	187%	3,000							
129			Judge Fees		-	0%	7,500		-	0%	4,000							
130			Court Clerk Fees			%	3,800		-									
131			City Attorney Fees		2,097	28%	7,500		-	0%	11,000							
132			Mileage Reimbursement	128	128	%	-		-	%	-							
133			Total Municipal Court Code Enf Exp	128	23,280		41,800	3,900	5,600	28%	20,000							
135			Total City Expenses	36,705	321,739	25%	1,305,673	84,948	293,246	37%	787,886							
137			Transfer from Fund Balance				93,636											
139			Surplus / (Deficit)	6,113	508,071		-	(43,470)	260,336		-							

City of Nevada
Bank Balance Report
As of February 29, 2024

	A	B	C	D	E	F	G	H
1								
2								
3		Bank Account Balances		General Fund		EDC Fund		ARPA Special Fund
4								
5		Operating Account Balance as of 03/31/2024		\$300,000		\$175,303		\$311,776
6		Fund Index Account Balance as of 03/31/2024		\$1,482,289				
7		Certificate of Deposit		\$0		\$251,988		\$0
8		Pending ARPA Funds Transfer						\$0
9		Pending Sales Tax Transfer to EDC		-\$25,053		\$25,053		
10		Working Balance		\$1,757,236		\$452,344		\$311,776

A light blue silhouette of the state of Texas is centered on the page. The text is overlaid on this map.

**MAYOR
PRO TEM'S
REPORT**



MAYOR'S REPORT

NVFD REPORT





AGENDA ITEM

#6



MINUTES

CITY COUNCIL SPECIAL MEETING

Tuesday, March 26, 2024

7:00PM at City Hall

Mayor – Benito Ponce

Council Member Place 1 – Mike Laye

Council Member Place 2 – Donald Deering

Council Member Place 3 – Kerrie Longoria

Council Member Place 4 – Clayton Laughter

Council Member Place 5 – Frank Hudson

City Staff:

City Secretary, Morgan Kowaleski

City Attorney, Jim Shepherd

Citizens:

Bruce Mathews, Russell Newton,

Shawn Pharr

REGULAR MEETING

1. **Call to Order and Declaration of Quorum –**

Time: 7:09PM

2. **Invocation –**

Mayor Ponce led the invocation.

3. **Pledge of Allegiance to the United States of America –**

I pledge Allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with Liberty and Justice for all.

Those in attendance pledged allegiance to the United States of America.

4. **Pledge of Allegiance to the Texas Flag –**

Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.

Those in attendance pledged allegiance to the Texas Flag.

REGULAR AGENDA

5. **Review status of the Economic Development Corporation for projects, personnel, and legal compliance –**

No action.

6. Future Agenda Items –

Future agenda items shall be designated by the Mayor. In addition, a motion and a second from any two Councilpersons shall be sufficient to add an agenda item for a future meeting. Staff and counsel shall have prior consent of the Mayor to add an agenda item for a future meeting.

1. *Options for EDC.*

Executive Session –

Time: 8:46PM

1. *Govt. Code sections 551.071 Confidential legal advice regarding the Economic Development Corporation’s legal status and requirements.*

Regular Session: Reconvene from Executive Session –

Time: 9:05PM

If required, act on items reviewed in Executive Session –

Council Member Laye made a motion to task the City Attorney to return to the Council with a discovery of all options regarding the EIN for the Nevada EDC. Council Member Hudson seconded the motion. Motion carried unanimously.

Adjournment/Closing –

Time: 9:31PM

Benito Ponce, Mayor

Attest:

Morgan Kowaleski, City Secretary



MINUTES

CITY COUNCIL “TOWN HALL” MEETING

Tuesday, April 2, 2024

7:00PM at City Hall

Mayor – Benito Ponce

Council Member Place 1 – Mike Laye

Council Member Place 2 – Donald Deering

Council Member Place 3 – Kerrie Longoria

Council Member Place 4 – Clayton Laughter

Council Member Place 5 – Frank Hudson

City Staff:

City Secretary, Morgan Kowaleski
Assistant City Secretary, Heather Schell
City Attorney, Jim Shepherd

Citizens:

Lester Smith, Tracey Ponce, Sarah Ortega,
Shirley Houseworth, Chavez Wilson, Mark Besozzi,
Lisa Richardson, Keith Strickland, Paul Kenney,
Paul Breitzman, Natasha Schmitz, Ryan Schmitz,
Charles Liams, Joe Cleveland, Matthew Erickson,
Russell Newton, Bruce Mathews, Walt Newell,
James Gracey, Rex Adams, Janet Harris,
Shawn Pharr

REGULAR MEETING

1. **Call to Order and Declaration of Quorum –**

Time: 7:01PM

2. **Invocation –**

Mayor Ponce asked EDC President Bruce Mathews to lead the invocation.

3. **Pledge of Allegiance to the United States of America –**

I pledge Allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with Liberty and Justice for all.

