

Control Number: 48506



Item Number: 1

Addendum StartPage: 0

CITY OF CELINA

48506

APPLICATION TO AMEND CITY OF CELINA SEWER CCN # 20764



City of Celina, Texas
Collin County

Prepared for: City of Celina

By:



TRC ENGINEERS, INC 700 HIGHLANDER BLVD., SUITE 210 ARLINGTON, TEXAS 76015 (817) 522-1000 (817) 522-1060 (FAX)

JUNE 2018

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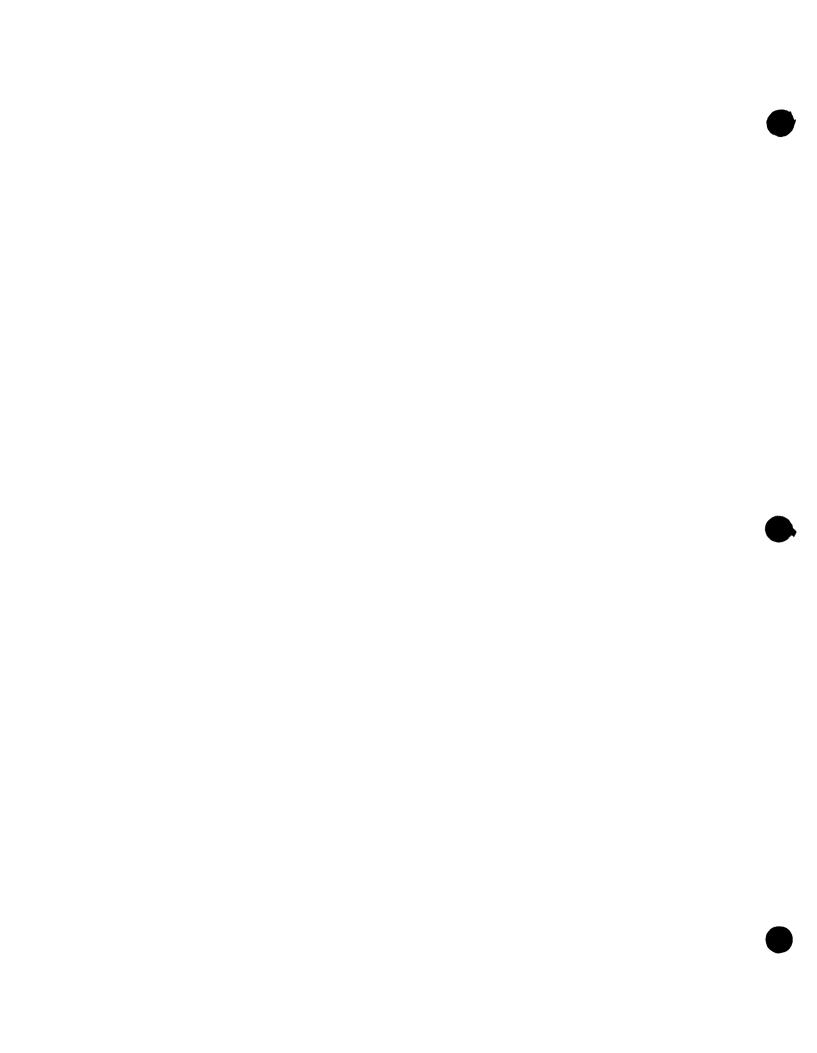


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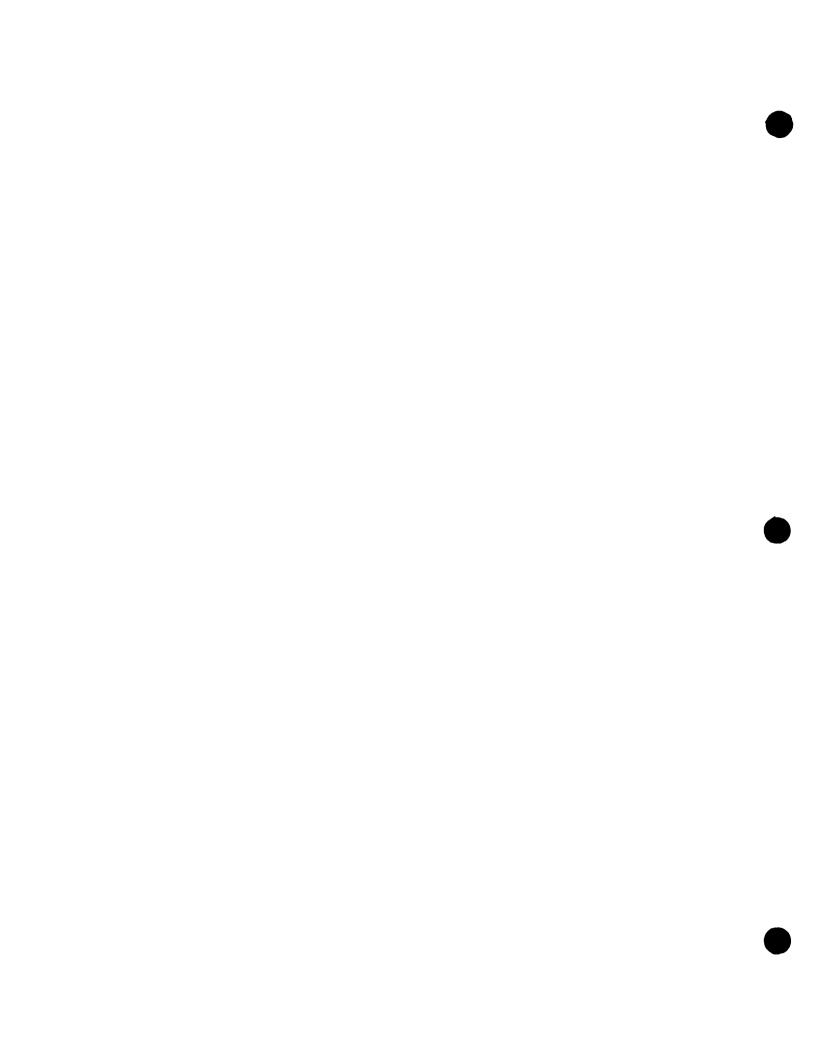
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Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity (CCN)

