



SHADY SHORES TOWN COUNCIL
REGULAR SESSION
FEBRUARY 12, 2024; 6:00 PM
101 S.SHADY SHORES ROAD
SHADY SHORES, TX 76208

TO VIEW THE MEETING LIVE
<https://shadyshorestx.civicclerk.com/>

CALL TO ORDER

ROLL CALL

Establish a quorum.

PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG. (HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE.)

PROCLAMATIONS, PRESENTATIONS AND AWARDS

WORK SESSION

1. Conduct a work session relative to the purchase of land for municipal improvements.

EXECUTIVE SESSION:

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated, The Town Council may hold a closed meeting.

1. 1. Consultation with Town Attorney 551.072 (real estate) and 551.071 (legal)- Deliberation regarding real property - discussion relative to future purchase of land.

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

1. Community Relations Reports (Klein)
2. Animal Control/Code Enforcement (Belton)
3. Planning and Zoning Commission (Emsoff, Juve, Schuler)
4. Municipal Court/Solid Waste Account
5. Public Safety Reports (Newell)
6. Roads, Drainage, Capital Improvements (Engineering)
7. Town Administrators Report (Withers)
8. Announcements

CONSENT AGENDA

Each item listed on the consent agenda is considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information

concerning consent agenda items is available for public review.

1. Ordinance Calling the 2024 General Election of City Officials-Consider and act on approval of an Ordinance calling the May 4, 2024, General Election of City Officials.

Ordenanza que convoca la elección general de funcionarios municipales de 2024- Considerar y actuar sobre la aprobación de una ordenanza que convoca la elección general de funcionarios municipales del 4 de mayo de 2024.

2. Interlocal Agreement Dobbs Road

3. Interlocal Agreement W. Shady Shores Road

4. Minutes- Consider and act on approval of the minutes from the January 8, 2024 Town Council Worksession and the January 8, 2024 Town Council meeting.

5. Agreement for Use of Landfill- Consider and act on approval of an agreement for the Use of the Landfill known as Camelot.

6. Interlocal Agreement Failure to Appear Program-Consider and act on approval of an interlocal agreement for participation in the Failure to Appear Program.

CITIZENS COMMENTS

This is your opportunity to comment on an item on the agenda, or any other relevant topic. If the item on the agenda you wish to comment on is set for a public hearing, please give your remarks on that item when the public hearing is opened. Speakers will be limited to three (3) minutes.

REGULAR AGENDA ITEMS

1. 2022/2023 FY Audit- Receive a report from Carl Deaton of Deaton,Hankins, Tonn and Seay regarding the 2022/2023 Fiscal Year Audit. Consider and act on approval of the audit.

2. Infrastructure Discussion

3. Public Hearing -Conduct a Public Hearing relative to a request made by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a Zoning Change of the property legally known as Keating Kove Acres Lot 4. The total acreage is 0.1446 and the proposed zoning change contains one, single family homesite. The zoning request is to change the zoning of the lot to the H-1200-4300 Historical District.

A) Staff Report

B) Open Public Hearing

C) Applicant

D) Those in Favor

E) Those Opposed

F) Rebuttal if Desired

G) Close Public Hearing

4. Action Regarding Public Hearing - Consider and act on a request made by by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a Zoning Change of the property legally known as Keating Kove Acres Lot 4. The total acreage is 0.1446 and the proposed zoning change contains one, single family homesite. The zoning request is to change the zoning of the lot to the H-1200-4300 Historical District.

5. Public Hearing -Conduct a Public Hearing relative to a request made by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a replat of the property legally known as Keating Kove Acres Lot 4. The total acreage is 0.1446 and the proposed zoning change contains one, single family homesite.

A) Staff Report

B) Open Public Hearing

C) Applicant

D) Those in Favor

E) Those Opposed

F) Rebuttal if Desired

G) Close Public Hearing

6. Action Regarding Public Hearing -Consider and act on a request made by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a replat of the property legally known as Keating Kove Acres Lot 4.

7. Keep Shady Shores Beautiful Appointments- Consider and act on accepting the resignation of Karen Thomas from the Keep Shady Shores Beautiful Committee. Consider and act on appointing an individual or individuals to fill the vacant positions.

8. Request to abandon Alley or Roadway-Consider and discuss a request made by Kent Taylor to close the unimproved roadway located to the north of Block 15, Lots 1-6 in the B. Eaves Survey, AB 388. (The map shows this road as Christi

Lane)

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

I, Wendy Withers, Town Administrator of the Town of Shady Shores do hereby certify that the above notice of the Regular Town Council Meeting was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on 9th Day of February 2024, at 9:15 A.M.

Wendy Withers
Wendy Withers, Town Administrator

Animal Services Monthly Report						
2024						
Shady Shores						
January						
Item	Type	Date	Name	Address	Sub-total	Total
Animals in Shelter	Canine	1/31/2024	Autumn (5155-SS)		1	1
	Feline	1/31/2024			0	
Citations	Canine	1/25/2024	Alexis Huggines	202 Shahan	1	1
Complaints/Calls	Canine	1/21/2024	Ann Folkenberg	Shady Shores Boat Ramp	2	11
	Canine	1/22/2024	Ann Folkenberg	311 Lake Shores	1	
	Canine	1/22/2024	236	Big Sandy Boat Ramp	1	
	Canine	1/23/2024	236	309 LakeShores Rd	1	
	Canine	1/25/2024	237	311 LakeShore Rd	1	
	Canine	1/27/2024	Janice Miller	206 Caroline Lane	1	
	Canine	1/29/2024	236	215 W 6th Street	2	
	Canine	1/29/2024	Jennifer Galindo	133 Garza Rd.	2	
Dead Animal Pick-up						0
Euthanized						0
Impound	Canine	1/23/2024	236	309 LakeShores Rd	1	1
Rabies Bite Report						0
Redemption by Owner						0
Release (by owner)						0
Release (Not by Owner)						0
Town Registration						0
Traps Loaned Out						0
Traps Returned						0
Trapped						0
Verbal Warning	Canine	1/29/2024	Steven Hadaway	215 W 6th Street	2	2

Responding Officer

325 & 338

236 & 342

236

236

237

353

236 & 237

237



Reporting System

COUNCIL Report ALL COMPLAINTS

Complaint Type	Complaint Status
Other	Watch List
Private Property Issue	Watch List
Other	Suspended
Business Regulations	Suspended
Private Property Issue	Suspended
Other	Referred/Waiting on another department
Culvert and Roadside Ditches	Watch List
Culvert and Roadside Ditches	Public Work Order Creatd
Parking	Courtesy Letter Sent- waiting on response
Substandard Structure	Referred to Building Inspector
Tall Grass & Weeds	Pending
Vehicle Concern	Courtesy Letter Sent- waiting on response
Private Property Issue	Courtesy Letter Sent- waiting on response
USACE concerns	USACE referred
Contractor Complaint	Sent to Engineering
Contractor Complaint	Responsible Party Research
Contractor Complaint	Referred/Waiting on another department
Contractor Complaint	Referred/Waiting on another department
Contractor Complaint	Pending
Other	Courtesy Letter Sent- waiting on response
Contractor Complaint	Responsible Party Research
Animal Control	Portal Submitted

22 Complaints

Substandard Structure	Filed in Municipal Court
Overgrown Vegetation and Trees	Filed in Municipal Court
Culvert and Roadside Ditches	Filed in Municipal Court
Building without a permit	Filed in Municipal Court
Failure to Maintain Solid Waste Account	Filed in Municipal Court
Tall Grass & Weeds	Fine Payment Pending through Court Order
Parking	Open
Other	Open
Private Property Issue	Open
Abandoned Vehicle	Pending Accurint Search
Substandard Structure	Pending More Documentation Needed
Substandard Structure	Pending More Documentation Needed
Private Property Issue	Referred for Building Inspector Review
Substandard Structure	Referred for Building Inspector Review
Substandard Structure	Referred for Building Inspector Review
Substandard Structure	Referred for Building Inspector Review
Substandard Structure	Referred for Building Inspector Review
Substandard Structure	Referred for Building Inspector Review
Private Pool or Spa	Sent to Legal
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Fire Prevention and Protection	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Private Property Issue	Suspended
Manufactured Housing	Suspended
Nuisances	Violation Notice Sent
Building without a permit	Violation Notice Sent
Violation Type	Violation Status
Manufactured Housing	Violations Warning Letter Sent-Waiting for response
Building without a permit	Violations Warning Letter Sent-Waiting for response



LAKE CITIES FIRE DEPARTMENT

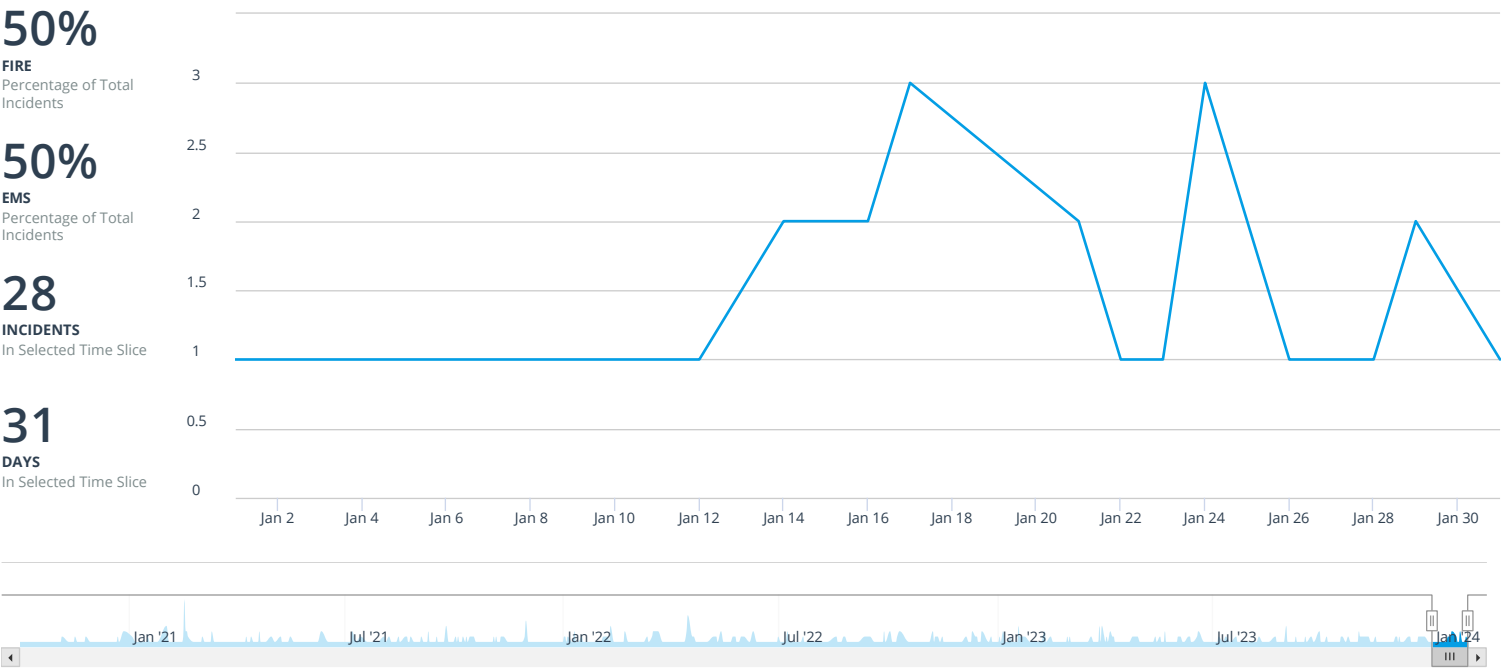
SHADY SHORES

JANUARY - DECEMBER 31, 2024

Incident Call Type	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Alarm system activation, no fire - unintentional	1												1
Alarm system sounded due to malfunction	2												2
Animal rescue													0
Arcing, shorted electrical equipment	1												1
Assist Police or other agency													0
Assist invalid	1												1
Authorized controlled burning	2												2
Brush or brush-and-grass mixture fire													0
Building fire													0
Carbon monoxide incident													0
Carbon Monoxide detector No CO													0
Chemical Spill or Leak													0
Citizen complaint													0
Chimney Fire Contained to Chimney													0
Cooking Fire Confined to Container													0
Dispatched & cancelled en route													0
Electrical wiring/equipment problem, Other													0
Elevator Rescue													0
Emergency medical service, other													0
EMS call, excluding vehicle accident with injury	14												14
False alarm or false call, Other													0
Fire in mobile home used as fixed residence													0
Fire in motor home, camper, RV													0
Flood assessment													0
Gas leak (natural gas or LPG)													0
Good intent call, Other													0
Grass fire													0
HazMat release investigation w/no Hazmat													0
Hazardous Condition (No Fire)													0
Heat From Short Circuit													0
Lock-out													0
Motor vehicle accident with injuries													0
Motor Vehicle Accident with no injuries													0
Motor Vehicle/Pedestrian Accident													0
No Incident found on arrival at dispatch address	2												2
Outside trash or waste fire													0
Outside equipment fire													0
Outside Storage Fire													0
Passenger Vehicle Fire													0
Person in Distress													0
Police matter													0
Power line down													0
Public Education													0
Public service	2												2
Rescue or EMS Standby													0
Rescue, water													0
Service Call, Other													0
Severe weather or natural disaster, Other													0
Smoke detector activation, no fire	1												1
Smoke/Heat detector activation due to malfunction													0
Smoke from barbecue, tar kettle													0
Smoke or odor removal	1												1
Smoke scare, odor of smoke													0
Sprinkler activation, no fire													0
System malfunction, Other													0
Unauthorized burning													0
Unintentional transmission of alarm, Other													0
Water or steam leak	1												1
Total	28	0	0	0	0	0	0	0	0	0	0	0	28

Custom ▾

Jan 1, 2024 - Jan 31, 2024 ▾

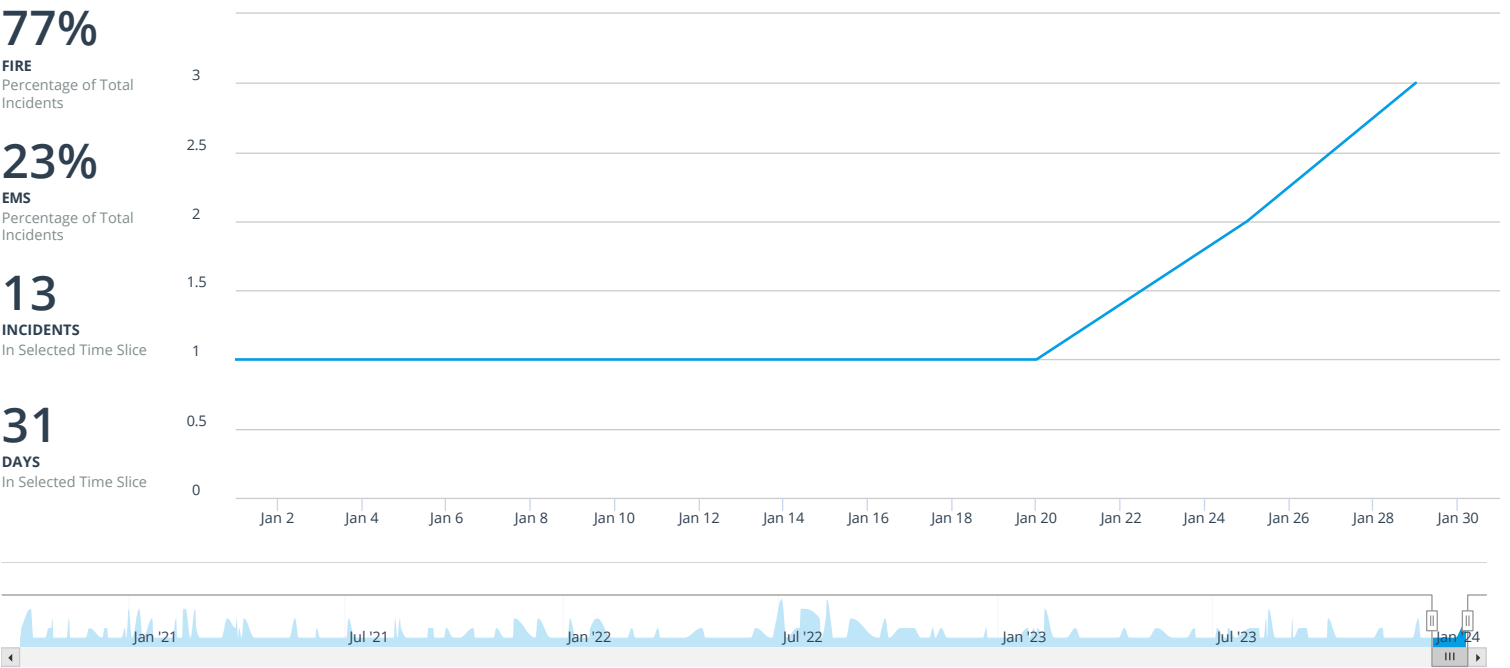


Counts % Rows % Columns % All

Week Ending	1/7/24	1/14/24	1/21/24	1/28/24	2/4/24	2/11/24	2/18/24	2/25/24	3/3/24	3/10/24	3/17/24	3/24/24	3/31/24	Total
(32) Emergency medical service (EMS) incident	1	2	5	3	3									14
(44) Electrical wiring/equipm.. problem			1											1
(52) Water problem			1											1
(53) Smoke, odor problem		1												1
(55) Public service assistance	1	3		1										5
(62) Wrong location, no emergency found			1	1										2
(73) System or detector malfunction	1			1										2
(74) Unintentional system/detect... operation (no fire)			1	1										2
Total	3	6	9	7	3									28

Custom ▾

Jan 1, 2024 - Jan 31, 2024 ▾



Counts

% Rows

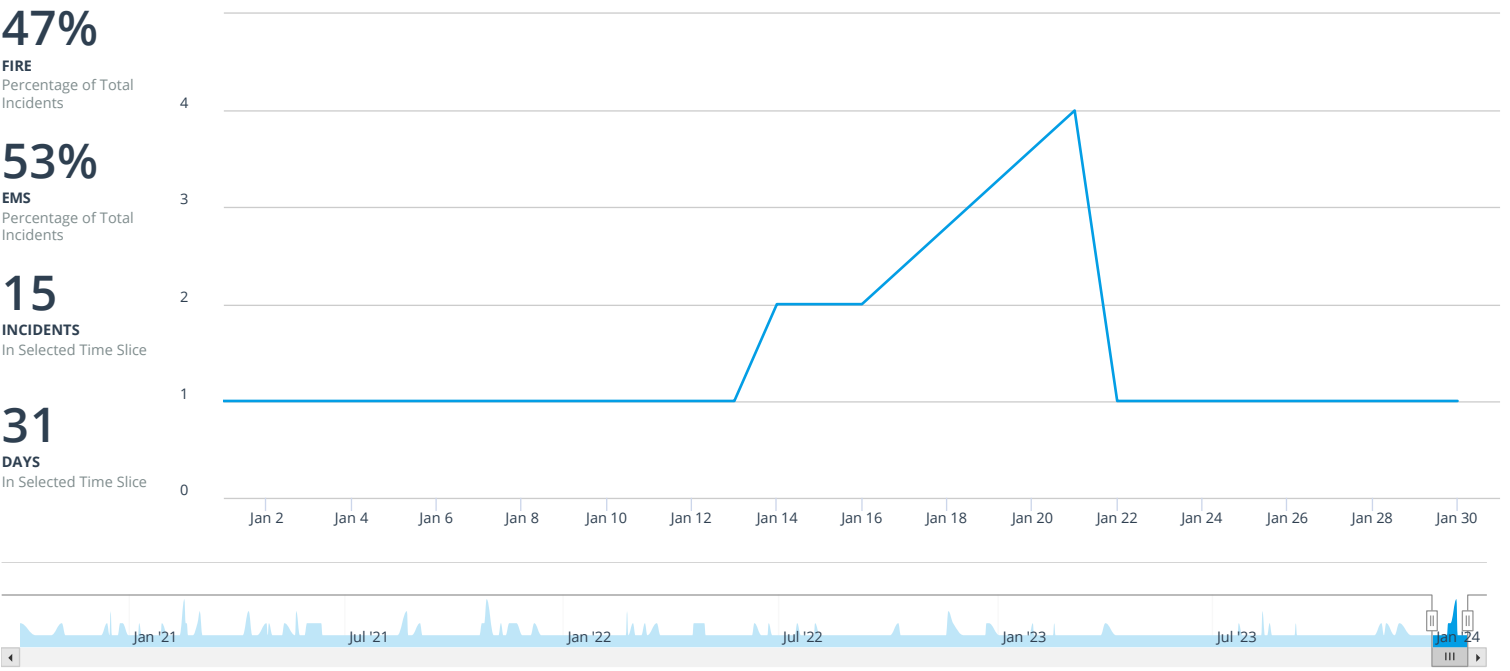
% Columns

% All

Week Ending	1/7/24	1/14/24	1/21/24	1/28/24	2/4/24	2/11/24	2/18/24	2/25/24	3/3/24	3/10/24	3/17/24	3/24/24	3/31/24	Total
(11) Structure Fire			1											1
(32) Emergency medical service (EMS) incident		2		1										3
(41) Combustible/f... spills & leaks	1													1
(57) Cover assignment, standby at fire station, move-up		1	2	1	1									5
(61) Dispatched and canceled en route		1			2									3
Total	1	4	3	2	3									13

Custom ▾

Jan 1, 2024 - Jan 31, 2024 ▾



Counts

% Rows

% Columns

% All



CORINTH POLICE DEPARTMENT Shady Shores



December 2023 Summary

OFFENSES

ASSAULTS	
Misdemeanor	1
Felony	0
FAMILY VIOLENCE ASSAULTS	
Misdemeanor	0
Felony	0
SEXUAL OFFENSES	
Total Sexual Offenses	0
DEATH - CRIMINAL (Homicide / Manslaughter)	
Total Criminal Deaths	0
MOTOR VEHICLE THEFTS	
Total Motor Vehicle Thefts	0
BURGLARY	
Residential	0
Motor Vehicle	0
Business / Construction	0
THEFT	
General / Shoplifting	0
Fraud ID Information	0
Fraud Obtain Unemployment Benefits	0
Other Offenses	1
ROBBERY	
Individual	0
Business	0
CRIMINAL MISCHIEF	
Vandalism / Graffiti	0
OTHER OFFENSES	
Other Offenses	2
ALCOHOL RELATED	
Driving While Intoxicated	0
Driving Under Influence - Minor	0
Public Intoxication	0
Other Alcohol Related	0
DRUG RELATED	
Possession of Drugs	0
Poss of Drug Paraphernalia	0
Manuf./ Delivery of Drugs	0
TOTAL REPORTED OFFENSES	
	4

ACTIVITIES

CALLS FOR SERVICE	
Total Calls for Service	72
COMMUNITY POLICING	
Vacation Watches	10
VIPS-Vacation Watches	0
VIPS-Special Patrol	0
Direct Patrol / Park and Walk	36
ARRESTS	
Juvenile	1
Adult	0
Total Arrests	1
INVESTIGATIONS	
New Cases	3
Cases Cleared	2
Cases Declared Inactive	0
Cases Filed	0
TRAFFIC ENFORCEMENT	
Total Citations	3
Warnings	19
Total Citations / Warnings	22
MOTOR VEHICLE ACCIDENTS	
Offense Related	2
Traffic Accidents - Injury	1
Traffic Accidents - No Injury	1
Total Accidents	2
FALSE ALARMS	
False Alarms	5
OFFICER CONDUCT	
Commendations Received	1
Complaints Received	0
Complaints Substantiated/Sustained	0
Complaints Unsubstantiated / Not Sustained	0



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Town Administrators Report (Withers)

BACKGROUND/INFORMATION:

PUBLIC INFORMATION REQUESTS
BUILDING PERMITS

7/7 ytd
of Inspections for January – 62
of permits issued – 19 (5 were R-O-W and 1 was a new home)

PHONE CALLS

- Mayor's Update at Lake Cities Chamber of Commerce 2/14/2024 The Olana
- Filing Period Ends Friday at 5:00 pm; Election day is May 4th, 2024
- Early Voting for the Primary Elections will begin February 20th and will be held at Shady Shores Community Center. Election Day is March 5th.
- Pavlov has live sections in town ; Shady Shores Town Hall is live with internet from Pavlov

- January 29th go live
 - Section 1
 - Section 23
 - Section 9
 - Section 24
- February 5th go live
 - Section 8
 - Section 14
 - Section 20
 - Section 4

The plan hopefully will be to light up a few sections every Monday until the final sections are completed.