Those in attendance pledged allegiance to the United States of America.

Pledge of Allegiance to the Texas Flag –

Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.

Those in attendance pledged allegiance to the Texas Flag.

4. **Public Comment –**

Citizen Paul Breitzman addressed the Council.

REGULAR AGENDA

5. **Mayor's comments on how the Town Hall Meeting will be conducted.**
- a. **Council presentation on the rollback election, and the effect on the City –**
Mayor Ponce showed a presentation to the citizens to highlight the financial challenges the city of Nevada faces and the potential impacts of lowering the tax rate.
- b. **Q&A from citizens –**
Speakers:
Paul Breitzman
James Gracey
Paul Kenney
Joe Cleveland
Rex Adams
Mark Besozzi
Janet Harris
Ryan Schmitz
- c. **Final comments by Mayor and Council –**
The Mayor & Council thanked the citizens in attendance and gave final remarks regarding the tax rate rollback.

Adjournment/Closing –

Time: 8:59PM

Benito Ponce, Mayor

Attest:

Morgan Kowaleski, City Secretary



AGENDA ITEM

#7

ORDINANCE NO. 0041624

AN ORDINANCE OF THE CITY OF NEVADA, TEXAS, RATIFYING AND APPROVING THE OPERATION OF THE CITY COUNCIL OF NEVADA TO PERFORM THE DUTIES OF A BOARD OF ADJUSTMENT FOR THE CITY OF NEVADA, MAKING PROVISIONS FOR CHANGING THE MEMBERS OF THE BOARD OF ADJUSTMENT FROM COUNCIL MEMBERS TO NON COUNCIL MEMBERS; REPEALING ANY CONFLICTING PROVISIONS OF OTHER ORDINANCES OF THE CITY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City of Nevada adopted its Ordinances for the protection of the public health and general welfare of the people of the City of Nevada; and

WHEREAS, City Council has recognized that certain provisions of the Ordinances should be reviewed and updated as a result of recent changes in state law; and

WHEREAS, amendments to the provisions have been proposed and the City Council of the City of Nevada are of the opinion that these ordinances should be amended.

NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, TEXAS:

Section 1. That the Ordinances of City of Nevada, Texas, shall be amended to conform with this Ordinance, which appoints the City Council as the Board of Adjustment, as set forth below:

Board of Adjustment

1. Authority. This ordinance is enacted pursuant to TX. Loc. Govt. Code Sec. 211.008 et. seq,

A. Creation. There is hereby ratified and approved the creation of a Board of Adjustment, also known as the Zoning Board of Adjustment, or ZBA, or in this Ordinance, the "Board;" which shall be organized, appointed, and function as follows:

B. The City Council shall serve. Pursuant to the authority granted in the Texas Local Government Code Chapter 211, the City Council and Mayor shall serve as the Board of Adjustment unless and except the City Council passes an ordinance to appoint five individuals not on the City Council to serve as the Board of Adjustment pursuant to C. (1) through (3) below. Otherwise the council shall serve, and their terms of office for the City Council and the Board of Adjustment shall be concurrent. If a separate Board is authorized by council, the provisions below applicable to the separate Board shall apply. If the City Council serves as the ZBA, the council members serve as the five members of the ZBA. The Mayor presides as Chairperson and may vote as an alternate for

an absent member, and may vote as an Alternate Member in the event of a tie vote. The Council may appoint additional Alternate Members of the ZBA.

C. (1.) Separate Board (Optional) The Board of Adjustment shall consist of five members who are residents of the City or its extraterritorial jurisdiction, each to be appointed by the City council for a term of two years and removable for cause by the appointing authority upon written charges and after public hearing. The City Council shall designate one member as chairperson. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made. Provided, however, that the City Council may appoint two alternate members who shall serve in the absence of one or more of the regular members when requested to do so by the chairperson.

C. (2) Terms The terms of three members shall expire in May of each odd-numbered year and the terms of two of the members shall expire in May of each even-numbered year. Members may be appointed to succeed themselves. Vacancies shall be filled for unexpired terms, but no member shall be appointed for a term in excess of two years. Newly appointed members shall be installed at the first meeting after their appointment.

C. (3) Organization. The commission shall hold an organizational meeting in May of each year. The commission shall meet regularly and shall designate the time and place of its meetings. The commission shall adopt its own rules of procedure and keep a record of its proceedings consistent with the provisions of this article and the requirements of law.

2. Powers and duties of Board .

(A) Appeals based on error. The Board of Adjustment shall have the power to hear and decide appeals where it is alleged there is an error of law in any order, requirement, decision, or determination made by an administrative official of the City in the enforcement of this article.

(B) Limitation on reapplications. When the Board of Adjustment has denied a proposal, no new applications of a similar nature shall be accepted by the Board or scheduled for 12 months after the date of denial. Applications which have been withdrawn at or before the Board meeting may be resubmitted at any time for hearing before the Board.