Pursuant to 16 Texas Administrative Code (TAC) Chapter 24, Substantive Rules Applicable to Water and Sewer Service Providers, Subchapter G: Certificates of Convenience and Necessity

CCN Application Instructions

- I. COMPLETE: In order for the ¢ommission to find the application sufficient for filing, you should be adhere to the following:
 - i. Answer every question and submit all required attachments.
 - ii. Use attachments or additional pages if needed to answer any question. If you use attachments or additional pages, reference their inclusion in the form.
 - iii. Provide all mapping information as detailed in Part F: Mapping & Affidavits.
 - iv. Provide any other necessary approvals from the Texas Commission on Environmental Quality (TCEQ), or evidence that a request for approval is being sought at the time of filing with the Commission.
- II. FILE: Seven (7) copies of the completed application with numbered attachments. One copy should be filed with no permanent binding, staples, tabs, or separators; and 7 copies of the portable electronic storage medium containing the digital mapping data.
 - SEND TO: Public Utility Commission of Texas, Attention: Filing Clerk, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 (NOTE: Electronic documents may be sent in advance of the paper copy; however, they will not be processed and added to the Commission's on-line Interchange until the paper copy is received and file-stamped in Central Records).
- III. The application will be assigned a docket number, and an administrative law judge (ALJ) will issue an order requiring Commission Staff to file a recommendation on whether the application is sufficient. The ALJ will issue an order after Staff's recommendation has been filed:
 - i. <u>DEFICIENT (Administratively Incomplete)</u>: Applicant will be ordered to provide information to cure the deficiencies by a certain date (usually 30 days from ALJ's order). *Application is not accepted for filing*.
 - ii. <u>SUFFICIENT (Administratively Complete):</u> Applicant will be ordered by the ALJ to give appropriate notice of the application using the notice prepared by Commission Staff. *Application is accepted for filing*.
- IV. Once the Applicant issues notice, a copy of the actual notice sent (including any map) and an affidavit attesting to notice should be filed in the docket assigned to the application. Recipients of notice may choose to take one of the following actions:
 - i. <u>HEARING ON THE MERITS</u>: an affected party may request a hearing on the application. The request must be made within 30 days of notice. If this occurs, the application may be referred to the State Office of Administrative Hearings (SOAH) to complete this request.
 - ii. <u>LANDOWNER OPT-OUT</u>: A landowner owning a qualifying tract of land (25+ acres) may request to have their land removed from the requested area. The Applicant will be requested to amend its application and file new mapping information to remove the landowner's tract of land, in conformity with this request.
- V. **PROCEDURAL SCHEDULE:** Following the issuance of notice and the filing of proof of notice in step 4, the application will be granted a procedural schedule for final processing. During this time the Applicant must respond to hearing requests, landowner opt-out requests, and requests for information (RFI). The Applicant will be requested to provide written consent to the proposed maps, certificates, and tariff (if applicable) once all other requests have been resolved.
- VI. FINAL RECOMMENDATION: After receiving all required documents from the Applicant, Staff will file a recommendation on the CCN request. The ALJ will issue a final order after Staff's recommendation is filed.

FAQ:

Who can use this form?

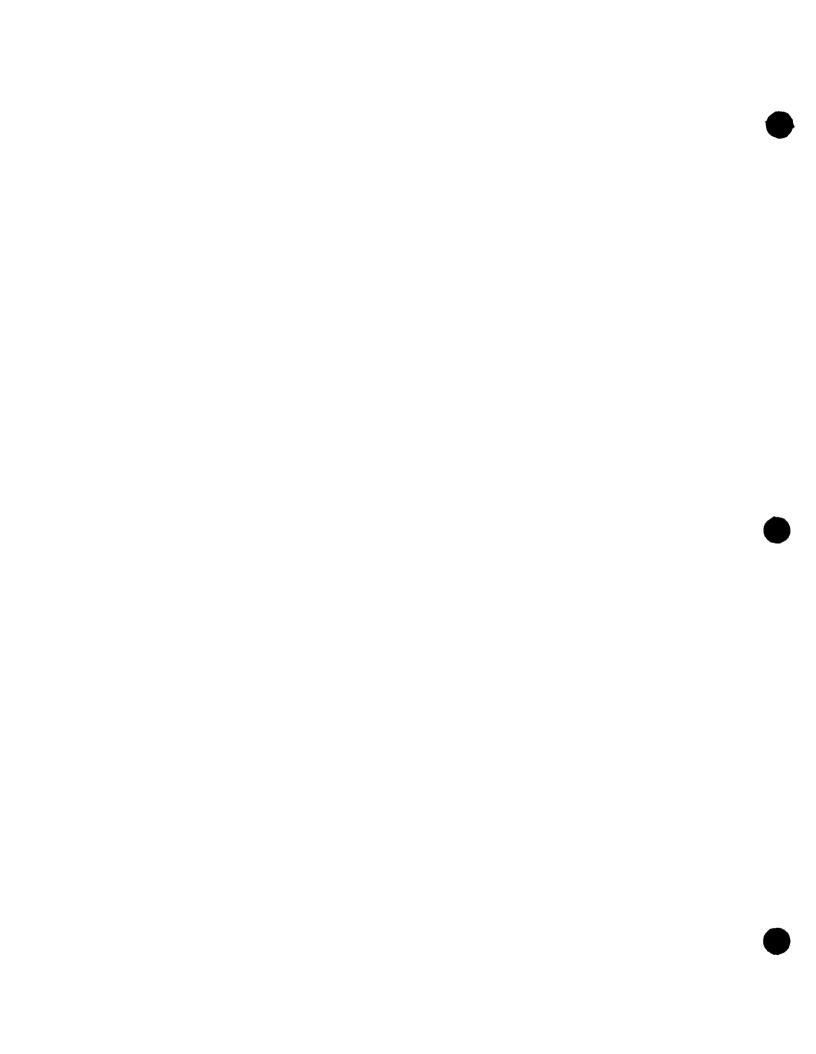
Any retail public utility that provides or intends to provide retail water or wastewater utility service in Texas.

Who is required to use this form?