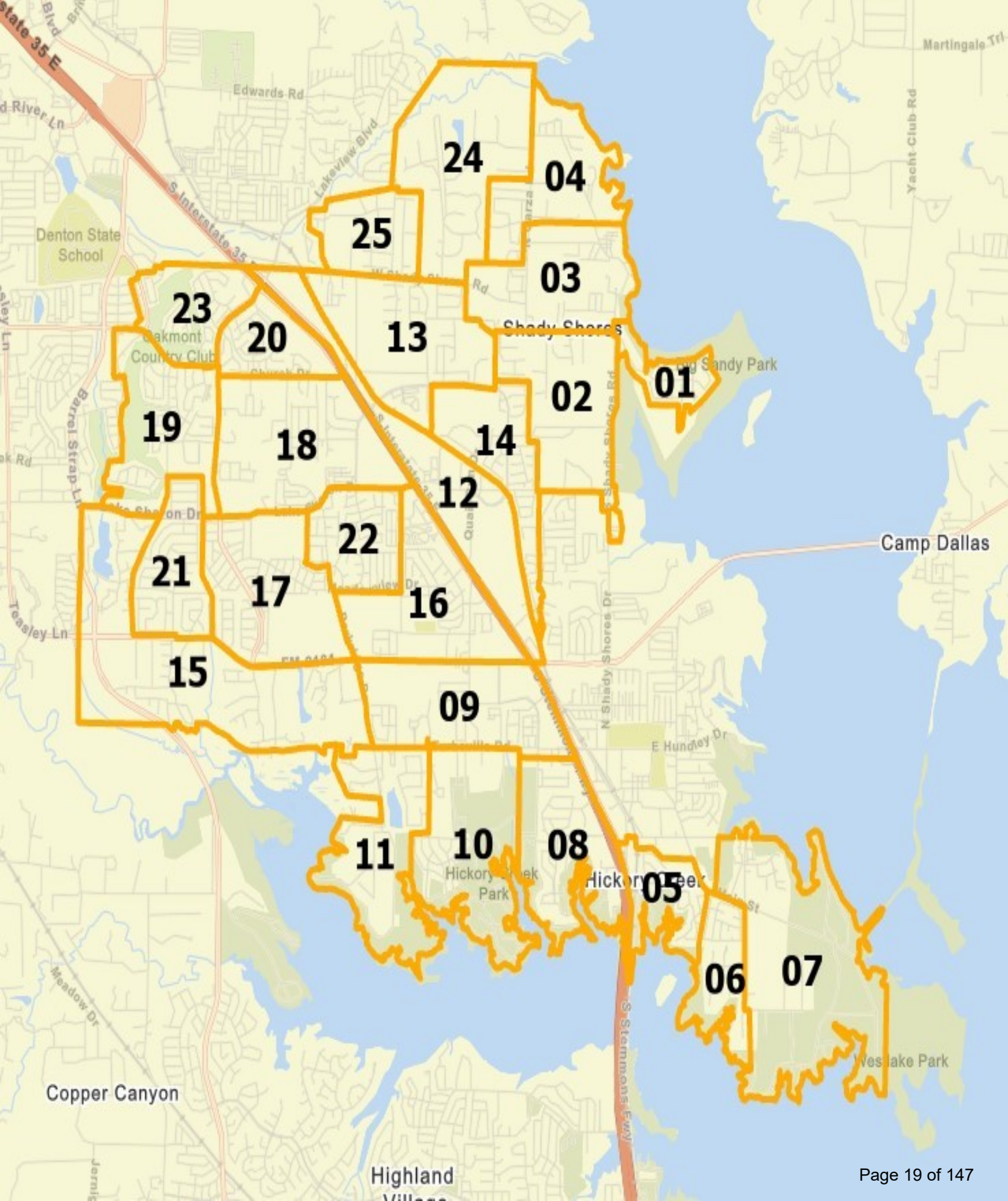
- Mayor's Prayer Breakfast
-

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Lake Cities Sections Map





AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Ordinance Calling the 2024 General Election of City Officials-Consider and act on approval of an Ordinance calling the May 4, 2024, General Election of City Officials.
Ordenanza que convoca la elección general de funcionarios municipales de 2024- Considerar y actuar sobre la aprobación de una ordenanza que convoca la elección general de funcionarios municipales del 4 de mayo de 2024.

BACKGROUND/INFORMATION:

Consider and act on approval of an Ordinance calling the 2024 General Election of City Officials. The following council places are up for re-election: Town Council Places, 1, 4 and 5. Each position would serve a two-year term. The filing period to sign up for a place on the ballot ends February 16, 2024, at 5 pm.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. ShadyShores ordinance calling election 2024
2. 100421_ShadyShores ordinance calling election 2024_SPA

REVIEWED BY:

ORDINANCE NO. _____
(Order and Notice of May 4, 2024 Election)
(Alderman Places 1,4, and 5)

AN ORDINANCE OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS, CALLING FOR AN ELECTION TO BE HELD ON MAY 4, 2024 TO ELECT THE TOWN COUNCIL MEMBERS FOR THE POSITION OF ALDERMAN PLACE 1, ALDERMAN PLACE 4 AND ALDERMAN PLACE 5; PROVIDING FOR EARLY VOTING; PROVIDING FOR ORDER AND NOTICE OF THE ELECTION; AND PROVIDING FOR OTHER MATTERS RELATING TO THE ELECTION.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS:

SECTION 1. The Mayor of the Town of Shady Shores, Texas, with the concurrence of the Town Council, orders an election to be held on May 4, 2024, for the purpose of electing Town Council Members for Alderman Places 1,4 and 5. The elected officials will serve two-year terms.

SECTION 2. The polling place in the Town of Shady Shores for this election is as follows:

Shady Shores Town Hall
101 S. Shady Shores Road
Shady Shores, Texas 76208

SECTION 3. The polls on May 4, 2024 shall be open from 7:00 a.m. until 7:00 p.m.

SECTION 4. Said election shall be conducted in accordance with the Texas Election Code and only registered qualified voters of the Town of Shady Shores will be entitled to vote.

SECTION 5. Early voting by personal appearance shall be available at the Denton County Elections Office, 701 Kimberly Lane Suite A101, Denton, Texas, and at locations to be posted later, on dates and during the hours determined by the County Elections Office.

Applications for ballot by mail shall be requested from and mailed to the Denton County Elections Office, Attn: Elections Administrator, 701 Kimberly Drive, Suite A101, Denton Texas 76208. Applications for ballots by mail must be **received** no later than the close of business on April 25, 2024. Various exceptions to this deadline may apply.

SECTION 6. Candidates must adhere to the filing deadlines accordingly. Candidate packets are available in the Town Secretary's office. The candidate filing deadlines for the General Election for Council Members are as follows:

January 17, 2024 through February 16, 2024 at 5:00 p.m.

Candidates must file in the Town Secretary's office located at 101 S. Shady Shores Road, Shady Shores, Texas.

SECTION 7. The Town Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this election. The Denton County election contract shall designate the election judges for the election.

SECTION 8. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordered herein.

DULY PASSED AND APPROVED by the Town Council of the Town of Shady Shores, Texas, this ____ day of February 2024.

APPROVED:

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Secretary

APPROVED AS TO FORM:

James E. Shepherd, Town Attorney

ORDENANZA NRO. _____
(Orden y aviso de la Elección del 4 de mayo de 2024)
(Concejales para las Posiciones 1,4 y 5)

UNA ORDENANZA DEL POBLADO DE SHADY SHORES, CONDADO DE DENTON, TEXAS, PARA CONVOCAR UNA ELECCIÓN QUE SE CELEBRARÁ EL 4 DE MAYO DE 2024 PARA ELEGIR A LOS MIEMBROS DEL CONSEJO MUNICIPAL PARA EL PUESTO DE CONCEJAL POSICIÓN 1 Y CONCEJAL POSICIÓN 4 Y CONCEJAL POSICIÓN 5 ; PARA DISPONER LA VOTACIÓN ANTICIPADA; PARA DISPONER LA ORDEN Y EL AVISO DE LA ELECCIÓN; Y PARA DISPONER OTROS ASUNTOS RELACIONADOS CON LA ELECCIÓN.

EL CONSEJO MUNICIPAL DEL POBLADO DE SHADY SHORES, CONDADO DE DENTON, TEXAS ORDENA:

SECCIÓN 1. La Alcaldesa del Poblado de Shady Shores, Texas, con la conformidad del Consejo Municipal, ordena que se celebre una elección el 4 de mayo de 2024, para el propósito de elegir miembros del Consejo Municipal para los puestos de Concejales para las posiciones 1,4 y 5. Los funcionarios electos se desempeñarán por términos de 2 años.

SECCIÓN 2. El lugar de votación en el Poblado de Shady Shores para esta elección es el siguiente:

Shady Shores Town Hall
101 S. Shady Shores Road
Shady Shores, Texas 76208

SECCIÓN 3. El 4 de mayo de 2024 las casillas de votación abrirán desde las 7:00 a.m. hasta las 7:00 p.m.

SECCIÓN 4. Dicha elección se llevará a cabo en conformidad con el Código Electoral de Texas y únicamente los votantes habilitados registrados del Poblado de Shady Shores podrán votar.

SECCIÓN 5: La votación anticipada en persona se llevará a cabo en la Oficina de Elecciones del Condado de Denton situada en 701 Kimberly Lane Suite A101, Denton, Texas, y en lugares que se anunciarán más adelante, en las fechas y durante el horario determinados por la Oficina de Elecciones del Condado.

Las solicitudes de boletas de votación por correo deberán solicitarse y enviarse por correo postal a Denton County Elections Office, Attn: Elections Administrator, 701 Kimberly Drive, Suite A101, Denton Texas 76208. Las solicitudes de boletas de votación por correo deben ser **recibidas** a más tardar al cierre del horario de atención del 23 de abril de 2024. Pueden aplicarse diversas excepciones a este plazo.

SECCIÓN 6: Los candidatos deben acatar los plazos correspondientes para presentar la candidatura. Los paquetes para los candidatos están disponibles en la oficina de la Secretaria del Poblado. El plazo para presentar la candidatura para la Elección General de Miembros del Consejo es el siguiente:

Del 17 de enero de 2024 hasta las 5:00 p.m. del 16 de febrero de 2024

Los candidatos deben presentar su candidatura en la oficina de la Secretaria del Poblado situada en 101 S. Shady Shores Road, Shady Shores, Texas.

SECCIÓN 7: Por la presente, se autoriza e instruye a la Secretaria del Poblado a que publique y/o coloque, en la fecha y forma prescrita por ley, todos los avisos referentes a la celebración de esta elección cuya publicación y/o colocación sea requerida. El contrato de elección con el Condado de Denton designará a los jueces electorales para la elección.

SECCIÓN 8. Por la presente, se revocan todas las ordenanzas y resoluciones, o partes de estas, que estén en conflicto o sean incompatibles con cualquier disposición de esta Ordenanza en la medida de dicho conflicto, y las disposiciones de esta Ordenanza regirán y seguirán rigiendo los asuntos ordenados en ella.

DEBIDAMENTE ACEPTADA Y APROBADA por el Consejo Municipal del Poblado de Shady Shores, Texas, el ____ de febrero de 2024.

APROBADA:

Cindy Aughinbaugh, Alcaldesa

ATESTIGUA:

Wendy Withers, Secretaria del Poblado

APROBADA EN CUANTO A SU FORMA:

James E. Shepherd, Abogado del Poblado



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Interlocal Agreement Dobbs Road

BACKGROUND/INFORMATION:

Consider and act on approval of an interlocal agreement with the City of Corinth to manage the Dobbs Road project. The Dobbs Road project was previously designed to 30% and is now being funded through the Denton County Bond Project (Trip 2022). Corinth will manage the project for the Town's of Corinth, Lake Dallas and Shady Shores.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. 2023.12.07 - ILA - Denton County_Shady Shores_Lake Dallas - Dobbs Road Project

REVIEWED BY:

THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

**INTERLOCAL COOPERATION AGREEMENT BETWEEN
DENTON COUNTY, TEXAS, AND THE CITY OF CORINTH, TEXAS**

THIS AGREEMENT is made, entered into and executed by and between Denton County, Texas, a duly organized political subdivision of the State of Texas, engaged in the administration of county government and related services for the citizens of Denton County, Texas, hereinafter “the County”; and the City of Corinth, Texas, a corporate and political body duly organized and existing under the laws of the State of Texas, engaged in the administration of municipal government and related services for the citizens of the City of Corinth, Texas, hereinafter “the City.” The County and the City are collectively referred to herein as “the Parties.”

WHEREAS, the County and the City mutually desire to enter into this Agreement for the purpose of providing the engineering, right-of-way acquisition, utility relocations, inspections, and construction of Dobbs Road from Corinth Parkway to S. Shady Shores Road for the reconstruction of approximately 3,800 linear feet, located within the municipal limits of the City of Corinth, the City of Lake Dallas, and the Town of Shady Shores and Denton County Commissioner Precinct #3, hereinafter “the Project”; and

WHEREAS, the estimated cost of completion for the Project is SIX MILLION FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$6,400,000.00), with the County agreeing to make an initial contribution toward satisfactory completion of the Project, based on current available funding, in an amount which shall not exceed ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00), but upon issuance of additional bond funds, this Agreement is intended to be amended at a future date to increase the County commitment toward satisfactory completion of the Project in an amount which shall not exceed SIX MILLION FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$6,400,000.00), and

WHEREAS, the Interlocal Cooperation Act, Texas Government Code Chapter 791, hereinafter “the Act,” provides authorization for a local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act, and the County and the City hereby mutually agree to be subject to the provisions of the Act; and

WHEREAS, the County and the City value the timely completion of the Project which involves roads which are an integral part of the County's road system, and the Parties are undertaking the Project to facilitate safe travel on an improved roadway; and

NOW, THEREFORE, this Agreement is hereby made and entered into by the County and the City upon and for the mutual consideration stated herein:

WITNESSETH:

I.

Pursuant to Texas Government Code §791.011, the County and the City hereby enter into this Agreement in order to perform certain governmental functions and services in the area of streets, roads, and drainage. The purpose of this Agreement is to provide a governmental function or service that each party is authorized to perform individually.

II.

The County and the City hereby agree that the scope of the Project shall consist of engineering, right-of-way acquisition, utility relocations, inspections, and construction of Dobbs Road from Corinth Parkway to South Shady Shores Road for the reconstruction of approximately 3,800 linear feet, at an estimated cost of SIX MILLION FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$6,400,000.00), whereby the County agrees to make an initial contribution toward satisfactory completion of the Project, based on current available funding, in an amount which shall not exceed ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00), but upon issuance of additional bond funds, this Agreement is intended to be amended at a future date to increase the County commitment toward satisfactory completion of the Project in an amount which shall not exceed SIX MILLION FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$6,400,000.00). The Project is located within the municipal limits of the City of Corinth, the City of Lake Dallas, and the Town of Shady Shores and Denton County Commissioner Precinct #3.

III.

The County hereby agrees to make an initial contribution toward satisfactory completion of the project in an amount which shall not exceed ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00), provided that any and all funding is approved by formal action of the Denton County Commissioners Court.

IV.

The City agrees to manage all engineering, right-of-way acquisition, utility relocations, inspections, and construction required for construction and maintenance of the Project. The City shall timely provide the County with all invoices and requested documentation in an amount which shall not exceed ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00).

V.

This exchange of in-kind services between the County and the City is deemed adequate consideration for the obligations exchanged by the Parties herein.

VI.

As the City proceeds with the completion of the Project, the City shall submit all invoices for reimbursement to the Denton County Auditor, Mr. Jeff May, 1 Courthouse Drive, Suite 2000, Denton, Texas 76208, c/o Mr. John Polster, Innovative Transportation Solutions, Inc., 2701 Valley View Lane, Farmers Branch, Texas 75234. The City shall submit invoices on a monthly basis, and the County shall reimburse the City on a pro rata basis for all approved expenses related to the Project within thirty calendar days of receipt of an invoice from the City, provided that all expenditures are made in a manner which is consistent with the terms of this Agreement. Upon satisfactory completion of the Project, the County and the City shall prepare and complete a full audit of the Project.

VII.

As required by Texas Transportation Code §251.012 and as evidenced by the signature of the City's representative below, the governing body of the City by the execution of and approval of this Agreement hereby approves of the expenditure of County money to finance the construction, improvement, maintenance, or repair of a street or alley in the County that is located in the City.

VIII.

This agreement may be terminated in whole, or in part, by the County or the City upon thirty days written notice to the other party. In the event of termination by the County, the County shall pay all approved invoices submitted up to and including the date of termination.

IX.

This Agreement represents the entire integrated agreement between the County and the City and supersedes all prior negotiations, representations, and/or agreements, either oral or written.

This Agreement may be amended only by written instrument signed by both of the Parties. Notices shall be directed as follows:

For City: Honorable Bill Heidemann, Mayor
City of Corinth, Texas
3300 Corinth Parkway
Corinth, Texas 76208

Copy To: Lana Wylie, City Secretary
City of Corinth, Texas
3300 Corinth Parkway
Corinth, Texas 76208

For County: Honorable Andy Eads, Denton County Judge
1 Courthouse Drive, Suite 3100
Denton, Texas 76208
andy.eads@dentoncounty.com
holly.sadlowski@dentoncounty.com

Copy To: Denton County District Attorney's Office - Civil Division
1450 East McKinney Street, Suite 3100
Denton, Texas 76209
john.feldt@dentoncounty.gov
cio@dentoncounty.gov

X.

The covenants, terms, and conditions herein are to be construed under the laws of the State of Texas and are performable by the Parties in Denton County, Texas. The Parties mutually agree that venue for any obligation arising from this Agreement shall lie in Denton County, Texas.

XI.

The City agrees and understands that the City, its employees, servants, agents or representatives shall at no time represent themselves to be employees, servants, agents or representatives of the County.

XII.

The City agrees to accept full responsibility for the acts, negligence and omissions of all City employees, agents, subcontractors or contract laborers and for all other persons doing work under a contract or agreement with the City.

XIII.

This Agreement is not intended to extend the liability of the Parties beyond that provided for by law. Neither the County nor the City waive, nor shall be deemed to have hereby waived, any immunity or defense that would otherwise be available to it against claims made by third parties.

XIV.

In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the Parties hereto that the remaining portions shall remain valid and in full force and effect to the fullest extent possible.

XV.

The undersigned officers and/or agents of the Parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the Parties hereto, and each party hereby certifies to the other that any necessary resolutions extending said authority have been duly passed and are now in full force and effect.

XVI.

This Agreement becomes effective when signed by the last party whose signing makes the respective agreement fully executed, and the term of this Agreement is for the life of the Project beginning on the date of execution of this Agreement and continuing until the Project is completed.

Executed this 4th day of January, 2024.

CITY OF CORINTH, TEXAS

3300 Corinth Parkway
Corinth, Texas 76208

By: [Signature]
Honorable Bill Heidemann
Mayor of the City of Corinth, Texas
Acting by and on behalf of the authority
the City of Corinth, Texas

ATTEST:

By: [Signature]
Lana Wylie, City Secretary

APPROVED AS TO FORM:

By: [Signature]
Patricia A. Adams, City Attorney

CITY OF LAKE DALLAS, TEXAS

212 Main Street
Lake Dallas, Texas 75065

By: _____
Honorable Andi Nolan
Mayor of the City of Lake Dallas, Texas
Acting by and on behalf of the authority
of the City of Lake Dallas, Texas

ATTEST:

By: _____
Codi Delcambre, City Secretary

TOWN OF SHADY SHORES, TEXAS

101 S. Shady Shores Road
Shady Shores, Texas 76208

By: _____
Honorable Cindy Aughinbaugh
Mayor of the Town of Shady Shores, Texas
Acting by and on behalf of the authority of
of the Town of Shady Shores, Texas

ATTEST:

By: _____
Wendy Withers, Town Secretary

APPROVED AS TO FORM:

By: _____
Jim Shephard, Town Attorney

DENTON COUNTY, TEXAS

1 Courthouse Drive, Suite 3100
Denton, Texas 76209

By: _____
Honorable Andy Eads
Denton County Judge
Acting by and on behalf of the authority
of the Denton County Commissioners Court

ATTEST:

By: _____
Denton County Clerk



COUNTY AUDITOR'S CERTIFICATE

I hereby certify funds are available to accomplish and pay the obligation of Denton County, Texas, under this Agreement.