3. Vote of four members required. The concurring vote of four members (75% of the members) of the Board of Adjustment is necessary to:

(a) Reverse an order, requirement, decision or determination of an administrative official.

(b) Decide in favor of an applicant on a matter on which the Board is required to pass; or

(c) Authorize a variation from the terms of a zoning ordinance.

4. Appeals related to signs.

(a) The Board of Adjustment shall sit as a Board of appeals in public hearings for purposes of the sign ordinance. In considering requests for variances from the requirements of the sign ordinance, the Board of Adjustment shall consider the following factors, including but not limited to:

- (1) The degree of the requested variance;
 - (2) The reason for the requested variance;
 - (3) The location of the requested variance;
 - (4) The duration of the requested variance;
 - (5) The effect of the requested variance on public safety;
 - (6) The effect of the requested variance on the general plan for signage within the city;
 - (7) The protection of neighborhood property and property values; and
 - (8) The degree of hardship or injustice involved.
- (b) The Board of Adjustment shall either: grant the requested variance, deny the requested variance, or grant a variance of a greater or lesser nature than the requested variance.

5. Appeals not related to signs.

(a) Procedure. Appeals may be taken to and before the Board of Adjustment by any person aggrieved, or by any officer, department, board, or bureau in the city. Such an appeal shall be made by filing in the office of the City Secretary a notice of appeal and specifying the grounds thereof.

The office or department from which the appeal is taken shall forthwith transmit to the Board all of the papers constituting the record from which the action appealed was taken.

(b) Stay of proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from unless the building inspector shall certify to the Board of Adjustment that, by reason of facts in the certificate, a stay would cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted or by a court of equity, after notice to the office from whom the appeal.

(c) Notice of hearing on appeal. The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and shall mail notices of such hearing to the petitioner and to the owners of property lying within 200 feet of any point of the lot or portion thereof on which a variation is desired, and to all other persons deemed by the Board to be affected thereby, such owners and persons being determined according to the current tax rolls of the city. Depositing such written notice in the mail shall be deemed sufficient compliance therewith.

(d) Decision by Board. The Board shall decide the appeal within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney. The Board may reverse or affirm wholly or partly or may modify the order, requirements, decision, or determination as in its opinion ought to be made in the premises, and to that end, shall have all powers of the officer or department from whom the appeal is taken.

(f) Variations. The Board of Adjustment shall have the power to authorize upon appeal in specific cases such variance from the terms of this article as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this article will result in unnecessary hardship and so that the spirit of this article shall be observed and

substantial justice done, including the following:

(1) Permit a variance in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of the provisions due to an irregular shape of the lot or topographical or other conditions, provided such variance will not seriously affect any adjoining property or the general welfare.

(2) Authorize, upon appeal, whenever a property owner can show that a strict application of the terms of this article relating to the construction or alterations of buildings or structures will impose upon him unusual and practical difficulties or particular hardship, such variances from the strict application of the terms of this article as are in harmony with its own general purpose and intent, but only when the Board is satisfied that granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the comprehensive plan as established by this article and at the same time, the surrounding property will be properly protected.

(3) The Board of Adjustment shall have the power to hear and decide appeals where it is alleged there is error of law in any order, requirements, decision or determination made by the building inspector in the enforcement of this article. Except as otherwise provided herein, the Board shall have, in addition, the following specific powers:

(A) To permit the erection and use of a building or the use of premises for railroads if such uses are in general conformance with the master plan and present no conflict or nuisance to adjacent properties.

(B) To permit a public utility or public service or structure in any district, or a public utility or public service building of a ground area and of a height at variance with those provided for in the district in which such public utility or public service building is permitted to be located, when found reasonably necessary for the public health, convenience, safety, or general welfare.

(C) To grant a permit for the extension of a use, height or area regulation into an adjoining district, where the boundary line of the district divides a lot in a single ownership on the effective date of this article.

(D) To permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or the public enemy, to the extent of more than 90% of its fair market value, where the Board finds some compelling necessity requiring a continuance of the nonconforming use.

(E) To waive or reduce the parking and loading requirements in any of the districts, when (i) the character or use of the building is such as to make unnecessary the full provision of parking or loading facilities; or (ii) when such regulations would impose an unreasonable hardship upon the use of the lot. The City Council shall not waive or reduce such requirements merely for the purpose of granting an advantage or a convenience.

(4) A written application for variance shall be submitted together with the required fee, accompanied by an accurate legal description, maps, site plans, drawings and any necessary data, demonstrating:

(A) That special conditions and circumstances exist which are peculiar to the

land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district;

(B) That literal interpretation of the provisions of this article would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this article;

(C) That the special conditions and circumstances do not result from the actions of the applicant;

(D) That granting the variance requested will not confer on the applicant any special privilege that is denied by this article to other lands, structures or buildings in the same district; and

(E) No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(g) Changes.

(1) The Board of Adjustment shall have no authority to change any provisions of this article and its jurisdiction is limited to hardship and borderline cases which may arise from time to time. The Board may not change the district designation of any land either to a more or less restrictive zone.