A retail public utility that is an investor owned utility (IOU) or a water supply corporation (WSC) must use this form to obtain or amend a CCN prior to providing retail water or sewer utility service in the requested area.

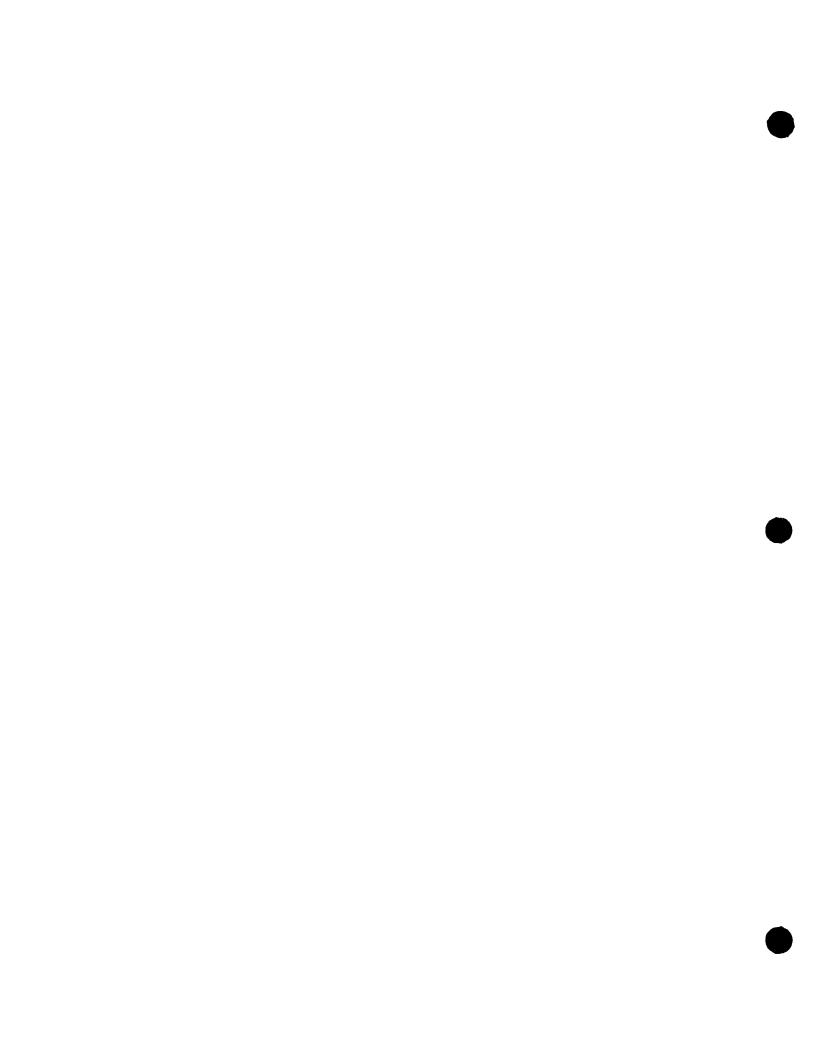
What is the purpose of the application?

CN Applicant is required to demonstrate financial, managerial, and technical (FMT) capability to provide continuous and adequate service to any requested area. The questions in the application are structured to support an Applicant's FMT capabilities, consistent with the regulatory requirements.