Denton County Auditor

APPROVAL OF INTERLOCAL COOPERATION AGREEMENT

Denton County, Texas, acting by and through the Denton County Commissioners Court, hereby gives its specific written approval to the following Project, prior to beginning of the Project in satisfaction of Texas Government Code §791.014. The scope of the Project shall consist of engineering, right-of-way acquisition, utility relocations, inspections, and construction of Dobbs Road from Corinth Parkway to South Shady Shores Road for the reconstruction of approximately 3,800 linear feet, with an estimated cost of completion of SIX MILLION FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$6,400,000.00). The Project shall be located entirely within the municipal limits of the City of Corinth, the City of Lake Dallas, and the Town of Shady Shores and Denton County Commissioner Precinct #3.

The County hereby agrees to make an initial contribution toward satisfactory completion of the project in an amount which shall not exceed ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00), provided that any and all funding is approved by formal action of the Denton County Commissioners Court.

The local governments which requested the Project and with whom the Agreement is by and between are Denton County, Texas, and the City of Corinth, Texas.

By vote on the date below, the Denton County Commissioners Court has approved the project identified above and authorized execution of this document by the presiding officer of the Denton County Commissioners Court.

Date: _____

By: _____
Presiding Officer of the Denton
County Commissioners Court



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Interlocal Agreement W. Shady Shores Road

BACKGROUND/INFORMATION:

Consider and act on approval of an interlocal agreement with the City of Corinth to manage the engineering and construction upgrades to W. Shady Shores Road. The project is being funded jointly by the Denton County Road Bond Project, and contributions from the Town of Shady Shores and the City of Corinth.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. 2023.12.07 - ILA - Denton County & Shady Shores - W.Shady Shores Road Project

REVIEWED BY:

THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

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DENTON COUNTY, TEXAS, AND THE CITY OF CORINTH, TEXAS**

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WHEREAS, the County and the City mutually desire to enter into this Agreement for the purpose of providing the engineering, right-of-way acquisition, utility relocations, inspections, and construction of W. Shady Shores Road as a three-lane roadway between Fritz Lane and 500 feet west of Swisher Road, located within the municipal limits of the City of Corinth, the City of Denton, and the Town of Shady Shores and Denton County Commissioner Precinct #2, hereinafter “the Project”; and

WHEREAS, the estimated cost of completion for the Project is TWENTY-ONE MILLION AND NO/100 DOLLARS (\$21,000,000.00), with the County agreeing to make an initial contribution toward satisfactory completion of the Project, based on current available funding, in an amount which shall not exceed TWO MILLION AND NO/100 DOLLARS (\$2,000,000.00), but upon issuance of additional bond funds, this Agreement is intended to be amended at a future date to increase the County commitment toward satisfactory completion of the Project in an amount which shall not exceed EIGHTEEN MILLION FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$18,500,000.00), and

WHEREAS, the Interlocal Cooperation Act, Texas Government Code Chapter 791, hereinafter “the Act,” provides authorization for a local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act, and the County and the City hereby mutually agree to be subject to the provisions of the Act; and

WHEREAS, the County and the City value the timely completion of the Project which involves roads which are an integral part of the County's road system, and the Parties are undertaking the Project to facilitate safe travel on an improved roadway; and

NOW, THEREFORE, this Agreement is hereby made and entered into by the County and the City upon and for the mutual consideration stated herein:

WITNESSETH:

I.

Pursuant to Texas Government Code §791.011, the County and the City hereby enter into this Agreement in order to perform certain governmental functions and services in the area of streets, roads, and drainage. The purpose of this Agreement is to provide a governmental function or service that each party is authorized to perform individually.

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IV.

The City agrees to manage all engineering, right-of-way acquisition, utility relocations, inspections, and construction required for construction and maintenance of the Project. The City shall timely provide the County with all invoices and requested documentation in an amount which shall not exceed TWO MILLION AND NO/100 DOLLARS (\$2,000,000.00). The City agrees to contribute an amount which shall not exceed TWO MILLION AND NO/100 DOLLARS (\$2,000,000.00). The City will enter into a separate agreement with the Town of Shady Shores for an amount which shall not exceed FIVE HUNDRED AND NO/100 DOLLARS (\$500,000.00).

V.

This exchange of in-kind services between the County and the City is deemed adequate consideration for the obligations exchanged by the Parties herein.

VI.

As the City proceeds with the completion of the Project, the City shall submit all invoices for reimbursement to the Denton County Auditor, Mr. Jeff May, 1 Courthouse Drive, Suite 2000, Denton, Texas 76208, c/o Mr. John Polster, Innovative Transportation Solutions, Inc., 2701 Valley View Lane, Farmers Branch, Texas 75234. The City shall submit invoices on a monthly basis, and the County shall reimburse the City on a pro rata basis for all approved expenses related to the Project within thirty calendar days of receipt of an invoice from the City, provided that all expenditures are made in a manner which is consistent with the terms of this Agreement. Upon satisfactory completion of the Project, the County and the City shall prepare and complete a full audit of the Project.

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VIII.

This agreement may be terminated in whole, or in part, by the County or the City upon thirty days written notice to the other party. In the event of termination by the County, the County shall pay all approved invoices submitted up to and including the date of termination.

IX.

This Agreement represents the entire integrated agreement between the County and the City and supersedes all prior negotiations, representations, and/or agreements, either oral or written. This Agreement may be amended only by written instrument signed by both of the Parties. Notices shall be directed as follows:

For City: Honorable Bill Heidemann, Mayor
City of Corinth, Texas
3300 Corinth Parkway
Corinth, Texas 76208

Copy To: Lana Wylie, City Secretary
City of Corinth, Texas
3300 Corinth Parkway
Corinth, Texas 76208

For County: Honorable Andy Eads, Denton County Judge
1 Courthouse Drive, Suite 3100
Denton, Texas 76208
andy.eads@dentoncounty.com
holly.sadlowski@dentoncounty.com

Copy To: Denton County District Attorney's Office - Civil Division
1450 East McKinney Street, Suite 3100
Denton, Texas 76209
john.feldt@dentoncounty.gov
cio@dentoncounty.gov

X.

The covenants, terms, and conditions herein are to be construed under the laws of the State of Texas and are performable by the Parties in Denton County, Texas. The Parties mutually agree that venue for any obligation arising from this Agreement shall lie in Denton County, Texas.

XI.

The City agrees and understands that the City, its employees, servants, agents or representatives shall at no time represent themselves to be employees, servants, agents or representatives of the County.

XII.

The City agrees to accept full responsibility for the acts, negligence and omissions of all City employees, agents, subcontractors or contract laborers and for all other persons doing work under a contract or agreement with the City.

XIII.

This Agreement is not intended to extend the liability of the Parties beyond that provided for by law. Neither the County nor the City waive, nor shall be deemed to have hereby waived, any immunity or defense that would otherwise be available to it against claims made by third parties.

XIV.

In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the Parties hereto that the remaining portions shall remain valid and in full force and effect to the fullest extent possible.

XV.

The undersigned officers and/or agents of the Parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the Parties hereto, and each party hereby certifies to the other that any necessary resolutions extending said authority have been duly passed and are now in full force and effect.

XVI.

This Agreement becomes effective when signed by the last party whose signing makes the respective agreement fully executed, and the term of this Agreement is for the life of the Project beginning on the date of execution of this Agreement and continuing until the Project is completed.

Executed this 4th day of January, 2024.

CITY OF CORINTH, TEXAS

3300 Corinth Parkway
Corinth, Texas 76208

By: [Signature]
Honorable Bill Heidemann
Mayor of the City of Corinth, Texas
Acting by and on behalf of the authority
the City of Corinth, Texas

ATTEST:

By: [Signature]
Lana Wylie, City Secretary

APPROVED AS TO FORM:

By: [Signature]
Patricia A. Adams, City Attorney

TOWN OF SHADY SHORES, TEXAS

101 S. Shady Shores Road
Shady Shores, Texas 76208

By: _____
Honorable Cindy Aughinbaugh
Mayor of the Town of Shady Shores, Texas
Acting by and on behalf of the authority of
of the Town of Shady Shores, Texas

ATTEST:

By: _____
Wendy Withers, Town Secretary

APPROVED AS TO FORM:

By: _____
Jim Shephard, Town Attorney



DENTON COUNTY, TEXAS

1 Courthouse Drive, Suite 3100
Denton, Texas 76209

By: _____
Honorable Andy Eads
Denton County Judge
Acting by and on behalf of the authority
of the Denton County Commissioners Court

ATTEST:

By: _____
Denton County Clerk

COUNTY AUDITOR'S CERTIFICATE

I hereby certify funds are available to accomplish and pay the obligation of Denton County, Texas, under this Agreement.

Denton County Auditor

APPROVAL OF INTERLOCAL COOPERATION AGREEMENT

Denton County, Texas, acting by and through the Denton County Commissioners Court, hereby gives its specific written approval to the following Project, prior to beginning of the Project in satisfaction of Texas Government Code §791.014. The scope of the Project shall consist of engineering, right-of-way acquisition, utility relocations, inspections, and construction of W. Shady Shores Road as a three-lane roadway between Fritz Lane and 500 feet west of Swisher Road, with an estimated cost of completion of TWENTY-ONE MILLION AND NO/100 DOLLARS (\$21,000,000.00). The Project shall be located entirely within the municipal limits of the City of Corinth, the City of Denton, and the Town of Shady Shores and Denton County Commissioner Precinct #2.

The County hereby agrees to make an initial contribution toward satisfactory completion of the project in an amount which shall not exceed TWO MILLION AND NO/100 DOLLARS (\$2,000,000.00), provided that any and all funding is approved by formal action of the Denton County Commissioners Court.

The local governments which requested the Project and with whom the Agreement is by and between are Denton County, Texas, and the City of Corinth, Texas.

By vote on the date below, the Denton County Commissioners Court has approved the project identified above and authorized execution of this document by the presiding officer of the Denton County Commissioners Court.

Date: _____

By: _____
Presiding Officer of the Denton
County Commissioners Court



TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
REGULAR SESSION
JANUARY 8, 2024; 7:00 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208

MINUTES

CALL TO ORDER

Mayor Aughinbaugh called the meeting to order at 7:10 pm.

ROLL CALL

Establish a quorum.

MEMBERS PRESENT

Mayor Cindy Aughinbaugh, Councilmember, Place 5 Charles Grimes, Mayor Pro Tem
(3) Tom Newell, Councilmember, Place 2 Mike Nowels, Councilmember Place 4 Bill
Emsoff, Councilmember, Place 1 Jeff Belton

STAFF PRESENT:

Wendy Withers, Town Administrator; Amber Schuler, Municipal Court Administrator;
Katie Klein, Community Relations Admin; Richard Arvizu, Town Engineer; Jim
Shepherd, Town Attorney

**PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG. (HONOR THE
TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND
INDIVISIBLE.)**

PROCLAMATIONS, PRESENTATIONS AND AWARDS

There were no proclamations or awards to present

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

1. Community Relations Reports (Klein)

Community Relations Admin Katie Klein gave the community relations report.

2. Solid Waste/Municipal Court (Schuler)

Municipal Court Administrator Amber Schuler gave the Municipal Court and Solid Waste Reports for December 2023.

3. Animal Control/Code Enforcement (Belton)

Councilmember Jeff Belton gave the Animal Control and Code Enforcement reports for December 2023. More clarity on the reports, than the vague terminology that is built into the system.

4. Planning and Zoning Commission Report (Emsoff/Juve/Schuler)

Councilmember Bill Emsoff gave the Planning and Zoning Commission Report. Bill Emsoff, stated the Commission held a joint meeting with the Town Council and would be meeting again this coming Thursday to discuss the issue more.

5. Public Safety Reports (Newell)

Mayor Pro Tem Tom Newell gave the November 2023 Police report and the December 2023 Fire Department Report.

6. Town Administrators Report (Withers)

Town Administrator Wendy Withers gave the staff report for December 2023.

7. Announcements

CONSENT AGENDA

Each item listed on the consent agenda is considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

A motion was made by Mayor Pro Tem Tom Newell, seconded by Councilmember, Place 2 Mike Nowels; to approve the items on the consent agenda as presented. The motion carried.

Yes: 5 - Charles Grimes, Tom Newell, Mike Nowels, Bill Emsoff, Jeff Belton

No: 0 - None

Recused: 0 - None

8. Minutes-Consider and act on approval of the minutes of the December 11, 2023, Town Council meeting.

APPROVED

9. Investment Committee Report-Consider and act on approval of the 1st Quarter 2024 Investment Committee Report.

APPROVED

10. Financial Reports-Consider and act on approval of 1st Quarter 2024 Investment Committee Reports.

APPROVED

11. Ordinance Updating Acceptable Tree Species-Consider and act on approval of an Ordinance

updating the acceptable trees to be planted on public property as well as those listed in the approved plant materials listed in the Subdivision Ordinance. **APPROVED ORDINANCE 383-01-2024**

12. Contract for Building Inspection Services-Consider and act on approval of a contract for Building Inspections and Plan Review with Build by I-Codes.

APPROVED

CITIZENS COMMENTS

This is your opportunity to comment on an item on the agenda, or any other relevant topic. If the item on the agenda you wish to comment on is set for a public hearing, please give your remarks on that item when the public hearing is opened. Speakers will be limited to three (3) minutes.

David Yocum, 414 Jones Street, addressed the Town Council regarding his concerns about the road repairs in the Historical District.

Bill Kruger 103 Cielo Lane stated that there were fireworks at the boat ramp on New Year's Eve. However, the fireworks did not bother him. Mr. Krueger stated that he felt additional streetlights were needed on Oakwood Circle @ Shady Shores Road because Oakwood Circle was very dark at night. Mr. Krueger also stated that there was a dangerous pothole on Fritz Lane.

REGULAR AGENDA ITEMS

13. Year End Update/ Strategic Plan Update-Receive a report regarding the year's accomplishments as well as an update regarding the Strategic Plan progress.

Town Administrator Wendy Withers gave a presentation regarding the year end accomplishments relative to the Goals outlined in the Strategic Plan. There was no action to be taken on this agenda item.

14. Infrastructure Report-Receive a report regarding the initial infrastructure planning and report.

Town Engineer Richard Arvizu gave a preliminary report regarding the initial infrastructure plan. The plan included proposed repairs to various streets and drainage issues in Shady Shores. At this time, the report is a draft and public input is being accepted regarding projects. The draft plan will be available on the website next week.

Public input will be accepted through February 7th, 2024. There was no action taken on this agenda item.

15. Building Permit Discussion- Conduct a work session relative to building permits and town liability.

EXECUTIVE SESSION:

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes

Annotated, The Town Council may hold a closed meeting.

16. 1. Consultation with Town Attorney 551.072 (real estate) and 551.071 (legal)- Deliberation regarding real property - discussion relative to future purchase of land.

2. 551.071 Confer with the Town Attorney regarding town's legal requirements and responsibility in building code administration, permitting and enforcement.

A motion was made by Mayor Pro Tem Tom Newell, seconded by Councilmember, Place 2 Mike Nowels, to recess to Executive Session. The motion carried. The council adjourned to Executive Session at 8:49 pm.

Yes: 5 - Charles Grimes, Tom Newell, Mike Nowels, Bill Emsoff, Jeff Belton

No: 0 - None

Recused: 0 - None

A motion was made by Councilmember, Place 2 Mike Nowels, seconded by Councilmember Place 5 Charles Grimes to reconvene into Open Session. The motion carried, and the council reconvened into Open Session at 10:04 pm.

Yes: 5 - Charles Grimes, Tom Newell, Mike Nowels, Bill Emsoff, Jeff Belton

No: 0 - None

Recused: 0 - None

There was no action taken as a result of Executive Session.

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

A motion was made by Councilmember, Place 5 Charles Grimes, seconded by Mayor Pro Tem Tom Newell, to Adjourn, The motion carried and the meeting was adjourned at 10:04 pm.

Yes: 5 - Charles Grimes, Tom Newell, Mike Nowels, Bill Emsoff, Jeff Belton

No: 0 - None

Recused: 0 - None

PASSED AND APPROVED THIS THE _____ DAY OF _____,
2024

APPROVED:

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Administrator/Secretary



**TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
WORKSESSION
JANUARY 8, 2024; 6:00 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

MINUTES

CALL TO ORDER

Mayor Aughinbaugh called the meeting to order at 6:00 PM.

ROLL CALL

Establish a quorum.

MEMBERS PRESENT

Mayor Cindy Aughinbaugh, Councilmember, Place 5 Charles Grimes, Mayor Pro Tem (3) Tom Newell, Councilmember, Place 2 Mike Nowels, Councilmember Place 4 Bill Emsoff, Councilmember, Place 1 Jeff Belton

STAFF PRESENT:

Wendy Withers, Town Administrator; Amber Schuler, Municipal Court Administrator; Katie Klein, Community Relations Admin; Jim Shepherd, Town Attorney; Richard Arvizu, Town Engineer

WORK SESSION

1. Parking Ordinance- Conduct a work session relative to proposed updates to the Town of Shady Shores Parking Ordinance

A work session was conducted relative to the Parking Ordinance, specifically section 12.03.008 Parking of motor vehicles in the front yards of developed lots, and in vacant lots. The council deliberated whether to remove the section of the Ordinance which states:

(2) Exceptions. The parking regulations above do not apply to:

(A) Lots of less than one fourth acre, or larger than one acre.

(B) Recreational vehicles-except as regulated elsewhere in this municipal code.

The council did not make any decisions, but referred this item to a future work session agenda.

2. Ordinance Updates

Town Administrator Wendy Withers updated the Town Council on Ordinances that needed to be amended and would be placed on the Consent Agenda for approval, specifically this month an Ordinance updating the acceptable trees making the list compatible in two sections.

Next month the Ordinance regarding police enforcement on COE (US Army Corps of Engineers) will need an update.

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

The worksession was adjourned at 6:55 pm.

PASSED AND APPROVED THIS THE _____ DAY OF _____, 2024

Approved:

Cindy Aughinbaugh, Mayor

Attest:

Wendy Withers, Town Administrator/Secretary



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: **Agreement for Use of Landfill- Consider and act on approval of an agreement for the Use of the Landfill known as Camelot.**

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. 2024 Landfill Disposal Agreement for Shady Shores

REVIEWED BY:

2024 Landfill Disposal Agreement for Shady Shores

Effective February 1, 2024, Shady Shores will be charged \$37.00 per ton for City vehicles at Camelot Landfill located at 580 Huffines Blvd located in Lewisville, Texas.

Shady Shores tonnage from City vehicles will be invoiced from Camelot Landfill to Republic Services of Lewisville. Republic Services of Lewisville will then invoice Shady Shores monthly for this tonnage.

The landfill disposal rate will receive the first annual increase in 2025 which follows the same terms as the Shady Shores Municipal Solid Waste and Recycling Collection Agreement dated March 8, 2021.

Signed and agreed this _____ day of February 2024.

Town of Shady Shores

Allied Waste Services d/b/a
Republic Services of Lewisville

MAYOR

Craig Mikolajchak
General Manager

ATTEST:

Town Secretary

APPROVED

Town Attorney



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Interlocal Agreement Failure to Appear Program-Consider and act on approval of an interlocal agreement for participation in the Failure to Appear Program.

BACKGROUND/INFORMATION:

Due to changes made during the 88th Legislative Session, the current Failure to Appear (FTA) contract has been revised to include the following changes:

Clarity regarding specific responsibilities held by each party.

Inclusion of indigency into the program as mandated by House Bill 291 in the 88th Legislative Session

Future changes to the current statute, either federal or state, ensure that the contract remains in compliance with the latest legal requirements until a revised ICC is available.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. 2024.01.29 Omni Contract

REVIEWED BY:



STEVEN C. McCRAW
DIRECTOR
WALT GOODSON
FREEMAN F. MARTIN
DWIGHT D. MATHIS
DEPUTY DIRECTORS

TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

www.dps.texas.gov



COMMISSION
STEVEN P. MACH, CHAIRMAN
NELDA L. BLAIR
LARRY B. LONG
STEVE H. STODGHILL
DALE WAINWRIGHT

January 29, 2024

SHADY SHORES MUNICIPAL COURT
101 S SHADY SHORES ROAD
SHADY SHORES, TX 76208

Re: Notice of Interlocal Cooperation Contract (ICC) for Failure to Appear (FTA) Program

Dear Court Administrator,

Due to changes occurring in the 88th Legislative Session, the Department revised the FTA contract (ICC). This notice is to inform you of the changes and the need to sign a new contract to continue your participation in the FTA program. You must return the signed contract (ICC) **within 90 days** from the date of this notice to continue participating in the program.

The following changes have been made to the contract (ICC):

- Changes to language and restructuring of the original ICC to provide clarity regarding the specific responsibilities held by each party.
- Inclusion of indigency into the program as mandated by House Bill 291, 88th Legislative Session.
- Language to account for future changes to the current statute, either federal or state, ensuring that the ICC remains in compliance with the latest legal requirements until a revised ICC is available.

It is imperative that all participants in the FTA program adhere to these updated terms to ensure the program's continued effectiveness and compliance with relevant legislation. Submit the completed and signed contract (ICC) by mail, email, or fax. Please ensure you address this attention to FTA Program.

Mailing address:

Enforcement & Compliance Service

5805 North Lamar Blvd, Bldg A,

Austin, TX 78752-0300

E-mail: driver.improvement@dps.texas.gov

Fax: (512) 424-2848

Should you have any questions, please send an email to driver.improvement@dps.texas.gov. Thank you for your immediate attention to this matter.

Regards,
Manager
Enforcement and Compliance Service

Enclosure

**Interlocal Cooperation Contract
Failure to Appear Program**

State of Texas

County of Denton**I. PARTIES AND AUTHORITY**

This Interlocal Cooperation Contract (Contract) is entered into between the Department of Public Safety of the State of Texas (DPS), an agency of the State of Texas and the Municipal Court of the [City or County] of Snady Shores (Court), a political subdivision of the State of Texas, referred to collectively in this Contract as the Parties, under the authority granted in Tex. Transp. Code Chapter 706 and Tex. Gov't Code Chapter 791 (the Interlocal Cooperation Act).

II. BACKGROUND

A peace officer authorized to issue citations within the jurisdiction of the Court must issue a written warning to each person to whom the officer issues a citation for a traffic law violation. This warning must be provided in addition to any other warnings required by law. The warning must state in substance that if the person fails to appear in court for the prosecution of the offense or if the person fails to pay or satisfy a judgment ordering the payment of a fine and cost in the manner ordered by the Court, the person may be denied renewal of the person's driver license.