(2) It is the intent of this article that all questions of interpretation and enforcement shall be first presented to the administrative official, that such questions shall be presented to the Board of adjustment only on appeal from the decision of the building official and that recourse from the decisions of the Board of Adjustment shall be to the courts as provided by the laws of the State of Texas.

Section 2. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of said ordinances, except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance and such ordinances shall remain intact and are hereby ratified, verified and affirmed.

Section 4. This Ordinance shall be effective from and after the date of its final passage and publication as provided by law, and it is accordingly so ordained.

State law reference—Establishment and authority of zoning Board of Adjustment, V.T.C.A., Local Government Code, sec. 211.008 et seq.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

NEVADA, TEXAS ON THE 16th DAY OF April 2024.

APPROVED:

Ben Ponce, Mayor

ATTEST:

Morgan Kowaleski, City Secretary

APPROVED AS TO FORM:

James E. Shepherd, City Attorney

ZBOA—*comments in italics.* Important provisions bolded.

Sec. 211.008. BOARD OF ADJUSTMENT. (a) The governing body of a municipality may provide for the appointment of a board of adjustment. In the regulations adopted under this subchapter, the governing body may authorize the board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, to make special exceptions to the terms of the zoning ordinance that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance.

(b) A board of adjustment must consist of at least five members to be appointed for terms of two years. The governing body must provide the procedure for appointment. The governing body may authorize each member of the governing body, including the mayor, to appoint one member to the board. The appointing authority may remove a board member for cause, as found by the appointing authority, on a written charge after a public hearing. A vacancy on the board shall be filled for the unexpired term.

(c) The governing body, by charter or ordinance, may provide for the appointment of alternate board members to serve in the absence of one or more regular members when requested to do so by the mayor or city manager. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members. *(the mayor can be an alternate, with the council as the five regular members)*

(d) Each case before the board of adjustment must be heard by at least 75 percent of the members. *(4 members, or 3 plus the alternate, required)*

(e) The board by majority vote shall adopt rules in accordance with any ordinance adopted under this subchapter and with the approval of the governing body. Meetings of the board are held at the call of the presiding officer and at other times as determined by the board. The presiding officer or acting presiding officer may administer oaths and compel the attendance of witnesses. **All meetings of the board shall be open to the public.**

(f) **The board shall keep minutes of its proceedings that indicate the vote of each member on each question or the fact that a member is absent or fails to vote. The board shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the board's office and are public records.**

(g) **The governing body of a Type A general-law municipality by ordinance may grant the members of the governing body the authority to act as a board of adjustment under this chapter. *(confirm city ordinance)***

Sec. 211.009. AUTHORITY OF BOARD. (a) The **board of adjustment** may:

ZBOA—*comments in italics.* **Important provisions bolded.**

(1) hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this subchapter or an ordinance adopted under this subchapter;

(2) **hear and decide special exceptions to the terms of a zoning ordinance when the ordinance requires the board to do so; (*very few zoning ordinances require this*)**

(3) **authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; and (*this is the complete standard for granting a zoning variance. More detail than just hardship. Also see b-1 below*)**

(4) hear and decide other matters authorized by an ordinance adopted under this subchapter.

(b) In exercising its authority under Subsection (a)(1), the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.

(b-1) In exercising its authority under Subsection (a)(3), the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(1) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section [26.01](#), Tax Code;

(2) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;

(3) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;

(4) compliance would result in the unreasonable encroachment on an adjacent property or easement; or

(5) the municipality considers the structure to be a nonconforming structure.

(c) The concurring vote of 75 percent of the members of the board is necessary to:

ZBOA—*comments in italics.* **Important provisions bolded.**

(1) reverse an order, requirement, decision, or determination of an administrative official;

(2) decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance; or

(3) authorize a variation from the terms of a zoning ordinance.

Sec. 211.010. APPEAL TO BOARD. (a) Except as provided by Subsection (e), any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is not related to a specific application, address, or project:

(1) a person aggrieved by the decision; or

(2) any officer, department, board, or bureau of the municipality affected by the decision.

(a-1) Except as provided by Subsection (e), any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is related to a specific application, address, or project:

(1) a person who:

(A) filed the application that is the subject of the decision;

(B) is the owner or representative of the owner of the property that is the subject of the decision; or

(C) is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or

(2) any officer, department, board, or bureau of the municipality affected by the decision.

(b) The appellant must file with the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal. The appeal must be filed not later than the 20th day after the date the decision is made. On receiving the notice, the official from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record of the action that is appealed.

(c) An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the board or a court of record on application, after notice to the official, if due cause is shown.

ZBOA—*comments in italics.* Important provisions bolded.

(d) The board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney. The board shall decide the appeal at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the date the appeal is filed.

(e) A member of the governing body of the municipality who serves on the board of adjustment under Section 211.008(g) may not bring an appeal under this section.