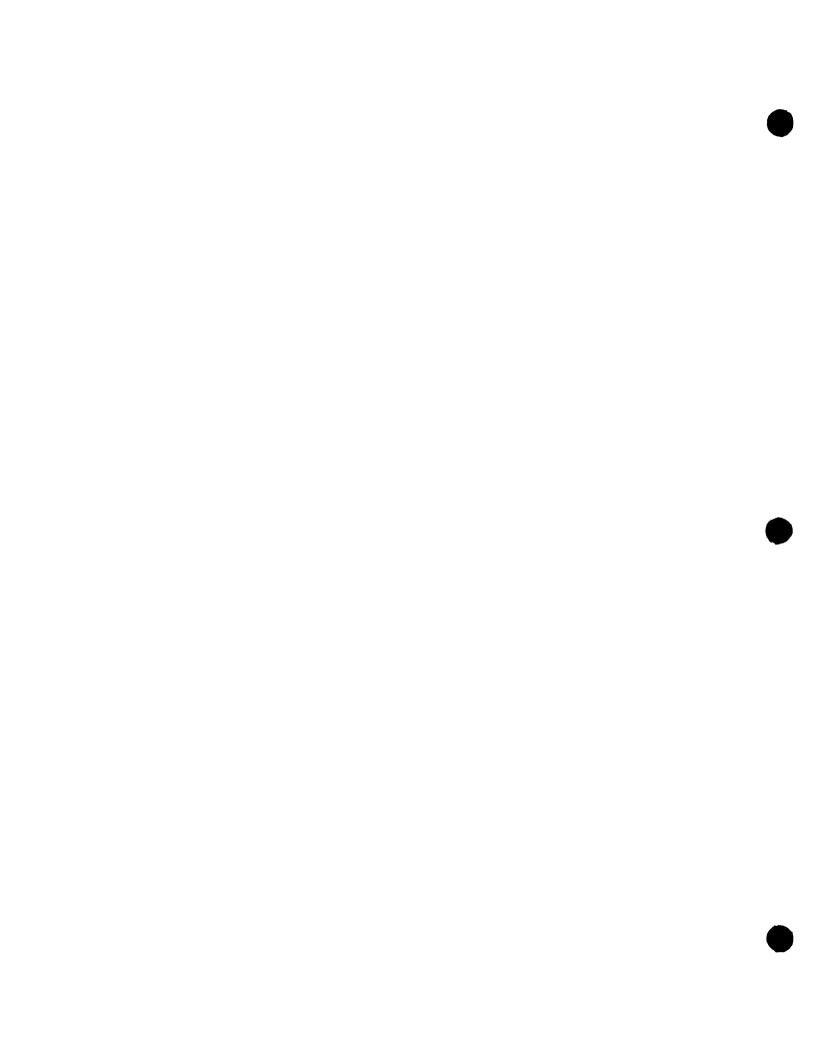


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	Applicati	ion Summar	У		
Applicant: City of Celin	a				
	• • • • • • • • • • • • • • • • • • • •				_
CCN No. to be amended:	.0764				
or Obtain NEW CCN Water Sewer					
County(ies) affected by this application: Collin County					
Dual CCN requested with:	ı/a				
CCN No.:		(n	Portion o	ومستغض	_
Decertification of CCN for:	n/a				
7		(n	ame of retail public i		_
CCN No.:			Portion or	All of requested area	
14/4 8/19 10/1		0.6			
CCN Avaliantia a la staventia a		of Content	_		1
CCN Application Instructions Part A: Applicant Information					
Part B: Requested Area Inform					
Part C: CCN Obtain or Amend O					
Part D: TCEQ Public Water Syst	•	•			
Part E: Financial Information					
Part F: Mapping & Affidavits					
art G: Notice Information					
Appendix A: Historical Financia			•		
Appendix B: Projected Informa	tion				16
Please mark the items included in this fill	ng				
Partnership Agreement		Part A: Questi	on 4		
Articles of Incorporation and B	y-Laws (WSC)	Part A: Questi			
Certificate of Account Status		Part A: Questi			
Franchise, Permit, or Consent l	etter	Part B: Questi			
Existing Infrastructure Map Customer Requests For Service	in requested area	Part B: Questi			
X Population Growth Report or M		Part B: Questi Part B: Questi			
TCEQ Engineering Approvals	and Study	Part B: Questi			
Requests & Responses For Serv	vice to ½ mile utility providers	Part B: Questi			
Economic Feasibility (alternation	e provider) Statement	Part B: Questi			
Alternative Provider Analysis		Part B: Questi			
Enforcement Action Correspon		Part C: Questi			
TCEQ Compliance Correspond Purchased Water Supply or Tre		Part D: Questi Part D: Questi			i
Rate Study (new market entran		Part E: Questi			
Tariff/Rate Schedule	,	Part E: Questi			
X Financial Audit		Part E: Questi			
Application Attachment A & B		Part E: Questi	on 30		
Capital Improvement Plan		Part E: Questi			
Disclosure of Affiliated Interes	.S	Part E: Questi			
Detailed (large scale) Map General Location (small scale)	Man	Part F: Question Part F: Question			
Digital Mapping Data	iniup	Part F: Questi			
Signed & Notarized Affidavit		Page 12	· - =		
		-			

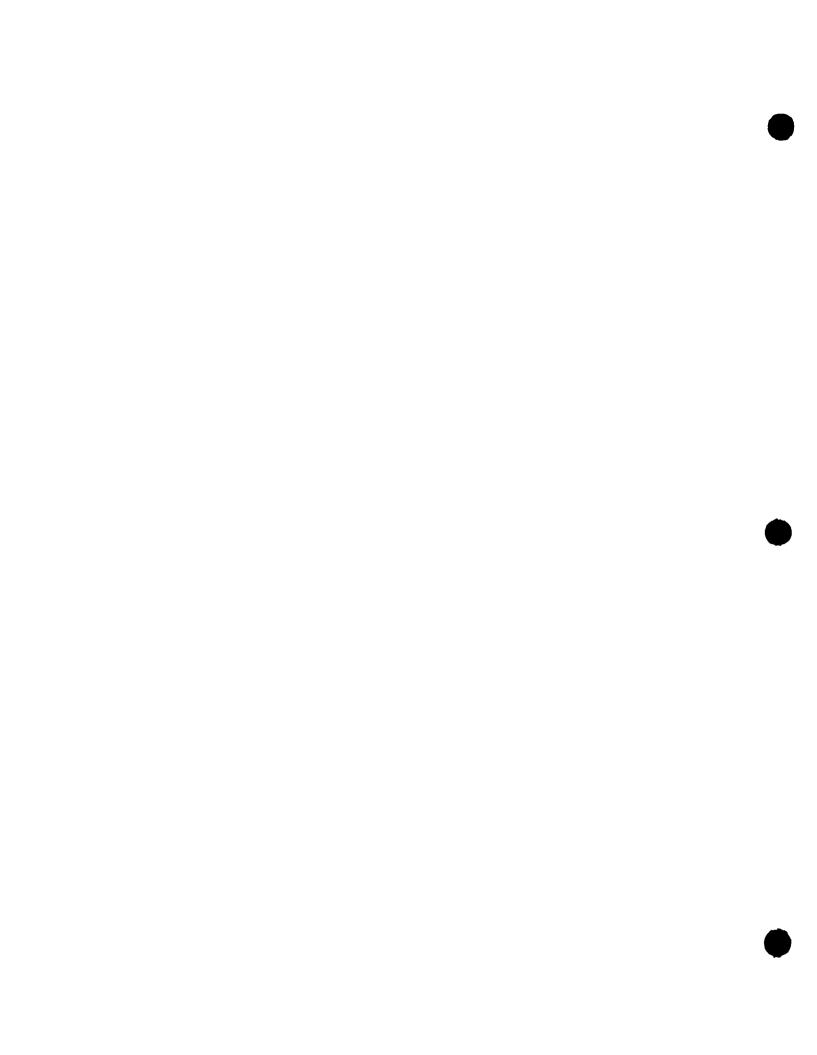
PUCT CCN Obtain or Amend Page 2 of 18 (March 2018)