As permitted under Tex. Transp. Code § 706.008, DPS contracts with a private vendor (Vendor) to provide and establish an automated Failure to Appear (FTA) system that accurately stores information regarding violators subject to the provisions of Tex. Transp. Code Chapter 706. DPS uses the FTA system to properly deny renewal of a driver license to a person who is the subject of an FTA system entry generated from an FTA Report.

An FTA Report is a notice sent by Court requesting a person be denied renewal of a driver's license in accordance with this Contract. The Court may submit an FTA Report to DPS's Vendor if a person fails to appear or fails to pay or satisfy a judgment as required by law. There is no requirement that a criminal warrant be issued in response to the person's failure to appear.

III. PURPOSE

This Contract applies to each FTA Report submitted by the Court to DPS or its Vendor and accepted by DPS or its Vendor.

IV. PERIOD OF PERFORMANCE

This Contract will be effective on the date of execution and terminate five years from that execution date unless terminated earlier in accordance with Section VII.C, *General Terms and Conditions, Termination*.

V. COURT RESPONSIBILITIES**A. FTA Report**

For a matter involving any offense which a Court has jurisdiction of under Tex. Code Crim. Proc. Chapter 4, where a person fails to appear for a complaint or citation or fails to pay or

satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court, the Court will supply DPS, through its Vendor, an FTA report including the information that is necessary to deny renewal of the driver license of that person. The Court must make reasonable efforts to ensure that all FTA Reports are accurate, complete, and non-duplicative. The FTA Report must include the following information:

1. the jurisdiction in which the alleged offense occurred;
2. the name of the court submitting the report;
3. the name, date of birth, and Texas driver license number of the person who failed to appear or failed to pay or satisfy a judgment;
4. the date of the alleged violation;
5. a brief description of the alleged violation;
6. a statement that the person failed to appear or failed to pay or satisfy a judgment as required by law;
7. the date that the person failed to appear or failed to pay or satisfy a judgment; and
8. any other information required by DPS.

B. Clearance Reports

The Court that files the FTA Report has a continuing obligation to review the FTA Report and promptly submit appropriate additional information or reports to the Vendor. The clearance report must identify the person, state whether or not a fee was required, and advise DPS to lift the denial of renewal and state the grounds for the action. All clearance reports must be submitted immediately, but no later than two business days from the time and date that the Court receives appropriate payment or other information that satisfies the person's obligation to that Court.

To the extent that a Court uses the FTA system by submitting an FTA Report, the Court must collect the statutorily required \$10.00 reimbursement fee from the person who failed to appear, pay or satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court. If the person is acquitted of the underlying offense for which the original FTA Report was filed or found indigent by the court, the Court will not require payment of the reimbursement fee.

Court must submit a clearance report for the following circumstances:

1. the perfection of an appeal of the case for which the warrant of arrest was issued or judgment arose;
2. the dismissal of the charge for which the warrant of arrest was issued or judgment arose;
3. the posting of a bond or the giving of other security to reinstate the charge for which the warrant was issued;
4. the payment or discharge of the fine and cost owed on an outstanding judgment of the Court; or
5. other suitable arrangement to satisfy the fine and cost within the Court's discretion.

After termination of the Contract, the Court has a continuing obligation to report dispositions and collect fees for all violators in the FTA system at the time of termination. Failure to comply with the continuing obligation to report will result in the removal of all outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

C. Quarterly Reports and Audits

Court must submit quarterly reports to DPS in a format established by DPS.

Court is subject to audit and inspection at any time during normal business hours and at a mutually agreed upon location by the state auditor, DPS, and any other department or agency, responsible for determining that the Parties have complied with the applicable laws. Court must provide all reasonable facilities and assistance for the safe and convenient performance of any audit or inspection.

Court must correct any non-conforming transactions performed by the Court, at its own cost, until acceptable to DPS.

Court must keep all records and documents regarding this Contract for the term of this Contract and for seven years after the termination of this Contract, or until DPS or the State Auditor's Office (SAO) is satisfied that all audit and litigation matters are resolved, whichever period is longer.

D. Accounting Procedures

Court must keep separate, accurate, and complete records of the funds collected and disbursed and must deposit the funds in the appropriate municipal or county treasury. Court may deposit such fees in an interest-bearing account and retain the interest earned on such accounts for the Court.

Court will allocate \$6.00 of each \$10.00 reimbursement fee received for payment to the Vendor and \$4.00 for credit to the general fund of the municipal or county treasury.

E. Non-Waiver of Fees

Court will not waive the \$10.00 reimbursement fee for any person that has been submitted on an FTA Report, unless any of the requirements in Tex. Trans. Code § 706.006(a) or §706.006(d) are met.

Failure to comply with this section will result in: (i) termination of this Contract for cause; and (ii) the removal of all outstanding entries of the Court in the FTA Report, resulting in the lifting of any denied driver license renewal status from DPS.

F. Litigation Notice

The Court must make a good-faith attempt to immediately notify DPS in the event that the Court becomes aware of litigation in which this Contract or Tex. Transp. Code Chapter 706 is subject to constitutional, statutory, or common-law challenge, or is struck down by judicial decision.

VI. DPS's RESPONSIBILITIES

DPS will not continue to deny renewal of the person's driver license after receiving notice from the Court that the FTA Report was submitted in error or has been destroyed in accordance with the Court's record retention policy.

VII. PAYMENTS TO VENDOR

Court must pay the Vendor a fee of \$6.00 per person for each violation that has been reported to the Vendor and for which the Court has subsequently collected the statutorily required \$10.00 reimbursement fee. In the event that the fee has been waived by Tex. Trans. Code § 706.006(a) or §706.006(d), no payment will be made to the Vendor.

Court agrees that payment will be made to the Vendor no later than the last day of the month following the close of the calendar quarter in which the payment was received by the Court.

DPS will not pay Vendor for any fees that should have been submitted by a Court.

VIII. GENERAL TERMS AND CONDITIONS

- A. Compliance with Law.** This Contract is governed by and construed under and in accordance with the laws of the State of Texas. The Court understands and agrees that it will comply with all local, state, and federal laws in the performance of this Contract, including administrative rules adopted by DPS.
- B. Notice.** The respective party will send the other party notice as noted in this section. Either party may change its information by giving the other party written notice and the effective date of the change.

Court	Department of Public Safety
<i>Shady Shores</i>	Enforcement & Compliance Service
Attn.: <i>Amber Schuler</i>	5805 North Lamar Blvd., Bldg A
Address: <i>101 S. Shady Shores Rd</i>	Austin, Texas 78752-0001
Address: <i>Shady Shores, TX 76208</i>	(512) 424-5311 [fax]
Fax: <i>940 497-2597</i>	Driver.Improvement@dps.texas.gov
Email: <i>municipal.court@shady-shores.com</i>	(512) 424-7172
Phone: <i>940.498.0044</i>	

C. Termination.

Either party may terminate this Contract with 30 days' written notice.

DPS may also terminate this Contract for cause if Court doesn't comply with Section V.C., *Quarterly Reports and Audits* and V.E., *Non- Waiver of Fees*.

If either Party is subject to a lack of appropriations that are necessary for that Party's performance of its obligations under this Contract, the Contract is subject to immediate cancellation or termination, without penalty to either Party.

D. Amendments.

This contract may only be amended by mutual written agreement of the Parties.

E. Miscellaneous.

- The parties shall use the dispute resolution process provided for in Chapter 2260 of the Texas Government Code to resolve any disputes under this Contract; provided

- however nothing in this paragraph shall preclude either Party from pursuing any remedies available under Texas law.
2. This Contract shall not constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies, or immunities available to either Party or the State of Texas.
 3. Any alterations, additions, or deletions to the terms of the contract that are required by changes in federal or state law or regulations are automatically incorporated into the contract without written amendment hereto, and shall become effective on the date designated by such law or by regulation.

CERTIFICATIONS

The Parties certify that (1) the Contract is authorized by the governing body of each party; (2) the purpose, terms, rights, and duties of the Parties are stated within the Contract; and (3) each party will make payments for the performance of governmental functions or services from current revenues available to the paying party.

The undersigned signatories have full authority to enter into this Contract on behalf of the respective Parties.

Court*	Department of Public Safety
Authorized Signatory	Driver License Division Chief or Designee
Title	
Date	Date

*An additional page may be attached if more than one signature is required to execute this Contract on behalf of the Court. Each signature block must contain the person’s title and date.



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: 2022/2023 FY Audit- Receive a report from Carl Deaton of Deaton,Hankins, Tonn and Seay regarding the 2022/2023 Fiscal Year Audit. Consider and act on approval of the audit.

BACKGROUND/INFORMATION:

The annual audit was completed by the auditing firm of Hankins, Eastup, Deaton, Tonn, Seay & Scarborough in accordance with auditing standards generally accepted in the United States of America. Highlights from the Audit include:

- The assets and deferred outflows of the Town of Shady Shores exceeded its liabilities and deferred inflows at September 30, 2023, by \$3,880,078.
- The unrestricted net position amount of \$2,336,146 may be used to meet the government's ongoing obligations to citizens and creditors.
- The Town's total net position increased by \$176,001 during the fiscal year from the results of current year's operations.
- As of September 30, 2023, the Town of Shady Shores' governmental fund reported an ending fund balance of \$3,381,358, a decrease of \$343,390 in comparison with the beginning of the period. Approximately 33 percent of this total amount, \$1,119,481, is available for spending at the government's discretion (unassigned fund balance). At the end of the current fiscal year, the unassigned fund balance of the general fund of \$1,119,481 was 53 percent of total current year general fund expenditures.

Carl Deaton will be present to answer any questions and provide detailed information regarding the report.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Town of Shady Shores FY23 audit report

REVIEWED BY:

TOWN OF SHADY SHORES, TEXAS

FINANCIAL STATEMENTS
AND
ACCOUNTANTS' OPINION

SEPTEMBER 30, 2023

TOWN OF SHADY SHORES, TEXAS

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TOWN OF SHADY SHORES, TEXAS
PRINCIPAL TOWN OFFICIALS
SEPTEMBER 30, 2023

Mayor	Cindy Aughinbaugh
Mayor Pro-Tem	Tom Newell
Council Members:	Jeff Belton
	Mike Nowels
	Charles Grimes
	Bill Emsoff
Town Secretary	Wendy Withers
Town Attorney	James E. Shepherd Shepherd Law Firm
Town Engineer	Richard Arvizu

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INDEPENDENT AUDITORS' REPORT

Honorable Mayor and Town Council
Town of Shady Shores, Texas

Opinion

We have audited the accompanying financial statements of the governmental activities and each major fund of the Town of Shady Shores as of and for the year ended September 30, 2023 and the related notes to the financial statements, which collectively comprise the Town of Shady Shores' basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the Town of Shady Shores as of September 30, 2023, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financials section of our report. We are required to be independent of the Town of Shady Shores and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Town of Shady Shores' ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibility for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with general accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Town of Shady Shores' internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Town of Shady Shores' ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 7 through 12, the budgetary comparison information on page 43, and the Texas Municipal Retirement System schedules on pages 44 through 48 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town of Shady Shores' basic financial statements. The combining and individual fund financial statements and schedules listed in the table of contents are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual fund financial statements and schedules are fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated January 17, 2024 on our consideration of the Town of Shady Shores, Texas's internal control over financial reporting based on our test of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town of Shady Shores, Texas's internal control over financial reporting and compliance.

A handwritten signature in black ink that reads "Hankins, Eastup, Deaton, Tonn, Seay & Scarborough". The signature is written in a cursive, flowing style.

Hankins, Eastup, Deaton, Tonn, Seay & Scarborough, LLC
Denton, Texas
January 17, 2024

MANAGEMENT'S DISCUSSION & ANALYSIS

TOWN OF SHADY SHORES, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

As management of the Town of Shady Shores, we offer readers of the Town of Shady Shores' financial statements this narrative overview and analysis of the financial activities of the Town of Shady Shores for the year ended September 30, 2023. We encourage readers to consider the information presented here in conjunction with the Town's basic financial statements.

Financial Highlights

- The assets and deferred outflows of the Town of Shady Shores exceeded its liabilities and deferred inflows at September 30, 2023 by \$3,880,078. The unrestricted net position amount of \$2,336,146 may be used to meet the government's ongoing obligations to citizens and creditors.
- The Town's total net position increased by \$176,001 during the fiscal year from the results of current year operations.
- As of September 30, 2023, the Town of Shady Shores' governmental fund reported an ending fund balance of \$3,381,358, a decrease of \$343,390 in comparison with the beginning of the period. Approximately 33 percent of this total amount, \$1,119,481, is available for spending at the government's discretion (*unassigned fund balance*).
- At the end of the current fiscal year, the unassigned fund balance of the general fund of \$1,119,481 was 53 percent of total current year general fund expenditures.

Overview of the Financial Statements

The management discussion and analysis are intended to serve as an introduction to the Town of Shady Shores' basic financial statements. The Town of Shady Shores' basic financial statements comprises of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide Financial Statements. The government-wide financial statements are designed to provide readers with a broad overview of the Town of Shady Shores' finances, in a manner similar to a private-sector business.

The statement of net position presents information on the entire Town of Shady Shores' assets, deferred outflows, liabilities and deferred inflows, with the difference reported as net position. Over time, increase or decreases in net position may serve as a useful indicator of whether the financial position of the Town of Shady Shores is improving or deteriorating.

The statement of activities presents information showing how the Town's net position changed during the most recent period. All of the current period's revenues and expenses are taken into account regardless of when cash is received or paid. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave). Both the statement of net position and the statement of activities are prepared utilizing the accrual basis of accounting as opposed to the modified accrual basis used in prior reporting models.

In the Statement of Net Position and the Statement of Activities, the Town has one kind of activity:

- **Governmental activities.** All of the Town's basic services are reported here, including public works and general administration. Property taxes, sales taxes, and franchise fees finance most of these activities.

TOWN OF SHADY SHORES, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

Fund Financial Statements. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. Fund financial statements provide detailed information about the most significant funds, not the Town as a whole. Some funds are required to be established by state law or bond covenants. However, the Town Council may establish other funds to help it control and manage money for particular purposes or to show that it is meeting legal responsibilities for using certain taxes, grants and other money.

Governmental Funds. All of the Town's basic services are reported in governmental funds, which focus on how money flows into and out of those funds and the balances left at period-end that are available for spending. These funds are reported using an accounting method identified as the modified accrual basis of accounting, which measures cash and all other financial assets that can readily be converted to cash. The governmental fund statements provide a detailed short-term view of the Town's general operations and the basic services it provides. Governmental fund information helps the reader determine whether there are more or fewer financial resources that can be spent in the near future to finance the Town's programs. By comparing information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements, readers may better understand the long-term impact of the government's near-term financing decisions. The relationship or differences between governmental activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds is detailed in a reconciliation following the fund financial statements.

Fiduciary Funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statement because the resources of those funds are not available to support the Town of Shady Shores' own programs. The accounting used for fiduciary funds is much like that used for proprietary funds. The Town of Shady Shores does not currently have any fiduciary funds.

Notes to the Financial Statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and funds financial statements.

Other Information. In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information highlighting budgetary information for the general fund.

Government-wide Financial Analysis

The Town's net position was \$3,880,078 as of September 30, 2023. This analysis focuses on the net position (Table 1) and changes in general revenues (Table 2) and significant expenses of the Town's governmental activities.

A portion of the Town's net position reflects its net investment in capital assets (e.g., land, buildings, machinery, equipment, and infrastructure), less any related debt used to acquire those assets that is still outstanding. The Town uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending.

TOWN OF SHADY SHORES, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

Table 1
Net Position

	Governmental Activities	
	2022	2023
Current and other assets	\$ 3,811,013	\$ 3,506,501
Capital assets	1,856,324	2,176,484
Total asset	<u>5,667,337</u>	<u>5,682,985</u>
Deferred outflows of resources	<u>22,441</u>	<u>41,968</u>
Long-term liabilities	1,904,905	1,722,117
Current liabilities	72,282	116,033
Total liabilities	<u>1,977,187</u>	<u>1,838,150</u>
Deferred inflows of resources	<u>8,514</u>	<u>6,725</u>
Net position:		
Net investment in capital assets	1,510,519	1,543,932
Unrestricted	2,193,558	2,336,146
Total net position	<u>\$ 3,704,077</u>	<u>\$ 3,880,078</u>

Governmental Activities. The Town's general revenues for governmental activities for the years ended September 30, 2022 and 2023 are detailed below (Table 2).

Table 2
General Revenues

	2022	2023
Property taxes	\$ 1,231,862	\$ 1,452,579
Sales taxes	190,479	184,678
Franchise taxes	146,883	161,660
Hotel/motel taxes	-	19,914
Investment earnings	19,582	128,787
Miscellaneous	4,242	13,844
	<u>\$ 1,593,048</u>	<u>\$ 1,961,462</u>

TOWN OF SHADY SHORES, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

The following table provides a summary of the Town's operations for the years ended September 30, 2022 and 2023.

Table 3
Changes in Net Position

	Governmental Activities	
	2022	2023
Revenues:		
Program Revenues:		
Charges for Services	\$ 409,624	\$ 628,588
Operating Grants	711,310	3,394
General Revenues:		
Property taxes	1,231,862	1,452,579
Sales taxes	190,479	184,678
Franchise taxes	146,883	161,660
Hotel/motel taxes	-	19,914
Investment Earnings	19,582	128,787
Miscellaneous	4,242	13,844
Total Revenue	<u>2,713,982</u>	<u>2,593,444</u>
Expenses:		
General government	996,574	963,042
Public safety	779,605	804,079
Public works/other	1,148,622	628,489
Debt service - interest	24,314	21,833
Total Expenses	<u>2,949,115</u>	<u>2,417,443</u>
Change in net position	(235,133)	176,001
Net position - October 1 (beginning)	3,939,210	3,704,077
Net position - September 30 (ending)	<u><u>\$ 3,704,077</u></u>	<u><u>\$ 3,880,078</u></u>

The \$176,001 increase in net position during the current year compares to a \$235,133 decrease in the prior year. Key factors in this change were COVID-19 CLFRF funding received in the prior year, but offset by significantly less public work expenditures in the current year.

Financial Analysis of the Government's Funds

Governmental Funds. The focus of the Town's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Town's financing requirements. In particular, unassigned fund balance may serve as a useful measure of government's net resources available for spending at the end of the period.

As of the end of the current period, the general fund reported an ending fund balance of \$2,023,787, an increase of \$228,722 in comparison with the beginning of the period. Approximately 55 percent of this total amount (\$1,119,481) constitutes unassigned fund balance, which is available for spending at the Town's discretion. The Town has assigned a portion of the fund balance for capital projects, roads and bridges and emergencies.

TOWN OF SHADY SHORES, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

The \$228,722 increase in fund balance during the current year compares to a \$302,903 decrease in the prior year. Key factors in this change were significant more building permits and fees revenue in the current year, combined with fewer road and street expenditures.

Fiscal year 2022 was the first year for activity in the debt service fund. Collection of interest and sinking taxes funded the annual debt service payment on the certificates of obligation. There was no fund balance at year-end.

The fund balance in the capital projects fund decreased \$486,747 due primarily to \$522,868 capital outlay expenditures from certificates of obligation sold in a prior year.

General Fund Budgetary Highlights

During the current year, the Town Council of the Town of Shady Shores did not amend the budget for the General Fund.

Capital Assets and Debt Administration

Capital Assets. The Town's investment in capital assets for its governmental activities as of September 30, 2023, amounts to \$2,176,484 (net of accumulated depreciation). This amount represents a net increase of \$320,160, or 17.2 percent, above the beginning of the period. The investment in capital assets includes land, buildings, equipment, furniture and roads.

Capital asset additions during the current period include various road project costs.

Table 4
Capital Assets at Year-end
(Net of Depreciation)

	Governmental Activities
Land	\$ 6,000
Construction in Progress	822,133
Buildings	407,422
Furniture and Equipment	72,078
Infrastructure – Roads	868,851
Totals	<u>\$ 2,176,484</u>

Additional information on the Town's capital assets can be found in Note 4 of this report.

Long-term Debt. At September 30, 2023 the Town had \$1,700,000 in certificates of obligation outstanding as the result of a certificates of obligation sale that occurred in September, 2021. No new debt was incurred during the current fiscal year.

Additional information on the Town's long-term debt can be found in Note 5 of this report.

TOWN OF SHADY SHORES, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
SEPTEMBER 30, 2023

Economic Factors and Next Year's Budgets and Rates

Requests for Information

This financial report is designed to provide a general overview of the Town's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to Town of Shady Shores, 101 S Shady Shores, Shady Shores, Texas 76208.

BASIC FINANCIAL STATEMENTS

TOWN OF SHADY SHORES, TEXAS
STATEMENT OF NET POSITION
SEPTEMBER 30, 2023

	<u>Primary Government</u>
	<u>Governmental Activities</u>
ASSETS	
Cash and Cash Equivalents	\$ 1,541,072
Investments	1,912,474
Receivables (net of allowance for uncollectibles)	
Taxes - Ad Valorem	11,724
Other Receivables	21,619
Prepaid Expenses	19,612
Noncurrent Assets:	
Capital Assets (net of depreciation):	
Land	6,000
Construction in Progress	822,133
Buildings, net	407,422
Furniture and Equipment, net	72,078
Vehicles, net	-
Roads and Streets, net	868,851
Total Assets	<u>5,682,985</u>
DEFERRED OUTFLOWS OF RESOURCES	
Deferred Outflows Related to TMRS Pension	41,784
Deferred, Outflows Related to TMRS OPEB	184
Total Deferred Outflows of Resources	<u>41,968</u>
LIABILITIES	
Accounts Payable	93,644
Wages Payable	5,242
Court Fines Due to State	3,611
Interest Payable	2,614
Solid Waste Deposits	10,922
Noncurrent Liabilities:	
Due Within One Year - Certificates of Obligation	205,000
Due In More Than One Year:	
Certificates of Obligation	1,495,000
Net Pension Liability	20,520
Net OPEB Liability	1,597
Total Liabilities	<u>1,838,150</u>
DEFERRED INFLOWS OF RESOURCES	
Deferred Inflows Related to TMRS Pension	5,673
Deferred Inflows Related to TMRS OPEB	1,052
Total Deferred Inflows of Resources	<u>6,725</u>
NET POSITION	
Net Investment in Capital Assets	1,543,932
Unrestricted Net Position	2,336,146
Total Net Position	<u>\$ 3,880,078</u>

The accompanying Notes are an integral part of this statement.