Sec. 211.011. JUDICIAL REVIEW OF BOARD DECISION. (a) Any of the following persons may present to a district court, county court, or county court at law a verified petition stating that the decision of the board of adjustment is illegal in whole or in part and specifying the grounds of the illegality:

- (1) a person aggrieved by a decision of the board;
- (2) a taxpayer; or
- (3) an officer, department, board, or bureau of the municipality.

(b) The petition must be presented within 10 days after the date the decision is filed in the board's office.

(c) On the presentation of the petition, the court may grant a writ of certiorari directed to the board to review the board's decision. The writ must indicate the time by which the board's return must be made and served on the petitioner's attorney, which must be after 10 days and may be extended by the court. Granting of the writ does not stay the proceedings on the decision under appeal, but on application and after notice to the board the court may grant a restraining order if due cause is shown.

(d) The board's return must be verified and must concisely state any pertinent and material facts that show the grounds of the decision under appeal. The board is not required to return the original documents on which the board acted but may return certified or sworn copies of the documents or parts of the documents as required by the writ.

(e) If at the hearing the court determines that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take evidence as directed. The referee shall report the evidence to the court with the referee's findings of fact and conclusions of law. The referee's report constitutes a part of the proceedings on which the court shall make its decision.

(f) The court may reverse or affirm, in whole or in part, or modify the decision that is appealed. Costs may not be assessed against the board unless the court determines that the board acted with gross negligence, in bad faith, or with malice in making its decision.

ZBOA—*comments in italics.* Important provisions bolded.

(g) The court may not apply a different standard of review to a decision of a board of adjustment that is composed of members of the governing body of the municipality under Section [211.008](#)(g) than is applied to a decision of a board of adjustment that does not contain members of the governing body of a municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 363, Sec. 3, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 646, Sec. 1, eff. Aug. 30, 1999.

Sec. 211.012. ENFORCEMENT; PENALTY; REMEDIES. (a) The governing body of a municipality may adopt ordinances to enforce this subchapter or any ordinance or regulation adopted under this subchapter.

(b) A person commits an offense if the person violates this subchapter or an ordinance or regulation adopted under this subchapter. An offense under this subsection is a misdemeanor, punishable by fine, imprisonment, or both, as provided by the governing body. The governing body may also provide civil penalties for a violation.

(c) If a building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or if a building, other structure, or land is used in violation of this subchapter or an ordinance or regulation adopted under this subchapter, the appropriate municipal authority, in addition to other remedies, may institute appropriate action to:

- (1) prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use;
 - (2) restrain, correct, or abate the violation;
 - (3) prevent the occupancy of the building, structure, or land;
- or
- (4) prevent any illegal act, conduct, business, or use on or about the premises.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.013. CONFLICT WITH OTHER LAWS; EXCEPTIONS. (a) If a zoning regulation adopted under this subchapter requires a greater width or size of a yard, court, or other open space, requires a lower building height

ZBOA—*comments in italics.* Important provisions bolded.

or fewer number of stories for a building, requires a greater percentage of lot to be left unoccupied, or otherwise imposes higher standards than those required under another statute or local ordinance or regulation, the regulation adopted under this subchapter controls. If the other statute or local ordinance or regulation imposes higher standards, that statute, ordinance, or regulation controls.

(b) This subchapter does not authorize the governing body of a municipality to require the removal or destruction of property that exists at the time the governing body implements this subchapter and that is actually and necessarily used in a public service business.

(c) This subchapter does not apply to a building, other structure, or land under the control, administration, or jurisdiction of a state or federal agency.

(d) This subchapter applies to a privately owned building or other structure and privately owned land when leased to a state agency.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1999, 76th Leg., ch. 476, Sec. 1, eff. June 18, 1999.



AGENDA ITEM

8

City of Nevada, TX

**RESIDENTIAL
BUILDING PERMIT
APPLICATION
PACKET**



SUBMIT ALL APPLICATIONS TO
cityclerk@cityofnevadatx.org

424 E FM 6, Nevada, TX 75173

NEW-RESIDENTIAL SUBMITTAL REQUIREMENTS

ADOPTED CONSTRUCTION CODES:

2021 International Residential Code and Local Amendments
2021 International Plumbing Code and Local Amendments
2021 International Mechanical Code and Local Amendments
2021 International Fuel Gas Code and Local Amendments
2021 International Energy Conservation Code and Local Amendments
2020 National Electrical Code and Local Amendments

PERMIT REQUIREMENTS:

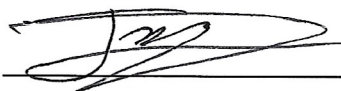
The General Contractor and Sub-Contractors (Plumbing, Mechanical, and Electrical) are required to register or validate a Building Permit. A building permit or contractor permit will not be accepted if the application is not properly completed. This means that all required information must be submitted, and all **VALIDATED** contractors must be licensed and currently registered with the city of Nevada.