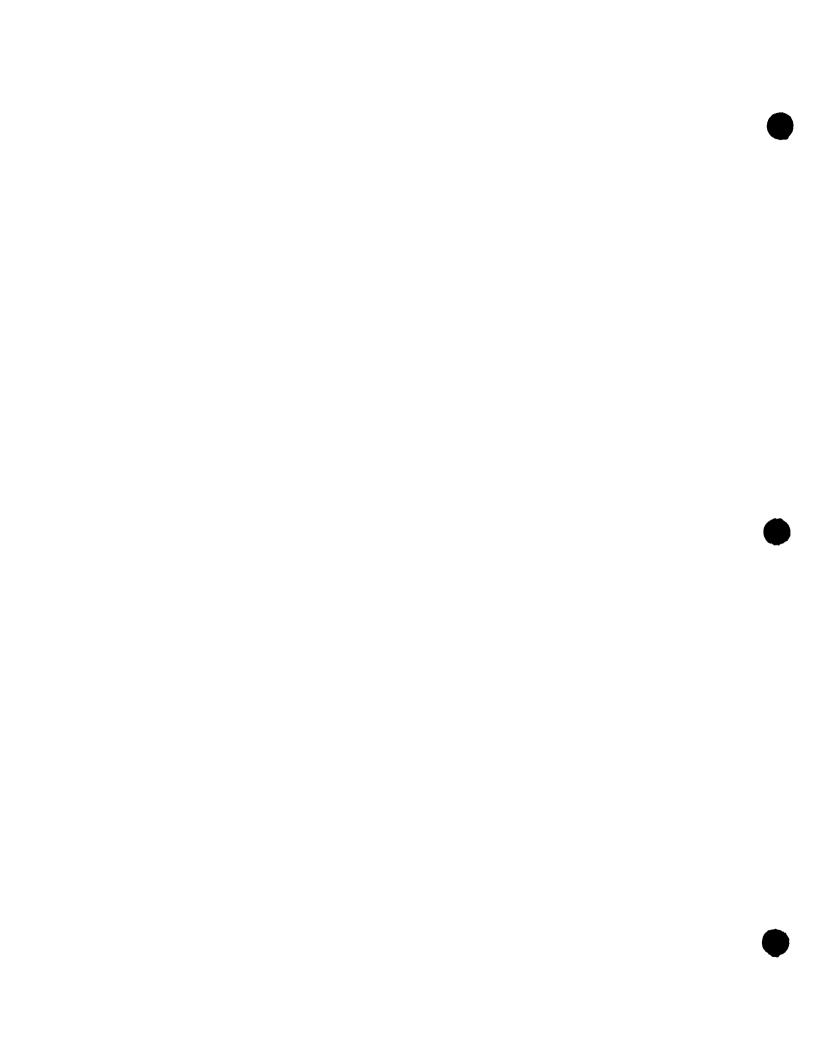
		Part A: Applicant Information
1.	A. Name: City of C	elina
		dividual Corporation WSC Other: Municipal
	إ	142 N. Ohio Street
	B. Mailing Address:	Celina, TX 75009
	(0.73)	
	Phone No.: (972) 382-2682 Email: kbrawner@celina-tx.gov
		e provide information about the person to be contacted regarding this application. Indicate if this
	•	perator, engineer, attorney, accountant, or other title. Derly Brawner, PE Title: City Engineer
		
	Mailing Address: 142	
	Phone No.: (972) 382-2682 Email: kbrawner@celina-tx.gov
2.	If the Applicant is someone Fees (RAF) remitted to the T	other than a municipality, is the Applicant currently paid in full on the Regulatory Assessment CCEQ?
	Yes	No N/A
3.	If the Applicant is an Investo	or Owned Utility (IOU), is the Applicant current on Annual Report filings with the
٥.	Commission?	we will cannot the control of the co
	☐ Yes	No If no, please state the last date an Annual Report was filed: 8/30/2017
4.	The legal status of the Appli	cant is:
	Individual or	sole proprietorship
	Partnership o	r limited partnership (attach Partnership agreement)
	Corporation:	Charter number (recorded with the Texas Secretary of State):
	Non-profit, m	ember-owned, member controlled Cooperative Corporation [Article 1434(a) Water Supply or
	Sewer Service	e Corporation, incorporated under TWC Chapter 67] Charter number (as recorded with the Texas Secretary of State):
	Article	s of Incorporation and By-Laws established (attach)
	Municipally-o	wned utility
	District (MUI	, SUD, WCID, FWSD, PUD, etc.)
	County	
	Affected Cou	nty (a county to which Subchapter B, Chapter 232, Local Government Code, applies)
	Other (please	explain):
 b .	If the Applicant operates und	er an assumed name (i.e., any d/b/a), provide the name below:
	• • •	ne: N/A
	• • •	



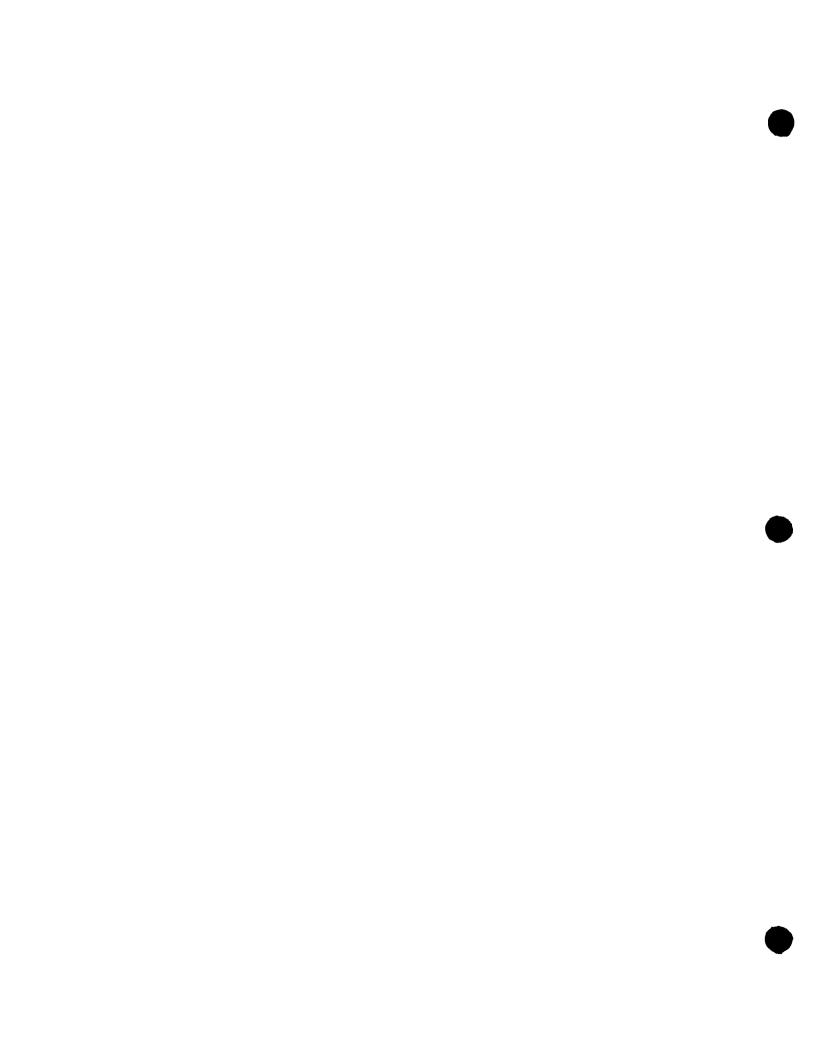
		Part B: Requested Area Information
6.	Provide details on the existin dual certification or decertification	g or expected land use in the requested area, including details on requested actions such as cation of service area.
	Mixed-Use Regional Distric Single-Family Estate Resid	rtification is requested. Existing land use is generally zoned as Retail Districts, ls, Historic Districts, Old Town Residential Districts, Planned Development and ential District. The Majority of expected land use is designated as Suburban Regional Activity Center, Light Industrial/Mixed-Use, Estate Mix/Suburban Mix and See Attachment 2)
7.	The requested area (check al	l applicable):
	Currently receives service	from the Applicant Is being developed with no current customers
	Overlaps or is within mur	icipal boundaries Overlaps or is within district boundaries
	Municipality: City of C	elina District:
	Provide a copy of any franch	ise, permit, or consent granted by the city or district. If not available please explain:
	Currently no one is rece systems.	ving utility services in the proposed area, they are using private septic
	Describe the circumstances (economic, environmental, etc.) driving the need for service in the requested area:
		nvironmental factors drive the need for services in the requested area. City an increase in population growth in the near future.
9.	Has the Applicant received a	ny requests for service within the requested area?
	Yes* No	*Attach copies of all applicable requests for service and show locations on a map
10.	Is there existing or anticipate	d growth in the requested area?
	Yes* No	*Attach copies of any reports and market studies supporting growth
11.	A. Will construction of a	ny facilities be necessary to provide service to the requested area?
	Yes* No	*Attach copies of TCEQ approval letters
_	B. Date Plans & Specific	ations or Discharge Permit App. submitted to TCEQ:



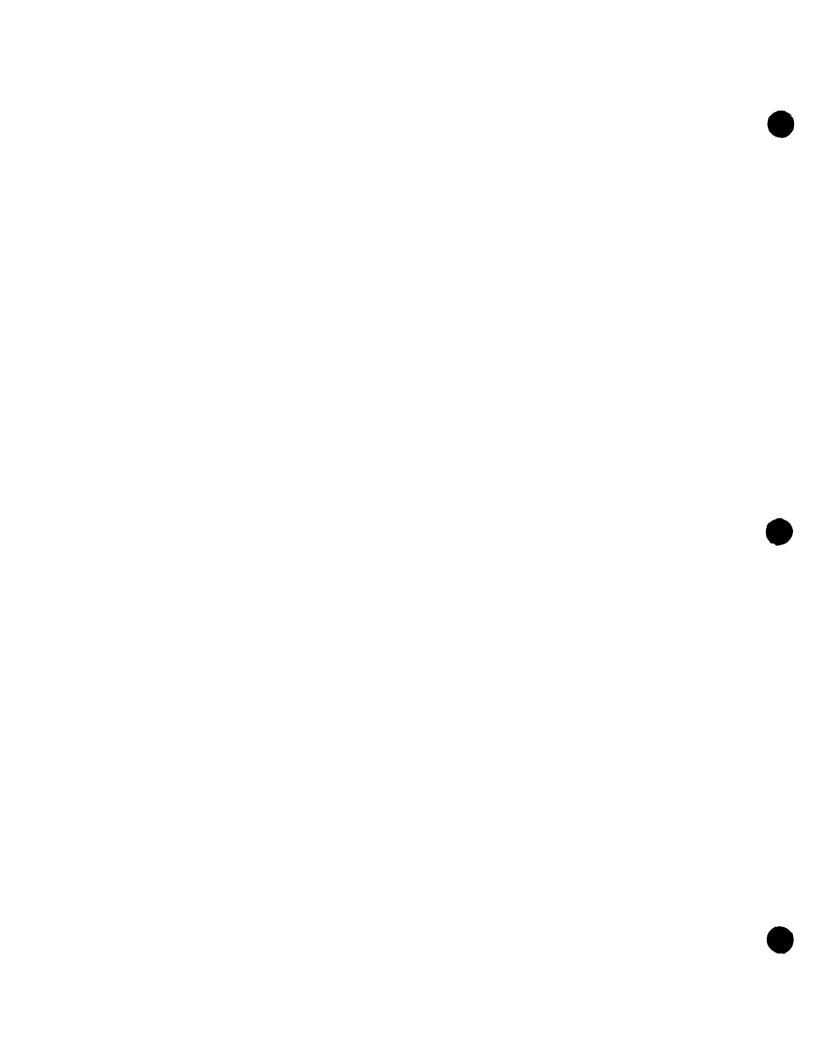
	C.	Summarize an estimate	ed timeline for construction for any required facilities to serve the requested area:
	C	onstruction of require	d facilities will occur when future developments are constructed.
	D.	Describe the source an	d availability of funds for any required facilities to serve the requested area:
	Th	nis will be determined	at time of construction.
		evidence show	o provide applicable TCEQ construction or permit approvals, or ing that the construction or permit approval has been filed with the sult in the delay or possible dismissal of the application.
2.	Α.		vsically separate water or sewer system is necessary, provide a list of all retail public water within one half mile from the outer boundary of the requested area below:
	City	of Gunter, Mustang	SUD , City of Weston, City of Celina, City of Prosper, City of Mckinney.
	В.	Did the Applicant requ	est service from each of the above water or sewer utilities?
		Yes* No	*Attach copies of written requests and copies of the written response
	C.	-	provide documentation explaining why it is not economically feasible to obtain retail or sewer retail public utilities listed above.
	D.	If a neighboring reta addressing the following	Il public utility agreed to provide service to the requested area, attach documentation ng information:
		willin (B) An an new fa	cription of the type of service that the neighboring retail public utility is g to provide and comparison with service the applicant is proposing; alysis of all necessary costs for constructing, operating, and maintaining the cilities for at least the first five years of operations, including such items as and insurance; and
			alysis of all necessary costs for acquiring and continuing to receive service the neighboring retail public utility for at least the first five years of ions.
Ì	prox	_	g the CCN request on the Applicant, any retail public utility of the same kind serving in the lowners in the requested area. The statement should address, but is not limited to, and economic effects.