TOWN OF SHADY SHORES, TEXAS
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2023

Functions/Programs	Expenses	Program Revenues		Net (Expense) Revenue and Change in Net Position
		Charges for Services	Operating Grants	Governmental Activities
GOVERNMENTAL ACTIVITIES:				
General Government	\$ 963,042	\$ 294,128	\$ 3,394	\$ (665,520)
Public Safety	804,079	-	-	(804,079)
Public Works	628,489	334,460	-	(294,029)
Debt Service - Interest	21,833	-	-	(21,833)
Total Governmental Activities	<u>2,417,443</u>	<u>628,588</u>	<u>3,394</u>	<u>(1,785,461)</u>
TOTAL PRIMARY GOVERNMENT	<u><u>\$ 2,417,443</u></u>	<u><u>\$ 628,588</u></u>	<u><u>\$ 3,394</u></u>	<u><u>(1,785,461)</u></u>
GENERAL REVENUES:				
Taxes:				
				1,452,579
				184,678
				161,660
				19,914
				128,787
				13,844
				<u>1,961,462</u>
				176,001
				<u>3,704,077</u>
				<u>\$ 3,880,078</u>

The accompanying Notes are an integral part of this statement.

TOWN OF SHADY SHORES, TEXAS
BALANCE SHEET - GOVERNMENTAL FUNDS
SEPTEMBER 30, 2023

	General Fund	Debt Service Fund	Capital Projects Fund
ASSETS			
Cash and Cash Equivalents	\$ 285,784	\$ -	\$ 1,067,448
Investments	1,912,474	-	-
Ad valorem Tax Receivable	10,575	1,149	-
Other Receivables	21,619	-	-
Due from Other Funds	-	2,283	-
Prepaid Costs	19,612	-	-
Total Assets	<u>\$ 2,250,064</u>	<u>\$ 3,432</u>	<u>\$ 1,067,448</u>
LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE			
Liabilities:			
Accounts Payable	\$ 93,644	\$ -	\$ -
Wages Payable	5,242	-	-
Court Fines Due to State	3,611	-	-
Solid Waste Deposits	10,922	-	-
Due to Other Funds	102,283	-	-
Total Liabilities	<u>215,702</u>	<u>-</u>	<u>-</u>
Deferred Inflows of Resources:			
Unavailable Revenue-Property Taxes	10,575	1,149	-
Total Deferred Inflows of Resources	<u>10,575</u>	<u>1,149</u>	<u>-</u>
Fund Balance:			
Nonspendable Fund Balance	19,612	-	-
Restricted Fund Balance:			
Capital Projects	-	-	1,067,448
Debt Service	-	2,283	-
CLFRF Funds	-	-	-
Court Security/Technology Fees	8,456	-	-
Assigned Fund Balance:			
Capital Projects	100,000	-	-
Roads and Bridges	476,238	-	-
Emergencies	300,000	-	-
Unassigned Fund Balance	1,119,481	-	-
Total Fund Balance	<u>2,023,787</u>	<u>2,283</u>	<u>1,067,448</u>
Total Liabilities, Deferred Inflows, and Fund Balance	<u>\$ 2,250,064</u>	<u>\$ 3,432</u>	<u>\$ 1,067,448</u>

The accompanying Notes are an integral part of this statement.

Special Revenue (CLFRF Funds)	Total
\$ 187,840	\$ 1,541,072
-	1,912,474
-	11,724
-	21,619
100,000	102,283
-	19,612
<u>\$ 287,840</u>	<u>\$ 3,608,784</u>

\$ -	\$ 93,644
-	5,242
-	3,611
-	10,922
-	102,283
<u>-</u>	<u>215,702</u>

-	11,724
<u>-</u>	<u>11,724</u>

-	19,612
-	-
-	1,067,448
-	2,283
287,840	287,840
-	8,456
-	-
-	100,000
-	476,238
-	300,000
-	1,119,481
<u>287,840</u>	<u>3,381,358</u>

<u>\$ 287,840</u>	<u>\$ 3,608,784</u>
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TOWN OF SHADY SHORES, TEXAS
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE
STATEMENT OF NET POSITION
SEPTEMBER 30, 2023

Total Fund Balances – Governmental Funds	\$3,381,358
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the fund financial statements.	3,773,429
Accumulated depreciation is not reported in the fund financial statements.	(1,596,945)
Certificates of obligation are not reported in the fund financial statements.	(1,700,000)
Interest is accrued on outstanding debt in the government-wide financial statements, whereas in the fund financial statements interest expenditures are reported when due.	(2,614)
Property tax revenue reported as unavailable revenues in the fund financial statements was recognized as revenue in the government-wide financial statements.	11,724
Included in the items related to debt is the recognition of the Town's net TMRS pension liability required by GASB 68 in the amount of \$20,520, a Deferred Outflows of Resources related to TMRS in the amount of \$41,784, and a Deferred Inflows of Resources related to TMRS in the amount of \$5,673. This amounted to an increase in Net Position in the amount of \$15,591.	15,591
Included in the items related to debt is the recognition of the Town's net TMRS OPEB liability required by GASB 75 in the amount of \$1,597, a Deferred Resource Outflow related to OPEB in the amount of \$184 and a Deferred Resource Inflow related to OPEB in the amount of \$1,052. This amounted to a decrease in Net Position in the amount of \$2,465.	(2,465)
Net Position of Governmental Activities	<u>\$3,880,078</u>

The accompanying Notes are an integral part of this statement.

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TOWN OF SHADY SHORES, TEXAS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023

	General Fund	Debt Service Fund	Capital Projects Fund
Revenues:			
Taxes			
General Sales and Use Taxes	\$ 184,678	\$ -	\$ -
Ad Valorem Taxes and Penalties	1,233,336	224,423	-
Franchise Taxes	161,660	-	-
Hotel/Motel Tax	19,914	-	-
Building Permits & Fees	334,460	-	-
Municipal Court Fines	27,020	-	-
Interest Income	83,939	-	36,121
Solid Waste Collections	267,108	-	-
Other Revenue	17,238	-	-
Total Revenues	<u>2,329,353</u>	<u>224,423</u>	<u>36,121</u>
Expenditures:			
General Government Administration	925,627	-	-
Public Safety	802,876	-	-
Public Works	364,446	-	94,043
Capital Outlay	7,682	-	428,825
Debt Service:			
Principal	-	200,000	-
Interest	-	22,140	-
Total Expenditures	<u>2,100,631</u>	<u>222,140</u>	<u>522,868</u>
Net Change in Fund Balance	228,722	2,283	(486,747)
Fund Balance – October 1 (beginning)	<u>1,795,065</u>	<u>-</u>	<u>1,554,195</u>
Fund Balance – September 30 (ending)	<u>\$ 2,023,787</u>	<u>\$ 2,283</u>	<u>\$ 1,067,448</u>

The accompanying Notes are an integral part of this statement.

Special Revenue (CLFRF Funds)	Total
\$ -	\$ 184,678
-	1,457,759
-	161,660
-	19,914
-	334,460
-	27,020
8,727	128,787
-	267,108
-	17,238
<u>8,727</u>	<u>2,598,624</u>
8,650	934,277
-	802,876
87,725	546,214
-	436,507
-	200,000
-	22,140
<u>96,375</u>	<u>2,942,014</u>
(87,648)	(343,390)
<u>375,488</u>	<u>3,724,748</u>
<u>\$ 287,840</u>	<u>\$ 3,381,358</u>

TOWN OF SHADY SHORES, TEXAS
RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES,
EXPENDITURES, AND CHANGE IN FUND BALANCE TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2023

Total Net Change in Fund Balances – Governmental Funds	\$ (343,390)
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Current year capital outlay is shown as an expenditure in the fund financial statements but are shown as capital assets in the government-wide financial statements.	436,507
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Depreciation is not recognized as an expense in governmental funds since it does not require the use of current financial resources. The net effect of the current year's depreciation is to decrease net position in the government-wide financial statements.	(116,347)
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Current year principal payments on certificates of obligation are expenditures in the fund financial statements, but are shown as reductions in long-term debt in the government-wide financial statements.	200,000
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Interest is accrued on outstanding debt in the government-wide financial statements, whereas in the fund financial statements interest expenditures are reported when due.	307
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Revenues from property taxes are shown as unavailable in the fund financial statements until they are considered available to finance current expenditures, but such revenues are recognized when assessed in the government-wide financial statements.	(5,180)
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The implementation of GASB 68 required that certain expenditures be de-expended and recorded as deferred resource outflows. The contributions made after the measurement date of 12/31/22 caused the change in ending net position to increase in the amount of \$17,637. Contributions of \$5,408 made before the measurement date but during the 2023 FY were also de-expended and recorded as a reduction in the net position liability for the Town. This also caused an increase in the change in net position. These contributions were replaced with the Town's pension expense for the year of \$18,554, which caused a decrease in the change in net position. The impact of all of these is to increase net position by \$4,491.	4,491
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The implementation of GASB 75 required that certain expenditures be de-expended and recorded as deferred resource outflows. The contributions made after the measurement date of 12/31/22 caused net position to increase in the amount of \$184. Contributions made before the measurement date but during the 2023 FY were also de-expended and recorded as a reduction in the net position liability for the Town. This also caused an increase in net position in the amount of \$62. These contributions were replaced with the Town's OPEB expense for the year of \$633, which caused a decrease in the change in net position. The impact of all of these is to decrease net position by \$387.	(387)
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Change in Net Position of Governmental Activities	<u>\$ (176,001)</u>
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The accompanying Notes are an integral part of this statement.

TOWN OF SHADY SHORES, TEXAS
NOTES TO THE BASIC FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Town of Shady Shores (the "Town") are presented in accordance with generally accepted accounting principles applicable to state and local governmental units as set forth by the Governmental Accounting Standards Board ("GASB").

The Town implemented GASB 34 in a prior year. GASB Statement No. 34 established a new financial reporting model for state and local governments that included the addition of management's discussion and analysis, government-wide financial statements, required supplementary information and the elimination of the use of account groups to the already required fund financial statements and notes. GASB Statement No. 37 provides additional guidance in reporting infrastructure, program revenues and major criteria.

The GASB determined that fund accounting has and will continue to be essential in helping governments to achieve fiscal accountability and should, therefore, be retained. The GASB also determined that the government-wide financial statements are needed to allow users of financial reports to assess a government's operational accountability. The new GASB model integrates fund-based financial reporting and government-wide financial reporting as complementary components of a single comprehensive financial reporting model.

The following is a summary of the more significant accounting policies.

A. Reporting Entity

The Town of Shady Shores (Town) is a municipal corporation governed by an elected mayor and five-member council. The accompanying financial statements present the government and its component units, entities for which the government is considered to be financially accountable. The criteria for including organizations as component units within the Town's reporting entity, as set forth in Section 2100 GASB's Codification of Governmental Accounting and Financial Reporting Standards, include whether:

- the organization is legally separate (can sue and be sued in their own name)
- the Town holds the corporate powers of the organization
- the Town appoints a voting majority of the organization's board
- the Town is able to impose its will on the organization
- the organization has the potential to impose a financial benefit/burden on the Town
- there is fiscal dependency by the organization on the Town

Blended component units, although legally separate entities, are, in substance, part of the government's operations. Each discretely presented component unit is reported in a separate column in the government-wide financial statements to emphasize that it is legally separate from the Town.

The Town had no component units at September 30, 2023.

TOWN OF SHADY SHORES, TEXAS
NOTES TO THE BASIC FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

B. Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the non-fiduciary activities of the Town and its component units. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support. The Town had no business-type activities during the period.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governments funds, proprietary funds, and fiduciary funds, even though the latter are excluded for the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements. The Town had no proprietary funds or fiduciary funds during the period.

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Town considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

TOWN OF SHADY SHORES, TEXAS
NOTES TO THE BASIC FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about Fiduciary Net Position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS's Fiduciary Net Position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about Fiduciary Net Position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS's Fiduciary Net Position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments are treated as being equal to the employer's yearly contributions for retirees. There are no investments as this is a pay-as-you-go plan.

Property taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual. All other revenue items are considered to be measurable and available only when cash is received by the Town.

The Town reports the following major governmental funds:

General Fund - The General fund is the general operating fund of the Town. It is used to account for all financial resources except those required to be accounted for in another fund.

Special Revenue Funds – These funds are established to account for funds restricted for specified purposes. For many funds in this type, project accounting is employed to maintain integrity for the various sources of funds. The Town uses this fund type to account for its CLFRF funds.

Debt Service Fund – The Debt Service Fund accounts for the use of debt service taxes collected for the purpose of retiring certificates of obligation principal and paying interest due.

Capital Projects Fund – The capital projects fund is used to account for proceeds from the sale of certificates of obligation and other long-term debt to be used for Council authorized acquisition, construction or renovation. Upon completion of a project, any unused proceeds are used to retire related debt principal.

Program revenues include: 1) charges to customers or applicants for goods, services, or privileges provided; 2) operating grants and contributions; and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

D. Cash and Investments

The Town's cash and investments are considered to be cash on hand, demand deposits and public funds investment pools.

TOWN OF SHADY SHORES, TEXAS
NOTES TO THE BASIC FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

E. Property Taxes

Ad valorem taxes are levied from valuations assessed as of January 1 and recognized as revenue on the date of levy, on October 1. Property tax receivables are recognized when the Town has an enforceable claim against the property owner. In the governmental funds, property tax revenue is recognized in the fiscal period for which the taxes are levied, provided that they become available. Available means collected within the current period, or expected to be collected soon enough thereafter, to be used to pay current liabilities. The Town's availability period is sixty days. Taxes collected prior to the levy date to which they apply are recorded as unavailable revenues and recognized as revenue of the period to which they apply.

Current taxes are due on October 1 and become delinquent if unpaid on February 1. Taxes unpaid as of February 1 are subject to penalty and interest as the Town Council provides by ordinance. On January 1 of each year, a tax lien attaches to property to secure all taxes, penalties and interest ultimately imposed.

F. Bad Debts

No allowance is provided for uncollectible real property taxes, since all real property taxes will ultimately be collected when title to the property is transferred, except in rare instances in which the taxes are discharged in bankruptcy.

G. Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g., roads, bridges, sidewalks and similar items), are reported in the governmental activities column in the government-wide financial statements. The Town defines capital assets as assets with an initial individual cost of more than \$1,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the time received. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Net interest incurred during the construction phase of capital assets of governmental activities is not included as part of the capitalized value of the assets constructed.

Depreciation expense is calculated on the straight-line method. Depreciation methods are designed to amortize the cost of the assets over their estimated useful lives. Estimated useful lives of major categories of property are as follows:

<u>Category</u>	<u>Estimated Life</u>
Infrastructure	15-30 years
Buildings	50 years
Furniture and equipment	7-10 years

TOWN OF SHADY SHORES, TEXAS
NOTES TO THE BASIC FINANCIAL STATEMENTS
SEPTEMBER 30, 2023

H. Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

I. Net Position

Net position represents the difference between assets, deferred outflows, deferred inflows and liabilities. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvements of those assets, and adding back unspent proceeds. Net position is reported as restricted when there are limitations imposed on their use either through the enabling legislation adopted by the Town or through external restrictions imposed by creditors, grantors or laws or regulations of other governments.

J. Budgets

The Town prepares an annual budget for the General Fund in order to provide appropriate budgetary control over revenues and expenditures through comparison of actual data to budgetary data. If a change in the approved budget is required due to unforeseen circumstances, the Council may approve amendments to the budget. All annual appropriations lapse at fiscal year-end.

K. Subsequent Events

Management has reviewed events subsequent to September 30, 2023 through January 17, 2024, which is the date the financial statements were available to be issued. No subsequent events were identified that were required to be disclosed in the financial statements.

2. FUND BALANCE

The Town has implemented GASB Statement No. 54, "Fund Balance Reporting and Governmental Fund Type Definitions." This Statement provides more clearly defined fund balance categories to make the nature and extent of the constraints placed on a government's fund balances more transparent.

Fund Balance Classification: The governmental fund financial statements present fund balances based on classifications that comprise a hierarchy that is based primarily on the extent to which the Town is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent. The classifications used in the governmental fund financial statements are as follows:

- Nonspendable: This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) are legally or contractually required to be maintained intact. The Town has classified \$19,612 of prepaid costs as nonspendable fund balance at September 30, 2023.

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- Restricted: This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation. Court security and technology fees are restricted because their use is restricted pursuant to the regulations that allow the collection of those fees. The Town has restricted fund balance for court security and technology fees, certificates of obligation proceeds and CLFRF Funds at September 30, 2023.
- Committed: This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action of the Town Council. The Council establishes (and modifies or rescinds) fund balance commitments by passage of a resolution. This can also be done through adoption and amendment of the budget. These amounts cannot be used for any other purpose unless the Council removes or changes the specified use by taking the same type of action that was employed when the funds were initially committed. This classification also includes contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual requirements. The Council had not committed any resources as of September 30, 2023.
- Assigned: This classification includes amounts that are constrained by the Town's intent to be used for a specific purpose but are neither restricted nor committed. This intent can be expressed by the Council or through the Council delegating this responsibility to other individuals in the Town. Under the Town's policy, only the council may assign amounts for specific purposes. The Town had assigned fund balance resources of the General Fund as of September 30, 2023, for capital projects, roads and bridges and emergencies.
- Unassigned: This classification includes all amounts not included in other spendable classifications, including the residual fund balance for the General Fund.

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, the Town considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the Town considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed, unless the Town Council has provided otherwise in its commitment or assignment actions.

Beginning fund balances for the Town's governmental funds have been restated to reflect the above classifications. The details of the fund balances are included in the Governmental Funds Balance Sheet (page 17) and are described below:

General Fund

The General Fund has unassigned fund balance of \$1,119,481 at September 30, 2023. The Town has assigned fund balances of \$100,000 for capital projects, \$476,238 for roads and bridges and \$300,000 for emergencies, restricted fund balances of \$8,456 for court security and technology fees, and nonspendable funds for prepaid costs of \$19,612.

3. DEPOSITS AND INVESTMENTS WITH FINANCIAL INSTITUTIONS

The Town's funds are required to be deposited and invested under the terms of a depository agreement. The depository bank deposits for safekeeping and trust with the Town's agent bank approved pledged securities in an amount sufficient to protect Town funds on a day-to-day basis during the period of the agreement. The pledge of approved securities is waived only to the extent of the depository bank's dollar amount of Federal Deposit Insurance Corporation ("FDIC") insurance.

1. Cash Deposits:

At September 30, 2023, the carrying amount of the Town's deposits in checking accounts and interest-bearing savings accounts was \$1,540,975 and the bank balance was \$1,566,852. The Town's cash deposits at September 30, 2023 were entirely covered by FDIC insurance or by pledged collateral held by the Town's agent bank in the Town's name.

2. Investments:

The Public Funds Investment Act (Government Code Chapter 2256) contains specific provisions in the areas of investment practices, management reports and establishment of appropriate policies. Among other things, it requires the Town to adopt, implement, and publicize an investment policy. That policy must address the following areas: (1) safety of principal and liquidity, (2) portfolio diversification, (3) allowable investments, (4) acceptable risk levels, (5) expected rates of return, (6) maximum allowable stated maturity of portfolio investments, (7) maximum average dollar-weighted maturity allowed based on the stated maturity date for the portfolio, (8) investment staff quality and capabilities, (9) and bid solicitation preferences for certificates of deposit. Statutes authorize the Town to invest in (1) obligations of the U.S. Treasury, certain U.S. agencies, and the State of Texas, (2) certificates of deposit, (3) certain municipal securities, (4) money market savings accounts, (5) repurchase agreements, (6) bankers acceptance, (7) Mutual Funds, (8) Investment pools, (9) guaranteed investment contracts, (10) and common trust funds.

The Act also requires the Town to have independent auditors perform test procedures related to investment practices as provided by the Act. The Town is in substantial compliance with the requirements of the Act and with local policies.

In compliance with the Public Funds Investment Act, the Town has adopted a deposit and investment policy. That policy addresses the following risks:

- a. Custodial Credit Risk – Deposits: In the case of deposits, this is the risk that, in the event of a bank failure, the Town's deposits may not be returned to it. As of September 30, 2023, the Town's cash balances totaled \$1,566,852. This entire amount was either collateralized with securities held by the Town's financial institution's agent in the Town's name or covered by FDIC insurance. Thus, the Town's deposits are not exposed to custodial credit risk.

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- b. Custodial Credit Risk – Investments: For an investment, this is the risk that, in the event of the failure of the counterparty, the Town will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. At September 30, 2023, the Town held all of its investments in two public funds investment pools – LOGIC and TexPool. Investments in external investment pools are considered unclassified as to custodial credit risk because they are not evidenced by securities that exist in physical or book entry form.
- c. Credit Risk: This is the risk that an issuer or other counterparty to an investment will be unable to fulfill its obligations. The rating of securities by nationally recognized rating agencies is designed to give an indication of credit risk. Credit risk is monitored and controlled by purchasing quality related instruments that have been evaluated by agencies such as Standards and Poor's or Moody's Investment Services. The credit quality rating for TexPool and LOGIC at year-end was AAAm (Standard & Poor's).
- d. Interest Rate Risk: This is the risk that changes in interest rates will adversely affect the fair value of an investment. The Town manages its exposure to declines in fair values by limiting the weighted average maturity of its investment portfolio to less than one year from the time of purchase. The weighted average maturity for the TexPool and LOGIC investment pools is less than 60 days.
- e. Foreign Currency Risk: This is the risk that exchange rates will adversely affect the fair value of an investment. At September 30, 2023, the Town was not exposed to foreign currency risk.
- f. Concentration of Credit Risk: This is the risk of loss attributed to the magnitude of the Town's investment in a single issuer (i.e., lack of diversification). Concentration risk is defined as positions of 5 percent or more in the securities of a single issuer. At September 30, 2023, the Town held 13.07% of its investments in a Texas Republic Bank CD and 12.65% of its investments in an Oakwood Bank CD. Investment pools are excluded from the 5 percent disclosure requirement.

The Town's investments at September 30, 2023 are shown below:

<u>Name</u>	<u>Carrying Amount</u>	<u>Market Value</u>
TexPool Investment Pool	\$ 848,463	\$ 848,463
LOGIC Investment Pool	572,095	572,095
Texas Republic Bank CD	250,000	250,000
Oakwood Bank CD	241,916	241,916
Total	<u>\$ 1,912,474</u>	<u>\$ 1,912,474</u>

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Fair Value Measurements

The Town categorizes its fair value measurements with the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. Investments that are measured at fair value using the net asset value per share (or its equivalent) as a practical expedient are not classified in the fair value hierarchy below.