The following items must be submitted at the time of the permit application:

- Completed Residential Plan Check List (this form)
- Completed Building Permit Application.
- Current certificate of liability insurance
- 3 copies of house plans, (scaled to 11 x 17 minimum)
- One (3) copy of the plot plan (scaled to 11 x 17 minimum)
- Plumbing, Electrical, and Mechanical design. The mechanical design can be limited to the location and size of the HVAC units with location of exhaust fans, the Electrical outlet locations and service size and location. Location of smoke Detectors and carbon monoxide detectors/alarms as required by code.
- 3 copies of Engineered shear wall and portal frame plan prepared by a Texas licensed Engineer (scaled to 11 x 17 minimum)
- 3 copies of Engineered foundation plan prepared by a Texas licensed Engineer (scaled to 11 x 17 minimum)
- Original letter from the engineer stating that the foundation was designed for the soil conditions of the lot. The letter must also state that the foundation design criteria comply with the requirements of the 2021 International Residential Code.
- 3 copies of Energy code plan review (3rd party certified)
- 3 copies of Grading plan prepared by a Texas Licensed Engineer (scaled to 11 x 17 minimum)
- Thumb drive or CD, prepared by an Architect or approved designer.

This form must be completed, signed, & turned in with your permit application.

Signature: _____



Date: _____

03-13-2024



Residential Building Permit Application

City of Nevada | 424 E. 6 Nevada, TX 75173 | (972)-853-0027 | cityclerk@cityofnevadatx.org

Building Permit Number: _____ (Given after approval / payment) **Valuation:** \$1000.00

Project Address: 124 West Street **Total Square Feet:** 136 sqft

Lot: 52 **Block:** _____ **Subdivision:** SO951-Nevada Outlots (CNV)

Project Description:

NEW SFR	<input type="checkbox"/>	SFR REMODEL/ADDITION	<input type="checkbox"/>	FENCE	<input checked="" type="checkbox"/>
PLUMBING	<input type="checkbox"/>	ACCESSORY BUILDING	<input type="checkbox"/>	OTHER	<input type="checkbox"/>
MECHANICAL	<input type="checkbox"/>	LAWN IRRIGATION	<input type="checkbox"/>	SPECIFY OTHER	_____
ELECTRICAL	<input type="checkbox"/>	SWIMMING POOL	<input type="checkbox"/>		

Description of Work: 2 1/4 inch welded pipe fence w/ wtt livestock panels; 2 gates 14ft.

Living Sqft: 1250 **Garage Sqft:** 550 **Covered Porch Sqft:** 64/225 **Number of stories:** 1

Owner: Jesus Arcos-Garcia

Contact Person: Jesus Arcos-Garcia

Address: 124 West Street Nevada, TX 75173

Phone Number: _____ **Mobile Number:** 214-579-4895 **Email:** jesusgarcia2282@icloud.com


ALL CONTRACTORS AND SUBCONTRACTORS MUST BE REGISTERED WITH THE CITY OF NEVADA

General Contractor	Contact Person	Phone Number	Contractor License Number
<u>Jesus Arcos-Garcia</u>	<u>Jesus-Arcos Garcia</u>	<u>214-579-4895</u>	<u>N/A</u>
Mechanical Contractor	Contact Person	Phone Number	Contractor License Number
Electrical Contractor	Contact Person	Phone Number	Contractor License Number
Plumbing Contractor	Contact Person	Phone Number	Contractor License Number

A permit becomes NULL AND VOID if authorized work/construction is not commenced within 180 days, or if construction/work is suspended or abandoned for a period of 180 days at any time after work is commenced. All permits require final inspection.

***A separate permit is required for each residence or building.**

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant:  **Date:** 03-13-2024

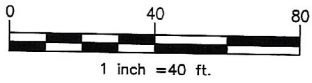
OFFICE USE ONLY:

Approved by: _____	Date approved: _____
New SFR Permit Fee: _____	Pool Permit Fee: _____
Remodel Permit Fee: _____	Fence Permit Fee: _____
Electrical Permit Fee: _____	Plumbing Permit Fee: _____
Mechanical Permit Fee: _____	Misc. Permit fee: _____
Total Fees: _____	Issued Date: _____
	Issued By: _____