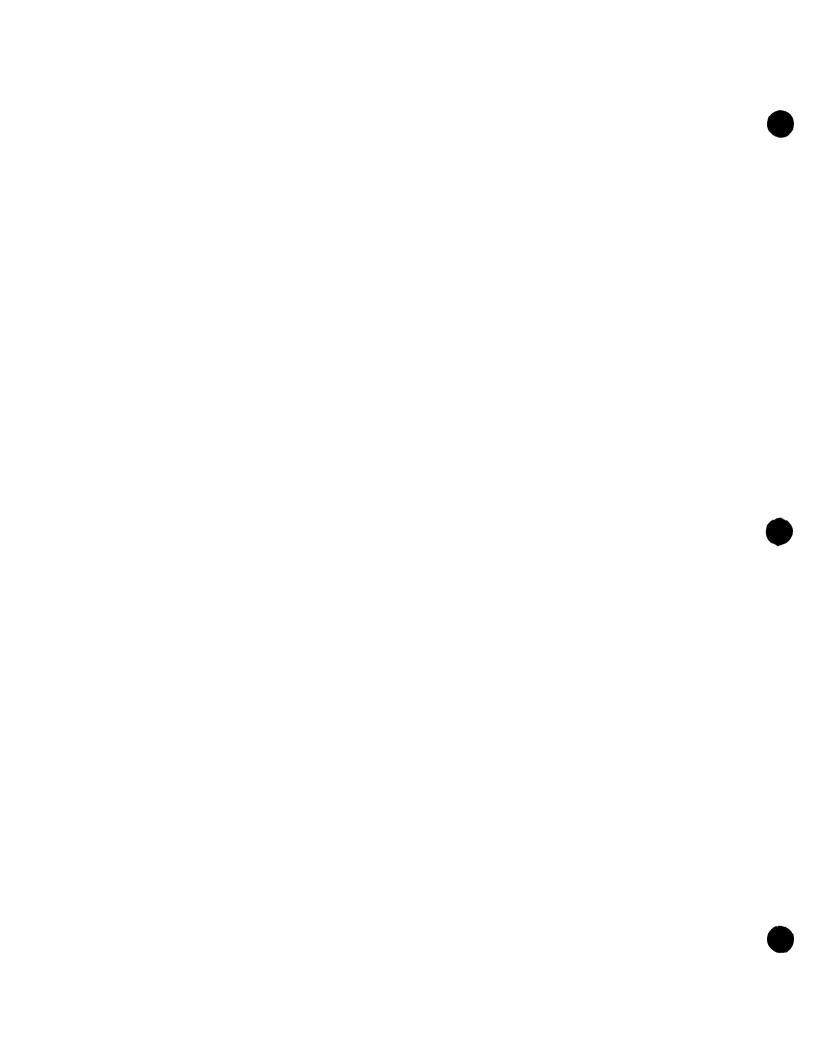
		CCN request, the areas that currently do not have sewer services will be n future growth, and the City of Celina assumes responsibility for on and maintenance.
		Part C: CCN Obtain or Amend Criteria Considerations
14.	Describe the anticipated imp	act and changes in the quality of retail utility service for the requested area:
	1	vice will be impacted because new services will be installed, and areas with ices may need improvements in the future.
15.	Describe the experience and	qualifications of the Applicant in providing continuous and adequate retail service:
		in existing Waste Water Treatment Plant (WWTP) that adequately provides urrent waste water conditions, and therefore has the experience to continue il services.
6	the Office of the Attorney G non-compliance with rules, Yes* No *Attach copies of any corre	er an enforcement action by the Commission, TCEQ, Texas Department of Health (TDH), eneral (OAG), or the Environmental Protection Agency (EPA) in the past five (5) years for orders, or state statutes? spondence with the applicable regulatory agency concerning any enforcement actions, any actions or efforts the Applicant has taken to comply with these requirements.
17.	Explain how the environment CCN as requested:	ntal integrity of the land will or will not be impacted or disrupted as a result of granting the
		of the land will be maintained as best as possible. Minimal impacts are wth and development from excavation to install sewer services.
18.	Has the Applicant made efforties within the requested area?	rts to extend retail water or sewer utility service to any economically distressed area located
	No. Efforts will be made	when future development begins.