In instances where inputs used to measure fair value fall into different levels in the above fair value hierarchy, fair value measurements in their entirety are categorized based on the lowest level input that is significant to the valuation. The Town's assessment of the significance of particular inputs to these fair value measurements requires judgement and considers factors specific to each asset or liability.

The Town's investment in the TexPool investment pool (statewide 2a7-like external investment pool) is not required to be measured at fair value but is measured at amortized cost. The Town's investment in certificates of deposit is measured using Level 2 inputs.

4. CAPITAL ASSETS

Capital asset activity for governmental activities for the year ended September 30, 2023 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Primary Government				
Governmental activities:				
Capital assets, not being depreciated:				
Land	\$ 6,000	\$ -	\$ -	6,000
Construction in Progress	738,429	428,825	(345,121)	822,133
Total capital assets, not being depreciated	744,429	428,825	(345,121)	828,133
Capital assets being depreciated:				
Roads & Streets	1,825,176	345,121	-	2,170,297
Buildings & Improvements	589,819	-	-	589,819
Vehicles	11,400	-	-	11,400
Furniture & Equipment	166,098	7,682	-	173,780
Total capital assets, being depreciated	2,592,493	352,803	-	2,945,296
Less accumulated depreciation for:				
Buildings & Improvements	169,524	12,873	-	182,397
Furniture & Equipment	80,785	20,917	-	101,702
Vehicles	11,400	-	-	11,400
Roads & Streets	1,218,889	82,557	-	1,301,446
Total accumulated depreciation	1,480,598	116,347	-	1,596,945
Total capital assets, being depreciated, net	1,111,895	236,456	-	1,348,351
Governmental activities capital assets, net	<u>\$ 1,856,324</u>	<u>\$ 665,281</u>	<u>\$ (345,121)</u>	<u>\$ 2,176,484</u>

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Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental Activities:	
Administration	\$ 32,869
Public Safety	1,221
Public works	<u>82,257</u>
Total depreciation expense – Governmental activities	<u>\$ 116,347</u>

Land and construction in progress are not depreciated.

5. LONG TERM DEBT

Long-term debt of the Town at September 30, 2023 consists of one certificates of obligation series. All long-term debt represents transaction in the Town's governmental activities.

The following is a summary of the changes in the Town's long-term debt for the year ended September 30, 2023:

<u>Description</u>	<u>Interest Rate Payable</u>	<u>Amounts Outstanding 10/01/22</u>	<u>Additions</u>	<u>Refunded/ Retired</u>	<u>Amounts Outstanding 09/30/23</u>	<u>Due Within One Year</u>
Certificates of Obligation: Series 2021	1.23%	<u>\$ 1,900,000</u>	<u>\$ -</u>	<u>\$ 200,000</u>	<u>\$ 1,700,000</u>	<u>\$ 205,000</u>
Total Long-Term Debt		<u>\$ 1,900,000</u>	<u>\$ -</u>	<u>\$ 200,000</u>	<u>\$ 1,700,000</u>	<u>\$ 205,000</u>

Presented below is a summary of certificates of obligation requirements to maturity:

<u>Year Ended September 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total Requirements</u>
2024	\$ 205,000	\$ 19,649	\$ 224,649
2025	205,000	17,128	222,128
2026	210,000	14,575	224,575
2027	210,000	11,993	221,993
2028	215,000	9,379	224,379
2029-2031	655,000	12,146	667,146
Total	<u>\$1,700,000</u>	<u>\$ 84,870</u>	<u>\$ 1,784,870</u>

6. LITIGATION AND CONTINGENCIES

The Town Attorney (general legal counsel) expresses the opinion that there does not now exist any pending or threatened litigation, claim or assessment, or an unasserted claim and/or assessment which individually or collectively represent a potential loss exposure to the Town of Shady Shores, Texas.

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7. RISK MANAGEMENT

Significant losses to which the Town is exposed are covered by insurance obtained primarily through the Texas Municipal League. This includes property and liability insurance. The Town retains no risk of loss except for small deductibles on some of the policies.

For insured programs, there have been no significant reduction in insurance coverage, and settlement amounts have not been exceeded insurance coverage for the current year or the three prior years.

8. INTERFUND RECEIVABLES AND PAYABLES

Interfund receivables and payables at September 30, 2023 consist of the following:

	<u>Due From</u>	<u>Due To</u>
General Fund:		
Capital Projects Fund	\$ -	\$ 100,000
Debt Service Fund		2,283
Capital Projects Fund:		
General Fund	100,000	-
Debt Service Fund:		
General Fund	2,283	
Total	<u>\$ 102,283</u>	<u>\$ 102,283</u>

There were no interfund transfers during the year ended September 30, 2023:

9. DEFINED BENEFIT PENSION PLANS

Plan Description

The Town of Shady Shores participates as one of 919 plans in the nontraditional, joint contributory, hybrid defined benefit pension plan administered by the Texas Municipal Retirement System (TMRS). TMRS is an agency created by the State of Texas and administered in accordance with the TMRS Act, Subtitle G, Title 8, Texas Government Code (the TMRS Act) as an agent multiple-employer retirement system for municipal employees in the State of Texas. The TMRS Act places the general administration and management of the System with a six-member Governor-appointed Board of Trustees. However, TMRS is not fiscally dependent on the State of Texas. TMRS's defined benefit pension plan is a tax-qualified plan under Section 401 (a) of the Internal Revenue Code. TMRS issues a publicly available comprehensive annual financial report (CAFR) that can be obtained at www.tmrs.com.

All eligible employees of the Town are required to participate in TMRS.

Benefits Provided

TMRS provides retirement, disability, and death benefits. Benefit provisions are adopted by the governing body of the town, within the options available in the state statutes governing TMRS.

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At retirement, the benefit is calculated as if the sum of the employee's contributions, with interest, and the town-financed monetary credits with interest were used to purchase an annuity. Members may choose to receive their retirement benefit in one of seven payments options. Members may also choose to receive a portion of their benefit as a Partial Lump Sum Distribution in an amount equal to 12, 24, or 36 monthly payments, which cannot exceed 75% of the member's deposits and interest.

The plan provisions are adopted by the governing body of the Town, within the options available in the state statutes governing TMRS. Plan provisions for the Town were as follows:

	Plan Year 2022	Plan Year 2023
Employee deposit rate	7.0%	7.0%
Employer deposit rate	10.57%	11.00%
Matching ratio (Town to employee)	2 to 1	2 to 1
Years required for vesting	5	5
Service retirement eligibility (expressed as age/years of service)	60/5,0/20	60/5,0/20
Updated Service Credit	0%,	0%,
Annuity Increase (to retirees)	0% of CPI	0% of CPI

Employees covered by benefit terms.

At the December 31, 2022 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	0
Inactive employees entitled to buy not yet receiving benefits	0
Active employees	<u>3</u>
	3

Contributions

The contribution rates for employees in TMRS are either 5%, 6%, or 7% of employee gross earnings, and the town matching percentages are either 100%, 150%, or 200%, both as adopted by the governing body of the town. Under the state law governing TMRS, the contribution rate for each town is determined annually by the actuary, using the Entry Age Normal (EAN) actuarial cost method. The actuarially determined rate is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability.

Employees for the Town of Shady Shores were required to contribute 7% of their annual gross earnings during the fiscal year. The contribution rates for the Town of Shady Shores were 10.57% and 11.00% in calendar years 2022 and 2023, respectively. The Town's contributions to TMRS for the years ended September 30, 2022 and September 30, 2023 were \$16,512 and \$23,045, respectively, and were equal to the required contributions.

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Net Pension Liability

The town's Net Pension Liability (NPL) was measured as of December 31, 2022, and the Total Pension Liability (TPL) used to calculate the Net Pension Liability was determined by an actuarial valuation as of that date.

Actuarial assumptions:

The Total Pension Liability in the December 31, 2022 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.5% per year
Overall payroll growth	2.75% per year, adjusted down for population declines, if any
Investment Rate of Return	6.75%, net of pension plan investment expense, including inflation

Salary increases are based on a service-related table. Mortality rates for active members are based on the PUB(10) mortality tables with the Public Safety table used for males and the General Employee table used for females. Mortality rates for healthy retirees and beneficiaries are based on the Gender-distinct 2019 Municipal Retirees of Texas mortality tables. The rates for actives, healthy retirees and beneficiaries are projected on a fully generational basis by Scale UMP to account for future mortality improvements. For disabled annuitants, the same mortality tables for healthy retirees is used with a 4-year set-forward for males and a 3-year set-forward for females. In addition, a 3.5% and 3.0% minimum mortality rate is applied, for males and females respectively, to reflect the impairment for younger members who become disabled. The rates are projected on a fully generational basis by Scale UMP to account for future mortality improvements subject to the floor.

The actuarial assumptions were developed primarily from the actuarial investigation of the experience of TMRS over the four-year period from December 31, 2014 to December 31, 2018. They were adopted in 2019 and first used in the December 31, 2019 actuarial valuation. The post-retirement mortality assumption for Annuity Purchase Rates (APRs) is based on the Mortality Experience Investigation Study covering 2009 through 2011 and dated December 31, 2013. Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income, in order to satisfy the short-term and long-term funding needs of TMRS.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. In determining their best estimate of a recommended investment return assumption under the various alternative asset allocation portfolios, GRS focused on the area between (1) arithmetic mean (aggressive) without an adjustment for time (conservative) and (2) the geometric mean (conservative) with an adjustment for time (aggressive). The target allocation and best estimates of real rates of return for each major asset class in fiscal year 2023 are summarized in the following table:

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Asset Class	Target Allocation	Long-Term Expected Portfolio Real Rate of Return*
Global Public Equity	35.00%	7.70%
Core Fixed Income	6.00%	4.90%
Non-Core Fixed Income	20.00%	8.70%
Other Public and Private Markets	12.00%	8.10%
Real Estate	12.00%	5.80%
Hedge Funds	5.00%	6.90%
Private Equity	10.00%	11.80%
Total	100.00%	

Discount Rate

The discount rate used to measure the Total Pension Liability was 6.75%. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the Total Pension Liability.

Changes in the Net Pension Liability

	Increase (Decrease)		
	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (a) – (b)
Balance at 12/31/2021	\$ 153,883	\$ 151,605	\$ 2,278
Changes for the year:			
Service Cost	26,069	-	26,069
Interest	11,267	-	11,267
Change in benefit terms	-	-	-
Difference between expected and actual experience	472	-	472
Changes of assumptions	-	-	-
Contributions – employer	-	18,438	(18,438)
Contributions – employee	-	12,280	(12,280)
Net investment income	-	(11,170)	11,170
Benefit payments, including refunds of employee contributions	-	-	-
Administrative expense	-	(96)	96
Other changes	-	114	(114)
Net changes	\$ 37,808	\$ 19,566	\$ 18,242
Balance at 12/31/2022	\$ 191,691	\$ 171,171	\$ 20,520

Sensitivity of the net pension liability to changes in the discount rate

The following presents the net pension liability of the Town, calculated using the discount rate of 6.75%, as well as what the Town's net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.75%) or 1-percentage-point higher (7.75%) than the current rate:

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	1% Decrease in Discount Rate (5.75%)	Discount Rate (6.75%)	1% Increase in Discount Rate (7.75%)
Town's net pension liability (asset)	\$48,971	\$20,520	\$(3,277)

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's Fiduciary Net Position is available in a separately-issued TMRS financial report. That report may be obtained on the Internet at www.tmrs.com.

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended September 30, 2023, the Town recognized pension expense of \$18,472.

At September 30, 2023, the Town reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ 6,015	\$ -
Changes in actuarial assumptions	1,010	-
Difference between projected and actual investment earnings	17,122	5,673
Contributions subsequent to the measurement date	17,637	-
Total	\$ 41,784	\$ 5,673

\$17,637 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability for the year ending September 30, 2024. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended September 30:	
2024	\$ 2,816
2025	3,842
2026	3,998
2027	5,441
2028	918
Thereafter	\$ 1,459

10. OTHER POST EMPLOYMENT BENEFITS

Plan Description

The Town also participates in a defined benefit group-term life insurance plan known as the Supplemental Death Benefits Fund (SDBF). This is a voluntary program in which participating member cities may elect, by ordinance, to provide group-term life insurance coverage (Supplemental Death Benefits) for their active members, including or not including retirees.

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Benefits Provided

The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings for the 12-month period preceding the month of death). The death benefit for retirees is considered an other postemployment benefit (OPEB) and is a fixed amount of \$7,500. As the SDBF covers both active and retiree employees, with no segregation of assets, the SDBF is considered to be an unfunded OPEB plan. Texas Local Government Code Section 177.001 assigns the authority to establish and amend benefit provisions to the City Council. At the December 31, 2021 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	0
Inactive employees entitled to but not yet receiving benefits	0
Active employees	<u>3</u>
Total	3

Contributions

The Town contributes to the SDBF program at a contractually required rate. An annual actuarial valuation is performed, and the contractual rate is equal to the cost of providing one-year term life insurance. The premium rate is expressed as a percentage of the covered payroll of members employed by the participating employer. There is a one-year delay between the actuarial valuation that serves as the basis for the employer contribution rate and the calendar year when the rate goes into effect.

The SDBF program is voluntary and employers can cease participation by adopting an ordinance before November 1 of any year to be effective the following January 1. Therefore, the funding policy of the program is to ensure that adequate resources are available to meet all insurance benefit payments for the upcoming year. It is not the intent of the funding policy to pre-fund retiree term life insurance during employees' entire careers. The Town's contribution, which equaled the required contribution, was as follows for the year ended September 30:

	<u>2023</u>
Employer rate	0.14%
Employer contributions	\$ 246

Actuarial Assumptions

The total OPEB liability in the December 31, 2022 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.5%
Salary increases	3.50% to 11.5%; including inflation
Discount rate	4.05%

Mortality rates for service retirees were based on the 2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with Scale UMP.

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Mortality rates for disabled retirees were based on the 2019 Municipal Retirees of Texas Mortality Tables with a 4 year set-forward for males and a 3 year set-forward for females. In addition, a 3.5% and 3% minimum mortality rate will be applied to reflect the impairment for younger members who become disabled for males and females, respectively. The rates are projected on a fully generational basis by Scale UMP to account for future mortality improvements subject to the floor.

Actuarial assumptions used in the December 31, 2022 valuation were based on the results of actuarial experience studies. The experience study in TMRS was for the period December 31, 2014 through December 31, 2018.

The SDBF program is treated as an unfunded OPEB plan because the SDBF trust covers both actives and retirees and the assets are not segregated for these groups. A discount rate of 1.84% was based on the Fidelity Index's 20-Year Municipal GO AA Index as of December 31, 2022.

OPEB Liability, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

At September 30, 2023, the Town reported a total OPEB liability of \$1,597 measured at December 31, 2022. For the year ended September 30, 2023, the Town recognized OPEB expense of \$509.

There were no changes of assumptions or other inputs that affected measurement of the total OPEB liability during the measurement period, except for a change in the discount rate from 1.84% to 4.05%.

There were no changes of benefit terms that affected measurement of the total OPEB liability during the measurement period.

Changes in the total OPEB liability for the measurement year ended December 31, 2022 are as follows:

Changes in Total OPEB Liability	<u>Total OPEB Liability</u>
Balance at December 31, 2021	\$ 2,627
Changes for the year:	
Service cost	579
Interest on total OPEB liability	54
Changes of benefit terms	-
Differences between expected and actual experience	(377)
Changes in assumptions or other inputs	(1,286)
Benefit payments*	-
Balance as of December 31, 2022	<u>\$ 1,597</u>

*Due to the SDBF being considered an unfunded OPEB plan under GASB 75, benefit payments are treated as being equal to the employer's yearly contributions for retirees.

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SEPTEMBER 30, 2023

Discount Rate Sensitivity Analysis

The following presents the total OPEB liability of the Town, calculated using the discount rate of 4.05%, as well as what the Town's total OPEB liability would be if it were calculated using a discount rate that is 1 percentage point lower (3.05%) or 1 percentage point higher (5.05%) than the current rate.

	1% Decrease in Discount Rate (3.05%)	Discount Rate (4.05%)	1% Increase in Discount Rate (5.05%)
Total OPEB liability	\$ 3,080	\$ 1,597	\$ 1,232

At December 31, 2022, the Town reported its deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ -	\$ 519
Changes in actuarial assumptions	-	533
Difference between projected and actual investment earnings	-	-
Contributions subsequent to the measurement date	184	-
Total	\$ 184	\$ 1,052

Deferred outflows of resources related to OPEB resulting from contribution subsequent to the measurement date of \$184 will be recognized as a reduction of the total OPEB liability for the year ended September 30, 2024. The other net amounts of the employer's balances of deferred outflows and inflows of resources related to OPEB, excluding contributions made subsequent to the measurement date, will be recognized in OPEB expense as follows:

Year ended September 30:	
2024	\$ (124)
2025	(124)
2026	(124)
2027	(124)
2028	(125)
Thereafter	(431)

REQUIRED SUPPLEMENTARY INFORMATION

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TOWN OF SHADY SHORES, TEXAS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE
BUDGET AND ACTUAL – GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual Amounts (GAAP BASIS)</u>	<u>Variance With Final Budget</u>
	<u>Original</u>	<u>Final</u>		
Revenues:				
Taxes:				
General Sales and Use Taxes	\$ 250,000	\$ 250,000	\$ 184,678	\$ (65,322)
Ad Valorem Taxes and Penalties	1,160,130	1,160,130	1,233,336	73,206
Franchise Tax	135,000	135,000	161,660	26,660
Hotel/Motel Tax	24,000	24,000	19,914	(4,086)
Building Permits & Fees	210,000	210,000	334,460	124,460
Municipal Court Fines	18,000	18,000	27,020	9,020
Local Government Grants	28,500	28,500	3,394	(25,106)
Interest Income	10,000	10,000	83,939	73,939
Solid Waste Collections	271,770	271,770	267,108	(4,662)
Other Revenue	800	800	13,844	13,044
Total Revenues	<u>2,108,200</u>	<u>2,108,200</u>	<u>2,329,353</u>	<u>221,153</u>
Expenditures:				
General Government Administration	919,703	919,703	925,627	(5,924)
Public Safety	805,308	805,308	802,876	2,432
Public Works	469,500	469,500	364,446	105,054
Capital Outlay	-	-	7,682	(7,682)
Total Expenditures	<u>2,194,511</u>	<u>2,194,511</u>	<u>2,100,631</u>	<u>93,880</u>
Net Change in Fund Balance	(86,311)	(86,311)	228,722	315,033
Fund Balance – October 1 (Beginning)	<u>1,795,065</u>	<u>1,795,065</u>	<u>1,795,065</u>	-
Fund Balance – September 30 (Ending)	<u>\$ 1,708,754</u>	<u>\$ 1,708,754</u>	<u>\$ 2,023,787</u>	<u>\$ 315,033</u>

TOWN OF SHADY SHORES, TEXAS
SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS
TEXAS MUNICIPAL RETIREMENT SYSTEM
FOR THE YEAR ENDED SEPTEMBER 30, 2023

Total pension liability	2014	2015	2016	2017
Service Cost	\$ 2,663	\$ 7,083	\$ 7,524	\$ 16,609
Interest (on the Total Pension Liability)	667	837	1,455	2,520
Changes of benefit terms	-	-	3,044	-
Difference between expected and actual experience	(595)	367	2,250	1,527
Change of assumptions	-	559	-	-
Benefit payments, including refunds of employee contributions	-	(5,030)	-	-
Net Change in Total Pension Liability	2,735	3,816	14,273	20,656
Total Pension Liability – Beginning	8,201	10,936	14,752	29,025
Total Pension Liability – Ending (a)	<u>\$ 10,936</u>	<u>\$ 14,752</u>	<u>\$ 29,025</u>	<u>\$ 49,681</u>
Plan Fiduciary Net Position				
Contributions – Employer	\$ 285	\$ 323	\$ 1,157	\$ 9,032
Contributions – Employee	1,889	5,208	5,269	7,866
Net Investment Income	701	22	1,057	3,207
Benefit payments, including refunds of employee contributions	-	(5,030)	-	-
Administrative Expense	(7)	(14)	(12)	(17)
Other	(1)	-	(1)	(1)
Net Change in Plan Fiduciary Net Position	2,867	509	7,470	20,087
Plan Fiduciary Net Position – Beginning	12,223	15,090	15,599	23,069
Plan Fiduciary Net Position – Ending (b)	\$ 15,090	\$ 15,599	\$ 23,069	\$ 43,156
Net Pension Liability (Asset) – Ending (a) – (b)	\$ (4,154)	\$ (847)	\$ 5,956	\$ 6,525
Plan Fiduciary Net Position as a Percentage of Total Pension Liability	137.98%	105.74%	79.48%	86.87%
Covered Employee Payroll	\$ 37,788	\$ 104,168	\$ 105,379	\$ 112,376
Net Pension Liability (Asset) as a Percentage of Covered Employee Payroll	(10.99%)	(0.81%)	5.65%	5.81%

Note: The information from this schedule corresponds with the period covered as of the Plan's measurement date of December 31. Plan information was unavailable prior to 2014. Ten years will ultimately be displayed.