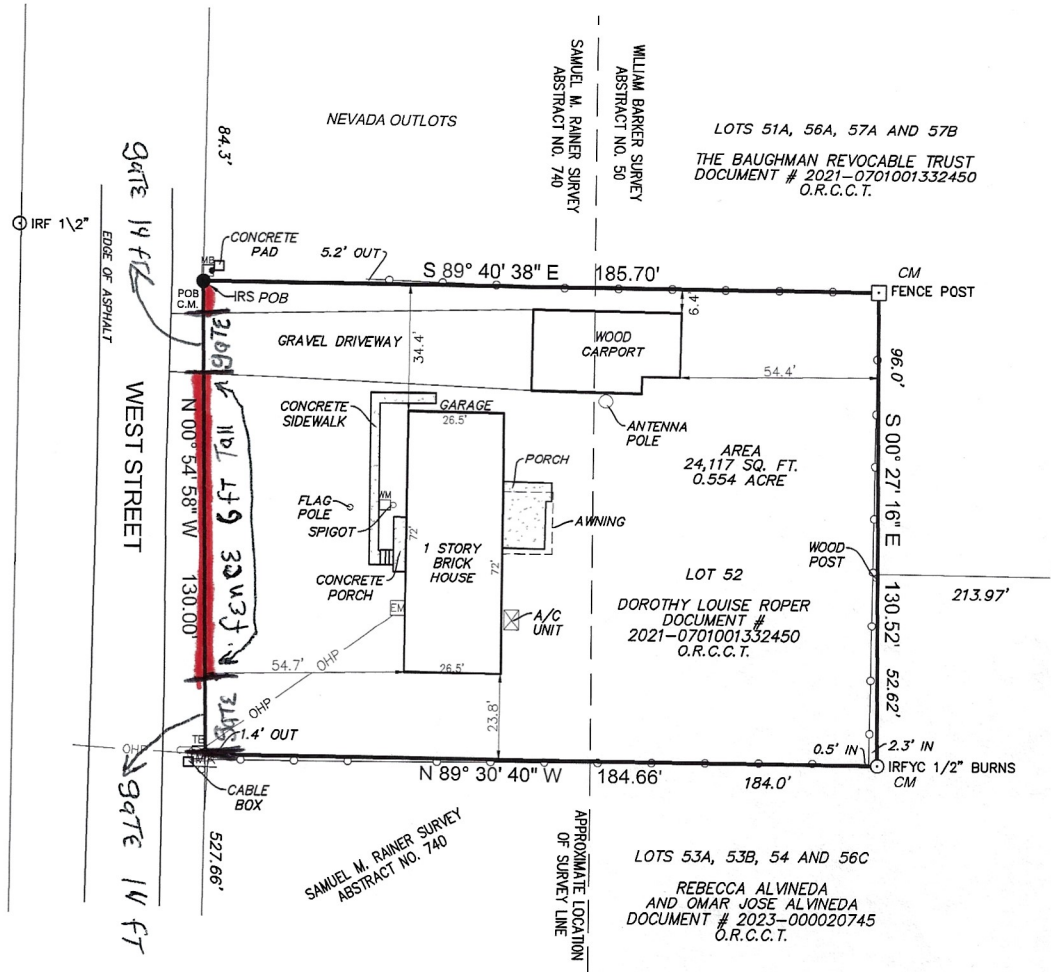
Please contact Building Code Consulting Service for inspections | Email: scheduling@bccscode.com

EXHIBIT A: TITLE SURVEY

I HEREBY DECLARE THAT I HAVE MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE PROPERTY LOCATED AT 124 WEST STREET, IN THE CITY OF NEVADA, COUNTY OF COLLIN, TEXAS, KNOWN AS LOT 52, NEVADA OUTLOTS, AND DESCRIBED IN EXHIBIT B:



Drawing: G:\My Drive\Survey\24006-124 West St Nevada-Title.dwg Saved By: elosi Save Time: 1/31/2024 4:16 PM



NOTES:

1. BASIS OF BEARINGS: BEARINGS ARE BASED ON GPS OBSERVATIONS USING THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (2011).
2. THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA, ACCORDING TO THE FEMA FIRM MAP # 480B5C0445J, DATED: 06/02/2009.
3. THIS SURVEY WAS PERFORMED IN CONNECTION WITH AND LIMITED TO TITLE COMMITMENT NUMBER GF NO. 5326-01-24 OF STEWART TITLE GUARANTY COMPANY.

LEGEND

POB	POINT OF BEGINNING	—OHP—	OVERHEAD POWER LINE
CM	CONTROLLING MONUMENT	—○—	CHAIN LINK FENCE
⊙ IRF	IRON ROD FOUND (AS NOTED)	●	BOLLARD
● IRS	IRON ROD SET "ARA 6671"	○	UTILITY POLE
EM	ELECTRIC METER	CMK	CABLE TV MARKER
WM	WATER METER	TMK	TELEPHONE MARKER
MB	MAIL BOX	TB	TELEPHONE PEDESTAL



01/31/2024

ANEL RODRIGUEZ
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 6671

PREPARED FOR:
JESUS ARCOS GARCIA

<p>3615 KARNAGHAN LANE MELISSA, TEXAS 75454 TEL: (972) 946-4172</p>	<p>TITLE SURVEY OF 124 WEST STREET NEVADA, TEXAS</p>	
	<p>SURVEY DATE 01-24-24</p>	<p>JOB NO. 24006</p>
<p>CALCULATIONS RODRIGUEZ</p>	<p>DRAWN GONZALEZ</p>	<p>TEXAS SURVEYING FIRM NO. 10184713</p>





2012

11/11

City of Nevada, TX
424 E FM
TX
972-853-0027
citysecretary@cityofnevadatx.org



Receipt

Received From
Jesus Arcos-Garcia
124 West Street
Nevada, Texas 75173
United States

Date: 03/13/2024

Reference No:

Invoice Number	Invoice Date	Due Date	Original Amount	Balance	Payment
1360	03/13/2024	03/20/2024	414.00	414.00	414.00

Memo: Paid via QuickBooks Payments: Payment ID MQ0215275758

Amount Credited: \$0.00
Total: \$414.00

No additional transfer fees or taxes apply.