2018	2019	2020	2021	2022
\$ 15,185	\$ 17,271	\$ 18,418	\$ 20,479	\$ 26,069
3,866	5,304	7,068	8,940	11,267
-	-	-	-	-
1,205	1,361	1,219	2,256	472
-	1,630	-	-	-
-	-	-	-	-
20,256	25,566	26,705	31,675	37,808
49,681	69,937	95,503	122,208	153,883
<u>\$ 69,937</u>	<u>\$ 95,503</u>	<u>\$ 122,208</u>	<u>\$ 153,883</u>	<u>\$ 191,691</u>
\$ 9,048	\$ 10,850	\$ 11,787	\$ 14,030	\$ 18,438
7,197	8,202	8,676	9,647	12,280
(1,301)	9,050	6,588	14,865	(11,170)
-	-	-	-	-
(25)	(51)	(42)	(68)	(96)
(1)	(1)	(2)	-	114
14,918	28,050	27,007	38,474	19,566
43,156	58,074	86,124	113,131	151,605
<u>\$ 58,074</u>	<u>\$ 86,124</u>	<u>\$ 113,131</u>	<u>\$ 151,605</u>	<u>\$ 171,171</u>
\$ 11,863	\$ 9,379	\$ 9,077	\$ 2,278	\$ 20,520
83.04%	90.18%	92.57%	98.52%	89.30%
\$ 102,809	\$ 117,271	\$ 123,942	\$ 137,813	\$ 175,215
11.54%	8.00%	7.32%	1.65%	11.71%

TOWN OF SHADY SHORES, TEXAS
SCHEDULE OF EMPLOYER CONTRIBUTIONS
TEXAS MUNICIPAL RETIREMENT SYSTEM
SEPTEMBER 30, 2023

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Contractually Required Contribution	\$ 836	\$ 1,015	\$ 7,061	\$ 8,650
Contribution in Relation to the Contractually Required Contribution	<u>(836)</u>	<u>(1,015)</u>	<u>(7,061)</u>	<u>(8,650)</u>
Contribution Deficiency (Excess)	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>
Town's Covered- Employee Payroll	\$ 100,115	\$ 107,856	\$ 109,949	\$ 125,230
Contributions as a Percentage of Covered-Employee Payroll	0.84%	0.94%	6.42%	6.91%

Note: The information from this schedule corresponds with the Town's fiscal years ended September 30. Plan information was unavailable prior to 2014. Ten years will ultimately be displayed.

<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
\$ 10,505	\$ 11,363	\$ 13,672	\$ 16,512	\$ 23,045
<u>(10,505)</u>	<u>(11,363)</u>	<u>(13,672)</u>	<u>(16,512)</u>	<u>(23,045)</u>
<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>
\$ 113,897	\$ 119,304	\$ 135,624	\$ 157,285	\$ 211,500
9.22%	9.52%	10.08%	10.50%	10.90%

TOWN OF SHADY SHORES, TEXAS
SCHEDULE OF CHANGES IN TOTAL OPEB LIABILITY AND RELATED RATIOS
TEXAS MUNICIPAL RETIREMENT SYSTEM
FOR FISCAL YEAR 2023

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Total OPEB Liability					
Service cost	\$ 206	\$ 234	\$ 322	\$ 455	\$ 579
Interest on total OPEB liability	27	29	43	47	54
Changes of benefit terms	-	-	-	-	-
Differences between expected and actual experience	(239)	126	(60)	(118)	(377)
Change of assumptions or other inputs	(63)	378	398	120	(1,286)
Benefit payments/refunds of contributions	-	-	-	-	-
Net change in total OPEB liability	<u>(69)</u>	<u>767</u>	<u>703</u>	<u>504</u>	<u>(1,030)</u>
 Total OPEB liability, beginning	 <u>722</u>	 <u>653</u>	 <u>1,420</u>	 <u>2,123</u>	 <u>2,627</u>
Total OPEB liability, ending	<u><u>\$ 653</u></u>	<u><u>\$ 1,420</u></u>	<u><u>\$ 2,123</u></u>	<u><u>\$ 2,627</u></u>	<u><u>\$ 1,597</u></u>
 Covered employee payroll	 \$ 102,809	 \$ 117,271	 \$ 123,942	 \$ 137,813	 \$ 175,215
 Net OPEB liability as a percentage of covered payroll	 0.63%	 1.21%	 1.71%	 1.91%	 0.91%

Note: The information from this schedule corresponds with the period covered as of the Plan's measurement dates of December 31. Plan information was unavailable prior to 2018. Ten year will ultimately be displayed.

No assets are accumulated in a trust as defined by GASB 75. Benefits are on a pay as you go basis.

TOWN OF SHADY SHORES, TEXAS
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
FOR THE YEAR ENDED SEPTEMBER 30, 2023

Note A – Net Pension Liability – Texas Municipal Retirement System

Valuation Date:

Notes Actuarially determined contribution rates are calculated as of December 31 and become effective in January 13 months later.

Methods and Assumptions Used to Determine Contribution Rates:

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	18 years (longest amortization ladder)
Asset Valuation Method	10 Year smoothed market; 12% soft corridor
Inflation	2.5%
Salary Increases	3.50% to 11.5%, including inflation
Investment Rate of Return	6.75%
Retirement Age	Experience-based table of rates that are specific to the Town's plan of benefits. Last updated for the 2019 valuation pursuant to an experience study of the period 2014-2018
Mortality	Post-retirement: 2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with Scale UMP. Pre-retirement: PUB(10) mortality tables, with the Public Safety table used for males and the General Employee table used for females. The rates are projected on a fully generational basis with Scale UMP.

Changes of Benefit Terms

There were no changes in benefit terms.

Changes in the Size or Composition of the Population Covered by the Benefit Terms

There were no changes in the size or composition of the population covered by the benefit terms during the measurement period.

Changes of Assumptions

There were no changes of assumptions or other inputs that affected measurement of the total pension liability during the measurement period.

TOWN OF SHADY SHORES, TEXAS
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
FOR THE YEAR ENDED SEPTEMBER 30, 2023

Note B – Total OPEB Liability – Texas Municipal Retirement System

Valuation Date:

Notes	Actuarially determined contribution rates are calculated as of December 31 and become effective in January 13 months later.
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Methods and Assumptions Used to Determine Contribution Rates:

Actuarial Cost Method	Entry Age Normal
Inflation	2.5%
Salary Increases	3.50% to 11.5%, including inflation
Discount Rate	4.05%
Retirement Age	Experience-based table of rates that are specific to the Town's plan of benefits. Last updated for the 2019 valuation pursuant to an experience study of the period 2014-2018
Mortality	2019 Municipal Retirees of Texas Mortality Tables with 4 year set-forward for males and a 3 year set-forward for females. In addition, a 3.5% and 3% minimum mortality rate will be applied to reflect the impairment for younger members who become disabled for males and females, respectively. The rates are projected on a fully generational basis by Scale UMP to account for future mortality improvements subject to the floor.

OTHER SUPPLEMENTARY INFORMATION

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TOWN OF SHADY SHORES, TEXAS
GENERAL FUND
STATEMENT OF REVENUES
BUDGET AND ACTUAL FOR THE YEAR ENDED SEPTEMBER 30, 2023

	<u>Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>
Property Taxes:			
Current Year Taxes and Penalties	<u>\$ 1,160,130</u>	<u>\$ 1,233,336</u>	<u>\$ 73,206</u>
Franchise Taxes:			
Oncor	84,000	93,006	9,006
Atmos Energy	30,000	40,245	10,245
Century Telephone	1,000	699	(301)
Charter Communications	<u>20,000</u>	<u>27,710</u>	<u>7,710</u>
Total	<u>135,000</u>	<u>161,660</u>	<u>26,660</u>
Other Revenues:			
Sales Taxes	250,000	184,678	(65,322)
Hotel/Motel Tax	24,000	19,914	(4,086)
Permits and Other Fees	210,000	334,460	124,460
Municipal Court Fines	18,000	27,020	9,020
Interest on Investments	10,000	83,939	73,939
Solid Waste Collections	271,770	267,108	(4,662)
Local Government Grants	28,500	3,394	(25,106)
Facility Rentals	150	1,400	1,250
Community Events	500	1,022	522
Other Revenues	<u>150</u>	<u>11,422</u>	<u>11,272</u>
Total	<u>813,070</u>	<u>934,357</u>	<u>121,287</u>
Total Revenues	<u>\$ 2,108,200</u>	<u>\$ 2,329,353</u>	<u>\$ 221,153</u>

TOWN OF SHADY SHORES, TEXAS
GENERAL FUND
STATEMENT OF EXPENDITURES
BUDGET AND ACTUAL FOR THE YEAR ENDED SEPTEMBER 30, 2023

	Budget	Actual	Variance Favorable (Unfavorable)
General Government Administration:			
Town Administrator	\$ 84,000	\$ 92,400	\$ (8,400)
Deputy Town Secretary	42,000	42,000	-
Office Clerk	30,000	32,807	(2,807)
Billing Clerk	13,800	13,800	-
Community Relations Admin	45,000	49,976	(4,976)
Municipal Court Clerk	16,800	16,319	481
Salary Adjustments	10,000	2,190	7,810
Payroll Taxes	23,837	21,720	2,117
Health Insurance	16,250	18,962	(2,712)
Retirement	24,605	23,647	958
Municipal Judge	6,000	3,650	2,350
Computer/Software Costs	76,210	109,173	(32,963)
Attorney Fees	85,000	49,150	35,850
Accounting/Audit Fees	9,000	10,000	(1,000)
Postage/Mailing	4,000	6,157	(2,157)
Staff Development/Training	20,500	39,217	(18,717)
Advertising/Legal Notices	2,500	2,461	39
Building/Maintenance	45,000	44,096	904
Telephone & Utilities	27,000	30,871	(3,871)
Dues & Subscriptions	4,000	2,399	1,601
Office Supplies	4,850	7,349	(2,499)
Ordinance Codification	5,000	4,025	975
Insurance	7,300	7,489	(189)
Community Events	20,860	8,611	12,249
Promotional	1,500	5,873	(4,373)
Jury Fees	500	102	398
Bailiff	500	-	500
Election Costs	14,000	10,734	3,266
Meetings & Incidentals	3,500	4,415	(915)
Records Storage & Retrieval	500	510	(10)
Travel	3,500	3,098	402
Local Cooperation	2,000	1,302	698
Tax Assessment/Collection	8,200	9,700	(1,500)
Contingency	24,000	13,139	10,861
Solid Waste Contract	237,991	238,285	(294)
Total Administration	919,703	925,627	(5,924)
Public Safety:			
Police Services	292,350	290,350	2,000
Child Safety Program	5,700	-	5,700
Animal Control	-	1,268	(1,268)
Fire and Ambulance	507,258	511,258	(4,000)
Total Public Safety	805,308	802,876	2,432

TOWN OF SHADY SHORES, TEXAS
GENERAL FUND
STATEMENT OF EXPENDITURES
BUDGET AND ACTUAL FOR THE YEAR ENDED SEPTEMBER 30, 2023

	Budget	Actual	Variance Favorable (Unfavorable)
Public Works:			
Inspections	\$ 60,000	\$ 60,031	\$ (31)
Code Enforcement	17,000	19,151	(2,151)
Engineering Fees	125,000	158,855	(33,855)
Roads and Streets	175,000	53,104	121,896
Street Signs	5,000	2,273	2,727
Library	10,000	-	10,000
Public Works	75,000	70,902	4,098
Regional Storm Water	2,500	130	2,370
Total Public Works	<u>469,500</u>	<u>364,446</u>	<u>105,054</u>
Capital Outlay:			
Furniture and Equipment	-	7,682	(7,682)
Total Capital Outlay	<u>-</u>	<u>7,682</u>	<u>(7,682)</u>
Total Expenditures	<u>\$ 2,194,511</u>	<u>\$ 2,100,631</u>	<u>\$ 93,880</u>

TOWN OF SHADY SHORES, TEXAS
SCHEDULE OF DELINQUENT TAXES RECEIVABLE
SEPTEMBER 30, 2023

Tax Year	Balance September 30, 2022	Current Year Levy	Collections	Supplements/ Adjustments	Balance September 30, 2023
2013 and Prior	\$ 283	\$ -	\$ 5	\$ (68)	\$ 210
2014-2015	80	-	-	-	80
2015-2016	111	-	-	-	111
2016-2017	194	-	-	-	194
2017-2018	216	-	13	-	203
2018-2019	254	-	-	-	254
2019-2020	225	-	115	111	221
2020-2021	2,406	-	1,037	(24)	1,345
2021-2022	13,135	-	3,250	(7,296)	2,589
2022-2023	<u>-</u>	<u>1,438,175</u>	<u>1,431,658</u>	<u>-</u>	<u>6,517</u>
Totals	<u>\$ 16,904</u>	<u>\$ 1,438,175</u>	<u>\$ 1,436,078</u>	<u>\$ (7,277)</u>	<u>\$ 11,724</u>
Less allowance for uncollectible accounts					<u>-</u>
					<u>\$ 11,724</u>

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED
IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Honorable Mayor and Town Council
Town of Shady Shores, Texas

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and each major fund of the Town of Shady Shores, Texas, as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise The Town of Shady Shores, Texas's basic financial statements, and have issued our report dated January 17, 2024.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Town's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the Town's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Town's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Town's internal control or on compliance. This report is an integral part of the audit performed in accordance with *Government Auditing Standards* in considering the Town's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Hankins, Eastup, Deaton, Tonn, Seay & Scarborough, LLC
Denton, Texas

January 17, 2024



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Infrastructure Discussion

BACKGROUND/INFORMATION:

Conduct a worksession/discussion relative to the infrastructure presentation that was made by Town Engineer Richard Arvizu at the January 2024 regular Town Council meeting. Council will discuss funding options and priority scheduling for projects as well as possible projects that were presented.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Infrastructure Projects list for council packet

REVIEWED BY:

Project	Description	most recent improvement	weighting for 1st repair 0-5	part of master trails plan	potential other funding sources	Safety Issue (0-5)	Traffic Volume (1-5)	Severity of Problem (1-5)	not public works	Magnitude of Cost *	Magnitude of Cost Grants or Other Funding *	other funding	project ranking	maintenance contract project	safe routes to school
West Shady Shores bond package project	Redesign and upgrade of west shady shores from the railroad tracks to Fritz Road with sidewalks				y	4	5		F	\$500,000		\$21,000,000	9		
Dobbs road									F	\$38,500		\$6,400,000	0		
South SS bridges									F	\$700,000		\$21,000,000	0		
South SS Road the rest on the county bond project									F	\$0			0		
West Shady Shores Road - Everett Ct to S Shady Shores Rd	Reconstruct asphalt pavement in failed subgrade areas	2013	4	0		3	5	3	a	\$132,500			15	X	
West Shady Shores Road from Town Hall to Fritz	upgrade to concrete with curb & gutter and add sidewalk			1	1	4	5	3	a	\$3,360,000			14		
Garza Rd Sidewalk	Project to complete the sidewalk along Garza Rd from Adkisson Ranch to the end of Garza Rd. This may include easements and right-of-way, ditch improvements and grading, driveway improvements, and tree trimming/removals.		5	1	1	2	4	1	a	\$0	\$430,000		14		X

Jay St & Laura St Paving & Drainage and Franck's Cir Paving from Lakeshore Rd to USACE property line at curve	Existing gravel roads X Insufficient drainage capacity in the road rights-of-way X Drainage sheet flows across properties and roads X Narrow road X Franck's Cir ditches require re-grading/re-shaping X Franck's Cir roadway requires re-grading and shoring up of edges		5	0		2	1	4	a	\$803,000			12		
6th Street Paving & Drainage Improvements, including Sidewalk/Trail	Paving and drainage improvements, including sidewalk/trail **		5	1	1	1	3	1	a	\$900,000			12		
Shady Lane at 6th Street Culverts	Replace small culvert crossing Shady Ln at 6th St and replace large crushed arch culvert crossing 6th Street		3	1	1	1	3	2	a	\$275,000			11		
9th Street & June Road Paving	Reconstruct gravel roadway with asphalt roadway to eliminate mudholes, etc.		5	0		2	1	3	a	\$115,000			11	X	
Fritz Lane Bridge	Replace culvert with bridge to bring the roadway above 100-year floodplain	2022	0	1	1	3	3	1	a	\$1,250,000			9		x

Oakwood Cir Drainage Phase 1 (410 Oakwood Cir to 420 Oakwood Cir)	Existing driveway culverts in area set at incorrect elevations and/or grades X One ditch is filled in and replaced with a buried undersized pipe X Driveway railroad tie retaining wall at 414 Oakwood Circle encroaches slightly into drainage easement	2013 (paving only)	3	1	1	1	1	2	a	\$200,000			9		
Oakwood Cir Phase 2 (334 Oakwood Cir to 408 Oakwood Cir)	Existing driveway culverts in area are at incorrect elevations and/or grades	2013 (paving only)	3	1	1	1	1	2	a	\$320,000			9		
Cielo Lane	re-pave from Town hall to entrance of Cielo Ranch	1997 (recycle blacktop)	3			0	5	1	a	\$700,000			9		
Shahan Dr Additional Pavement Failure Issue	Reconstruct road	2005	4	0		1	1	3	a	\$384,000			9	X	
Carolyn Lane	Rehabilitate deteriorating asphalt roadway, what do the trash trucks do?	1997 (regravel and blacktop)	5	0		0	1	2	a	\$202,000			8	X	
Mustang Estates: Palomino Ct & Bronco Circle - 3 areas	Asphalt repairs (Edge of road failure)		5			1	1	1	a	\$30,000			8	X	
6th Street Paving - Lakeshore Rd to Jones Rd	Replace deteriorated asphalt and reconstruct to 6" of asphalt on 6" of treated		5	0		0	1	1	a	\$69,500			7		

	subgrade (200 LF)														
Meadowlark Ln Culvert	Replace 18" CMP culvert which is undersized and set too high	2003 (repairs to the road asphalt)	4	0		0	1	1	a	\$200,000			6		
Taylor Lane	Drainage issue along ditch on west side of Taylor Lane X Drainage from offsite and properties in the Vinson Addition flows across the yards between 6th Street and Harrison Ct and into the ditch X Recommend re-grading of ditch on east side X Additive Alternate - Recommend analysis of drainage in area and potential upgrading of cross culverts near Harrison and at 6th Street	2004 (built)	3			0	1	1	a	\$95,000			5		
South Shady Shores Rd spot repairs	ashpalt repair for several spots		5						a	\$64,500			5	X	
McClintock Drive - Joint & Pavement Repairs	Repair displaced expansion joints and damaged pavement areas		0			0	2	1	a	\$45,000			3		
Shady Lane (Asphalt)	Reconstruct with asphalt		2						a	\$101,500				X	
Brown Terrace - Road D	Clear right-of-way and add flexible base (re-gravel)					3	1	2		\$34,000			6		

Brown Terrace - Road B	Clear right-of-way and add flexible base (re-gravel)					2	1	2		\$34,000			5		
Brown Terrace - Road C	Clear right-of-way and add flexible base (re-gravel)					2	1	2		\$34,000			5		
Shady Lane - Gravel	Re-grade and add flexible base (gravel)	2022				1	1	1		\$40,000			3		
1st Street & Spring Park grading and gravel (parking?)	Re-grade and add flexible base (gravel)	2022				1	1	1		\$100,000			3		
Totals										\$9,989,000	\$430,000	\$21,000,000			

* Preliminary construction cost estimate for order of magnitude budgeting estimate

** Requires 6th Street culvert to be replaced by separate project or in conjunction

Denton County Bond Projects



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Planning and Zoning Commission
FROM: Wendy withers, Town Administrator

SUBJECT: **Public Hearing -Conduct a Public Hearing relative to a request made by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a Zoning Change of the property legally known as Keating Kove Acres Lot 4. The total acreage is 0.1446 and the proposed zoning change contains one, single family homesite. The zoning request is to change the zoning of the lot to the H-1200-4300 Historical District.**
A) Staff Report
B) Open Public Hearing
C) Applicant
D) Those in Favor
E) Those Opposed
F) Rebuttal if Desired
G) Close Public Hearing

BACKGROUND/INFORMATION:

The Planning and Zoning Commission conducted a public hearing relative to this request on February 8th, 2024. Mr. Susantio has not turned in the necessary documents to have the property replatted. The rezoning to the historical district consists of two actions. Rezoning the property is contingent on approval of a replat. The Planning and Zoning Commission tabled both items until a plat could be turned in and reviewed. An engineering letter approving the rezoning is attached.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

Conduct the public hearings, table the action items.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Rezone Lot 4 - Town Eng - Letter 1-31-2024
2. 104 e brown ter # 4 Zoning Change Application form Rudy Susantio
3. Historical District Application_Redacted
4. 104 Brown Terrace #4 - Historical District Survey

REVIEWED BY:

January 31, 2024

Via: E-Mail

Cindy Aughinbaugh
Town of Shady Shores
101 S. Shady Shores Rd
Shady Shores, Texas 76208

Re: Approval of Request for Re-Zoning of Lot 4 KEATINGS KOVE ACRES

Honorable Mayor Cindy Aughinbaugh:

It is understood the applicant is requesting to re-zone the subject property from R-2000 zoning to Historical District zoning.

This property is located in an area suitable for this rezoning request. The applicant submitted a survey exhibit prepared by Old Town Surveying dated September 22, 2023. It shows the appropriate Historic District Regulation building setbacks of 10-foot front and rear yard setbacks and 5-foot side yard setbacks which meet the Historical District Zoning Area Regulations as noted on the exhibit. This exhibit shows an existing residential structure which has since been removed from the property as it was based on survey fieldwork made in December 2021, and has been update to serve as a Zoning Exhibit.

Further, the applicant is also preparing a replat of the subject property to show the Historical District setbacks as well, to ultimately pursue a building permit for new home construction. This re-plat documentation is forthcoming and will be reviewed upon submittal to the Town.

Based on our review of the submitted information prepared by old Town Surveying we recommend the Planning and Zoning Commission and Town consider approving the re-zoning of the subject property.

Regards,

Binkley & Barfield, Inc.



David Francis, PE
Sr Project Manager
dfrancis@binkleybarfield.com

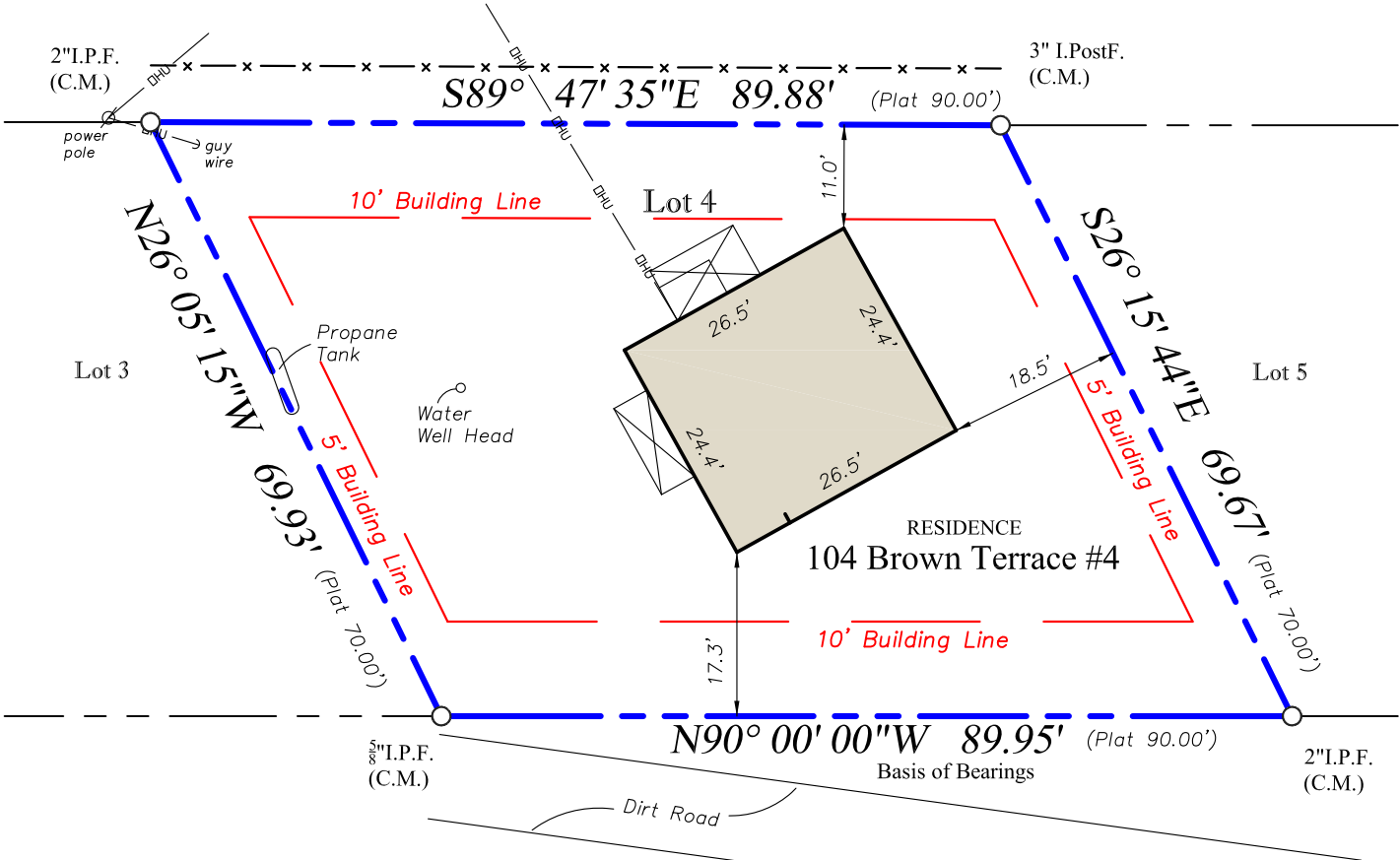
Attachments:

- Zoning Exhibit 9/22/23

cc: Amber Schuler, TRMC, CCII, Court Administrator/Deputy Town Secretary
Wendy Withers, TRMC, CMC, CPM, MPA, Town Administrator
James E. Shepherd - Town Attorney

104 Brown Terrace #4

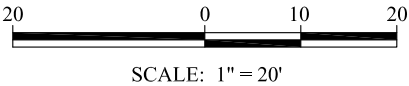
PROPERTY DESCRIPTION: All of Lot 4 in the Keating Kove Acres, an Addition in Denton County, Texas, as shown by a Map or Plat thereof recorded in Volume 395, Page 139, of the Deed Records of Denton County, Texas.



BROWN TERRACE #4
(30' ROW)

Proposed Building line
per Historial District
Standards 2.7.001 C 1,2&3.

Notes:
The following easement affects
that property lying beneath
elevation 537' (if any).
Vol. 435. Pg. 17.
The following easements
do not affect:
Vol. 1268, Pg. 471, Vol. 1268,
Pg. 473; Vol. 1143, Pg. 709.



Note:
Plat is illegible.

FLOOD NOTE: It is my opinion that the property described hereon is not within the 100-year flood zone area according to the Federal Emergency Management Agency Flood Insurance Rate Map Community-Panel No. 481135 0391H, present Effective Date of map June 19, 2020, herein property situated within Zone "X" (shaded).

LEGEND:

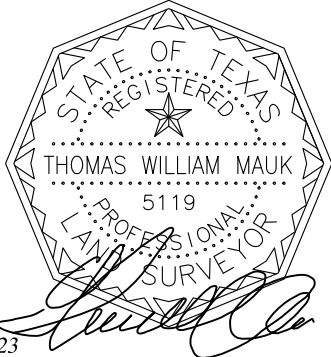
~ Boundary Line	C.M.
— DHU — ~ Overhead Utility Line	I.R.F.
— x — ~ Fence Line	1/2" Iron Rod Found (unless otherwise noted)
Basis of Bearings:	I.P.F.
Bearings shown hereon are based on the above mentioned record plat unless otherwise noted.	1/2" Iron Pipe Found
	I.R.S.
	1/2" Iron Rod Set
	"Old Town Surveying" (blue cap)



mailing address:
104 Brown Terrace #4
Shady Shores, Texas

SURVEYORS CERTIFICATION:
The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct and to the best of my knowledge there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon. Use of this document is solely intended for the transaction reflected by the G.F. Number referenced hereon. Any other use is prohibited and at user's risk.

December 20, 2021
Revised: September 22, 2023



Alamo Title Co. G.F. No. ATD-22-6000222100848L	Party Chief: C.E.
Fieldwork Date: 12/17/2021	Tech: T2
Job No.: 20211295	



9300 John Hickman Parkway
Suite 1202
Frisco, TX 75035
Ph.: 972.202.0411
Fax.: 469.294.9444



Old Town Surveying, LLC
Professional Land Surveyors

810 Office Park Circle, Ste. 130, Lewisville, Texas, 75057
Ph. 469-293-8079 info@oldtownsurveying.com
TFRN Number: 10194611



ZONING BOUNDARY CHANGE APPLICATION FORM ANNEXATION REQUEST FORM

1. Requesting:

Permanent Zoning _____
 Re-Zoning _____ (See Note*)
 Annexation _____

*Note: If requesting re-zoning, please attach a letter stating nature of re-zoning request; i.e. state present zoning district and change to specific zoning district requested.

Applicant/Company

Name:

Rudy Gusantio

Company

Address:

104 Brown Terrace # 4

Company

Phone

Number:

Company

Email:

Contact

Name:

Contact

Phone

Number:

Contact

Email:

2. Description and Location of Property:

a. Survey

and

abstract:

(Attached)

b. Attach metes and bounds description, and photos, (such as Google Earth)

c. Lot and block: (if applicable)

lot 4

d. Total number of acres:

0.1446

- e. Location 104 Brown Tangle St. Keating Cove Acres Property ID = 26519 further described:
- f. The property is: all within the Town Limits; all within the ETJ; both
- g. Attach 8 copies of the concept plan and survey that contain:
- h. North point, scale, and date
- i. Name and address of:
- Applicant
 - Engineer or surveyor responsible for survey of plat
- j. Survey and abstract with tract designation
- k. Location of major and/or secondary thoroughfares located with or adjacent to the property, and proposed access points to property.
- l. Location of existing or platted streets within and adjacent to the existing property
- m. Location of all existing rights of way, utility, and/or drainage easements

3. Fees (Non-Refundable): \$ Zoning requests--\$750 for first lot or acre, Plus \$100 per lot or \$500 per acre for each additional lot or acre, whichever is greater.

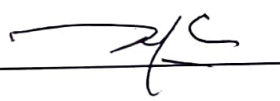
All fees are due and payable at the time of application. No hearing will be scheduled nor will any reviews be made until payment of required filing fees has been made. Fees are non-refundable regardless of outcome of request.

***All Zoning Requests, Platting Variance and other Professional Services require the applicant to pay all attorney review and engineering review costs + 10% Administrative Fee**

All the requirements and fees of this application are submitted to the Town of Shady Shores requesting a hearing date for a Public Hearing before the Planning and Zoning Commission and/or the Town Council as may be required. Hearing dates will be scheduled in accordance with provisions of the Town of Shady Shores Comprehensive Zoning Ordinance.

Applicant:

10/2/23

Rudy Suantho 

Date:

Accepted:

Date:

REQUEST FOR ZONING BOUNDARY CHANGE:

You are requested to supply the names and addresses of all property owners within 200 feet of the subject property, IN ALL DIRECTIONS.

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

12.

13.

14.

15.

List others on reverse side, if necessary.

FAILURE TO COMPLETE AND SUBMIT THIS INFORMATION WILL RESULT IN
THE REJECTION OF THE APPLICATION.

TOWN OF SHADY SHORES

PLATTING REQUEST PACKET

(UPDATED AUGUST 2018)



Minor Plat/Replat or Amending Plat Application Checklist

Application (completed) signed by property owner or the designated agent.
Aerial Photograph
Property Detail from Denton CAD website
6-18 x24 Paper Copies of Plat and 1 Digital Copy
3 Copies of the Topography and Preliminary Drainage Plan
One copy of private deed restrictions, if any as filed in the records of Denton County.
Payment of Required Fees
Upon Approval 4 Copies to be filed with the Denton County Clerk's Office
Certified Tax Certificates

*Prior to filing of Major Subdivision applicant must schedule a meeting with Town Staff to discuss project

Major Subdivision (5 or more lots)

Items needed in addition to those listed above

Concept Plan
Preliminary Drainage Plans

PLAT APPLICATION

APPLICANT	
Name	<u>Rudy Susantio</u>
Company	<u>104 Brown Terrace #4</u>
Address	<u>1127 Ranch II</u>
Town	<u>Shady Shores</u> State <u>TX</u>
Zip	<u>76208</u> Fax _____
Phone	<u>[REDACTED]</u>
E-mail	<u>[REDACTED]</u>

OWNER (if different from applicant)	
Name	<u>Same</u>
Company	_____
Address	_____
Town	_____ State _____
Zip	_____ Fax _____
Phone	_____
E-mail	_____

Action Requested (check one – please complete a new application for each action):

- ☐ Minor Plat (new subdivision of 4 or fewer lots with no new infrastructure)
☒ Minor Replat (existing subdivision to create 4 or fewer lots with no new infrastructure)
☐ Amending Plat (existing subdivision minor amendments and no new lots or infrastructure)
☐ Preliminary Plat or Replat (new subdivision of 5 or more lots or new infrastructure)
☐ Final Plat (following approval of preliminary plat and installation of new infrastructure)

Property Information:

Street address or location of property: 104 Brown Terrace #4

Legal description: Survey Keating Cove Acres Abstract _____ Property ID: 26519
Lot 4 Block _____ Total Acreage 0.1446

Attach a metes and bounds description.

Deed Number 2022 - 744

By signing this form, the applicant is acknowledging that:

No hearing will be scheduled nor will any reviews commence until required application fees are received by the town. Fees are non-refundable regardless of outcome of request.

I Rudy Susantio (printed applicant name) hereby waive by rights to approval through lack of Town action on the above referenced plat application within the time frames set forth in Texas Government Code Section 212.009, and I agree the plat submitted will be approved only by affirmative Town Council action.

[Signature]
APPLICANT SIGNATURE

10/2/23
DATE

[Signature]
OWNER SIGNATURE

10/2/23
DATE

OFFICE USE ONLY BELOW

PRELIMINARY and MINOR PLATS/REPLATS

Letters sent to property owners within 200-foot of subject property 10-days prior to meeting but no more than 20-days prior (P&Z meeting ONLY)

Date Received: _____

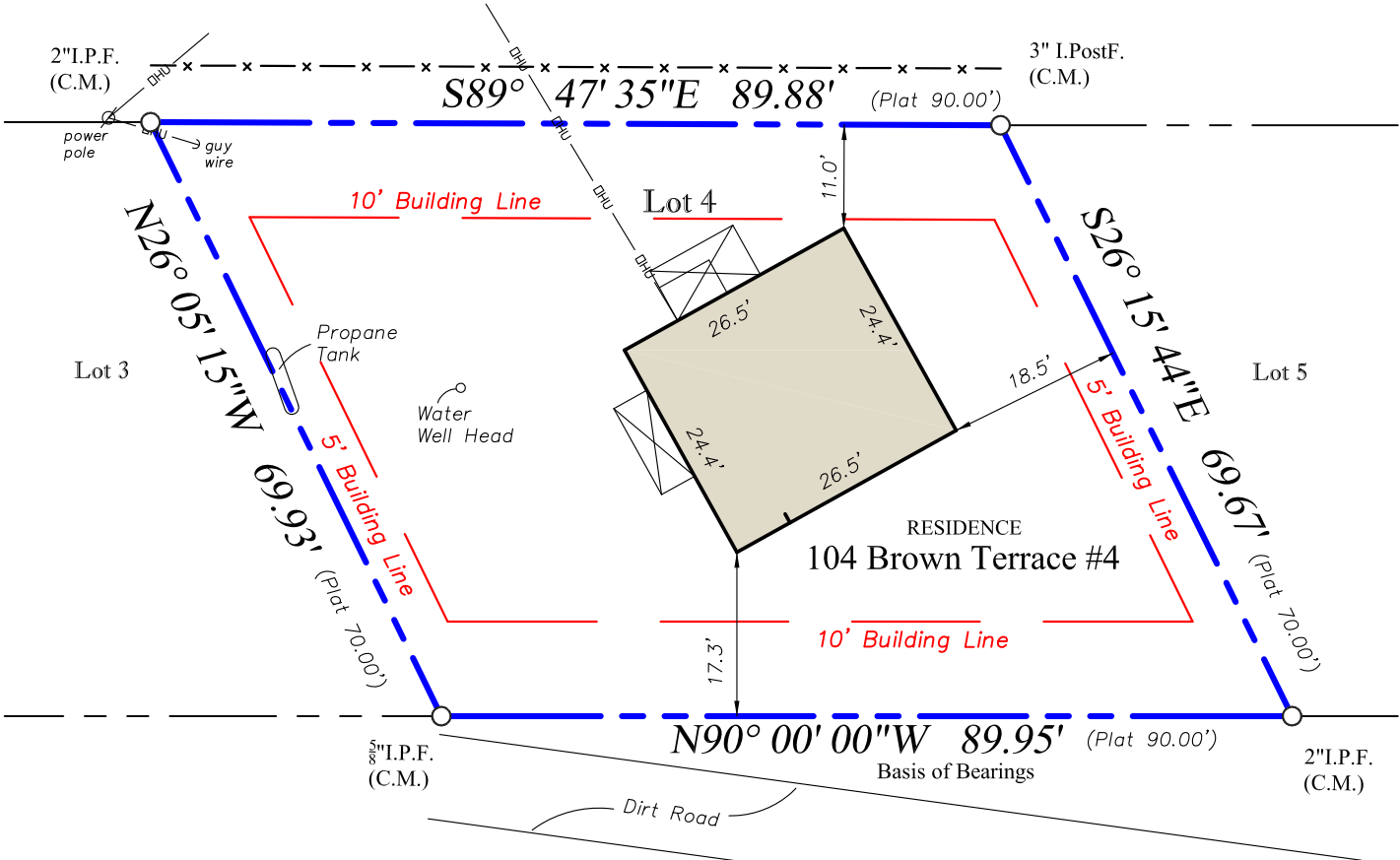
Receipt #: _____

Check #: _____

Received by: _____

104 Brown Terrace #4

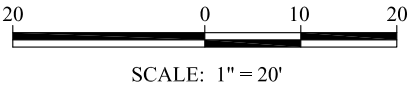
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(30' ROW)

Proposed Building line
per Historial District
Standards 2.7.001 C 1,2&3.

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that property lying beneath
elevation 537' (if any).
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The following easements
do not affect:
Vol. 1268, Pg. 471, Vol. 1268,
Pg. 473; Vol. 1143, Pg. 709.



Note:
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LEGEND:

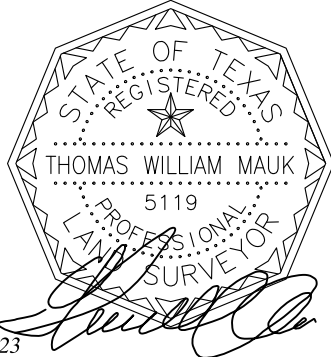
~ Boundary Line	C.M.
— DHU — ~ Overhead Utility Line	Controlling Monument
— x — ~ Fence Line	I.R.F.
	1/2" Iron Rod Found (unless otherwise noted)
	I.P.F.
	1/2" Iron Pipe Found
	I.R.S.
	1/2" Iron Rod Set
	"Old Town Surveying" (blue cap)



mailing address:
104 Brown Terrace #4
Shady Shores, Texas

SURVEYORS CERTIFICATION:
The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct and to the best of my knowledge there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon. Use of this document is solely intended for the transaction reflected by the G.F. Number referenced hereon. Any other use is prohibited and at user's risk.

December 20, 2021
Revised: September 22, 2023



Alamo Title Co. G.F. No. ATD-22-6000222100848L	
Fieldwork Date: 12/17/2021	Party Chief: C.E.
Job No.: 20211295	Tech: T2



9300 John Hickman Parkway
Suite 1202
Frisco, TX 75035
Ph.: 972.202.0411
Fax.: 469.294.9444



Old Town Surveying, LLC
Professional Land Surveyors

810 Office Park Circle, Ste. 130, Lewisville, Texas, 75057
Ph. 469-293-8079 info@oldtownsurveying.com
TFRN Number: 10194611



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Planning and Zoning Commission
FROM: Wendy withers, Town Administrator
SUBJECT: **Action Regarding Public Hearing - Consider and act on a request made by by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a Zoning Change of the property legally known as Keating Kove Acres Lot 4. The total acreage is 0.1446 and the proposed zoning change contains one, single family homesite. The zoning request is to change the zoning of the lot to the H-1200-4300 Historical District.**

BACKGROUND/INFORMATION:

As stated in tthe regulations governing rezoning to the Historical district, rezoning is contingent on approval of a replat of the property.

FINANCIAL IMPLICATIONS:

none

RECOMMENDATION/ACTION DESIRED:

Table this agenda item.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY:



AGENDA MEMORANDUM

DATE: February 12, 2024

TO: Planning and Zoning Commission

FROM: Wendy withers, Town Administrator

SUBJECT: **Public Hearing -Conduct a Public Hearing relative to a request made by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a replat of the property legally known as Keating Kove Acres Lot 4. The total acreage is 0.1446 and the proposed zoning change contains one, single family homesite.**

- A) Staff Report
- B) Open Public Hearing
- C) Applicant
- D) Those in Favor
- E) Those Opposed
- F) Rebuttal if Desired
- G) Close Public Hearing

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY:



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Planning and Zoning Commission
FROM: Wendy withers, Town Administrator
SUBJECT: **Action Regarding Public Hearing -Consider and act on a request made by Quest Trust Company FBO Rudy Susantio IRA 33776-11 for a replat of the property legally known as Keating Kove Acres Lot 4.**

BACKGROUND/INFORMATION:

The applicant has not submitted a replat that is necessary for approval of the rezoning.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

Table this agenda item.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY:



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: **Keep Shady Shores Beautiful Appointments- Consider and act on accepting the resignation of Karen Thomas from the Keep Shady Shores Beautiful Committee. Consider and act on appointing an individual or individuals to fill the vacant positions.**

BACKGROUND/INFORMATION:

Karen Thomas (Place 1) has resigned her position on the Keep Shady Shores Beautiful Committee citing personal reasons. Consider appointing Juan Herrera to serve in Place 1 which would vacate an alternate position on the committee. Consider and appoint other individuals as necessary.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY:



AGENDA MEMORANDUM

DATE: February 12, 2024
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Request to abandon Alley or Roadway-Consider and discuss a request made by Kent Taylor to close the unimproved roadway located to the north of Block 15, Lots 1-6 in the B. Eaves Survey, AB 388. (The map shows this road as Christi Lane)

BACKGROUND/INFORMATION:

There is an unused road right of way located to the north of Block 15, Lots 1-6 in the B. Eaves Survey, AB 388. This roadway is shown on the map as Christi Lane however it has never been improved.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. application to abandon roadway_Redacted
2. Screenshot 2024-01-09 144531
3. 2024.02.09 unimproved roadway

REVIEWED BY:

ALLEY/RIGHT-OF-WAY ABANDONMENT APPLICATION

APPLICANT

Name

___ Kent ___ Taylor ___

Company ___ N/A ___

Address ___ 403 Spring Park Rd. ___

Town ___ Shady Shores ___ State ___ Texas ___

Zip ___ 76208 ___ Fax ___

Phone ___ [REDACTED] ___

OWNER (if different from applicant)

Name _____

Company _____

Address _____

Town _____ State _____

Zip _____ Fax _____

Phone _____

E-mail _____

Property Information:

Street address or location of property: ___ next to 403 Spring Park RD. ___

Legal description: Survey _____ Abstract _____

Lot _____ Block _____ Total Acreage _____

Attach a metes and bounds description.

By signing this form, the applicant is acknowledging that:

No hearing will be scheduled nor will any reviews commence until required application fees are received by the town. Fees are non-refundable regardless of outcome of request.

Initial here (required)



I have verified that the right-of-way to be vacated is free of all public and private utilities, including, but not limited to: water, sanitary sewer, storm sewer, electricity, cable television, telephone and gas. If public or private utilities are present within the right-of-way, a utility easement of an appropriate size and location, as determined by the Town Engineer, will be provided, prior to filing a quit-claim deed or plat for the right-of-way property.

APPLICANT SIGNATURE

DATE

OWNER SIGNATURE

DATE

ktctjt@gmail.com

E-MAIL ADDRESS

PHONE NUMBER

OFFICE USE ONLY BELOW

- ☐ Letters sent to property owners within 200-foot of subject property 10-days prior to meeting
- ☐ Legal notice published in official newspaper 15-days prior to meeting

Date Received: _____

Receipt #: _____

Check #: _____

Received by: _____

BLOCK 9
SHADY SHORES
SUBDIVISION
VOL. 1, PG. 32
P.R.D.C.T.

BLOCK 13
SHADY SHORES
SUBDIVISION
VOL. 1, PG. 32
P.R.D.C.T.

BLOCK 14
SHADY SHORES
SUBDIVISION
VOL. 1, PG. 32
P.R.D.C.T.

BLOCK 15
SHADY SHORES
SUBDIVISION
VOL. 1, PG. 32
P.R.D.C.T.

SHADY LANE
(Existing 16' R.O.W.)

16' UNIMPROVED R.O.W.

16' UNIMPROVED R.O.W.

BLOCK 12

LOT 1-R
0.135 ACRE
5717 S.F.

LOT 2-R
0.135 ACRE
5717 S.F.

LOT 3-R
0.135 ACRE
5717 S.F.

APPROXIMATE
LIMITS OF
FLOOD ZONE
X "SHARED"

FLOOD
ZONE X