Intuit Payments Inc (IPI) processes payments as an agent of the business. Payment processed by IPI constitutes payment to the business and satisfies your obligation to pay the business, including in connection with any dispute or case, in law or equity. Money movement services are provided by IPI pursuant to IPI's licenses (NMLS #1098819, www.intuit.com/legal/licenses/payment-licenses/). IPI is located at 2700 Coast Avenue, Mountain View, CA 94043, 1-888-536-4801.



AGENDA ITEM

#9

FW: P&Z AGENDA APPROVAL

Heather Schell <asst.citysecretary@cityofnevadatx.org>

Thu 4/11/2024 3:46 PM

To: Morgan Kowaleski <citysecretary@cityofnevadatx.org>

This is all I am finding at the moment.

	<p>HEATHER SCHELL ASSISTANT CITY SECRETARY</p> <p>OFFICE: 972-853-0027 DIRECT: 469-788-7473 EXT. 101 EMAIL: CITYCLERK@CITYOFNEVADATX.ORG</p> <p>201 W. FM 6 NEVADA, TEXAS 75173</p> <p>WWW.CITYOFNEVADATX.ORG</p>
--	--

ATTENTION ELECTED OFFICIALS: A

“Reply to All” on this e-mail could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

From: russell.newton bigfigpizza.com <russell.newton@bigfigpizza.com>
Sent: Wednesday, February 21, 2024 11:09 PM
To: Heather Schell <asst.citysecretary@cityofnevadatx.org>
Cc: Morgan Kowaleski <citysecretary@cityofnevadatx.org>
Subject: Re: P&Z AGENDA APPROVAL

Hello Heather,

Please remove Shane Brinton from the agenda, Shane resigned from P&Z several weeks ago.

Please add an item to the agenda to discuss the Multi-Family dwellings portion of the City Ordinance.

Also, please send myself a copy of the Replat - Maverick Ridge Estates Lot 1-A and 1-B.

I approve the agenda with the above changes/additions.

From: Heather Schell <asst.citysecretary@cityofnevadatx.org>
Date: Wednesday, February 21, 2024 at 3:58 PM
To: Russell Newton <russell.newton@bigfigpizza.com>



AGENDA ITEM

#10

Fwd: Resignation

russell.newton bigfigpizza.com <russell.newton@bigfigpizza.com>

Wed 3/20/2024 2:21 PM

To:Morgan Kowaleski <citysecretary@cityofnevadax.org>

Cc:Heather Schell <asst.citysecretary@cityofnevadax.org>;Benito Ponce <mayor@cityofnevadax.org>

Hello Morgan,

This email is Jeff's official resignation notification,
please add this as an agenda item for the next City Council meeting.

Russell Newton
214-673-6433

Begin forwarded message:

From: jeff.cook2@wellsfargo.com

Date: March 19, 2024 at 7:17:19 AM CDT

To: "russell.newton bigfigpizza.com" <russell.newton@bigfigpizza.com>

Subject: Resignation

Hi Russell,

Please take this as my formal resignation from the P&Z and Impact Fee Committees. It was a pleasure serving with you and the team but other priorities have come up that require my attention and do not allow me the flexibility to be as available as the City deserves me to be. Please tell the Mayor that I enjoyed my time serving and it was a pleasure getting to know him as well. I look forward to potentially serving the City again in the future, if and when, life slows down a little.

Thanks,

Jeff Cook

WF Originations

Staffing Services, Government Services

Commercial Services| 14241 Dallas Parkway, Suite 1300| Dallas, TX 75254

A light blue silhouette of the state of Texas is centered on the page. Overlaid on this map is the text 'AGENDA ITEM #11' in a bold, blue, sans-serif font.

AGENDA ITEM

#11

Resignation from Nevadas Economic Development Committee (EDC)

Mike Laye <mike.laye@cityofnevadatx.org>

Thu 3/21/2024 12:29 PM

To: bgm0925@hotmail.com <bgm0925@hotmail.com>; Benito Ponce <mayor@cityofnevadatx.org>; Morgan Kowaleski <citysecretary@cityofnevadatx.org>

May this email service as notice of my immediate resignation from my appointment to the Nevada Tx EDC.

Beginning today, March 21, 2024 I, Michael Laye, resign my position from the EDC in the City of Nevada Texas.

Thank you for allowing me the opportunity to have served.

Michael Laye

Get [Outlook for iOS](#)