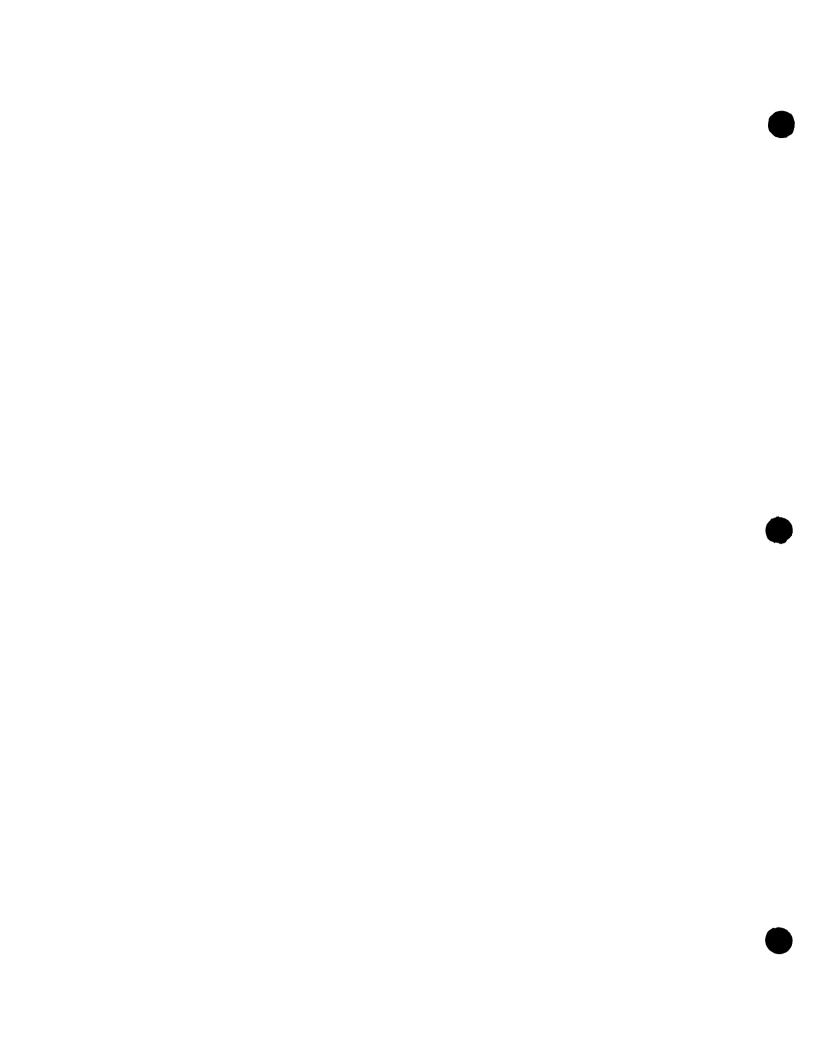
19		l subdivisi	or sewer retail public utilities, cities, districts (including ground water conservation districts), subdivisions (including river authorities) providing the same service located within two (2) lary of the requested area:				
							of Prosper, Denton County oundwater Conservation District
	Part D:	TCEQ Pu	blic Water Sys	tem or Se	wer (W	astewate	er) Information
20							th the Applicant's CCN:
	TCEQ PWS ID:	Name	e of PWS:		Date o inspec	f TCEQ tion*:	Subdivisions served:
	B. Complete the follow	ing for <u>all</u>	_TCEQ Water (npliance with TCEQ for each PWS nits associated with the Applicant's CCN
	TCEQ Discharge Permit N	0 :	Date Permit expires:	Date of inspection			Subdivisions served:
	WQ-0014246001		10/1/2020	9/1/2	017		City of Celina
	WQ-	1					
-	WQ- WQ-	ļ					
L	WQ-		*Attach ex	vidence of	compli	ance witl	h TCEQ for each Discharge Permit
	C. The requested CCN	service are		l via:	PWS ID WQ -		
21	List the number of existing	g connecti	ons for the PWS	& Discha	rge Pern	nit indicate	ed above (Question 20. C.):
	Water			1	Sewer		
	Non-metered	2'			Residential		
	5/8" or 3/4"	1	3"		Commercial		
	1"	4"			Industrial Other		
	1 ½" Total Water Connec		ther				Connections: 1,580
	Total Water Colline	Ations.			1012	ii Sewei C	Connections. 1,500
22	List the number of <u>addition</u>	nal connec	ctions projected	for the req	uested C	CCN area:	
	Water		-		Sewer		-
	Non-metered	4	2"		Residential		
	5/8" or 3/4"	3'			Commercial		
	1"	4'	11.01			dustrial	
	1 ½"	<u> </u>	ther			ther	Samuestianes les
	Total Water Connec	tions:			Tota	ıı Sewer C	Connections: £0



	A.	Will the	system serv	ing the requested area purchase w	ater or sewer treatme	- •	om another source?
3.							
		Yes*	⊠ No	*Attach a copy of purcha	se agreement or cont	ract.	
			Capac	ity is purchased from:			
			-	Water:			
				Sewer:			
	n	A	£41- A1				
	В.			cants PWS's required to purchase water standards?	e water to meet the TV		im capacity requireme
		Yes	⊠ No				
	C			farmular on theatmant manchaged		contract? Wh	at in the managet of accept
	C.			of supply or treatment purchased, purchased water or sewer treatme		contract? wh	at is the percent of over
				Amount in Gallons	Percent of d	emand	
			Water:		0%		
			Sewer:		0%		
•		uested area?		reatment plant have adequate ca	apacity to meet the c	current and pr	ojected demands in
	requ List	Yes t the name, of	No Class, and T	reatment plant have adequate ca CEQ license number of the opera led to the requested area:			
	requ List	Yes t the name, over utility se	No No class, and Trvice provide	CEQ license number of the operalled to the requested area:	tors that will be respo	onsible for the	operations of the wat
	requ List	Yes t the name, over utility se	No Class, and Trvice providence (as it a	CEQ license number of the opera			operations of the wat
	requ List	Yes t the name, over utility se	No class, and Trvice providence (as it a	CEQ license number of the operaled to the requested area: ppears on license)	tors that will be respo	onsible for the	operations of the wat
	requ List	Yes t the name, over utility se	No class, and Trvice providence (as it a	CEQ license number of the operal led to the requested area: ppears on license) trew Moore	tors that will be respo	Dicense No.	operations of the wat Water/Sewer Sewer
•	requ List	Yes t the name, over utility se	class, and Trvice providence (as it a	CEQ license number of the operal led to the requested area: ppears on license) trew Moore	Class C	License No. WW0048534 WW0059256	operations of the wat Water/Sewer Sewer Sewer
•	List	Yes t the name, over utility se Are any i standards Yes Provide of	No class, and Trvice provide me (as it a An Ju mprovement No letails on ea	CEQ license number of the operal led to the requested area: ppears on license) brew Moore n LaPradd	Class C C C C C C C C C C C C C C C C C C	License No. WW0048534 WW0059256 ant to meet TO	operations of the wat . Water/Sewer Sewer Sewer CEQ or Commission
•	List sew A. B.	Are any i standards Yes Provide of or Comm Descript	mprovemer? No letails on easission standion of the	CEQ license number of the operal ed to the requested area: ppears on license) frew Moore In LaPradd ts required for the existing PWS ch required major capital improvards (attach any engineering reportants)	Class C C C C C C C C C C C C C C C C C C	License No. WW0048534 WW0059256 ant to meet TO correct deficient letters):	Operations of the wat Water/Sewer Sewer Sewer CEQ or Commission CEQ or Commission CEQ the TCE
	List sew A. B.	Are any i standards Yes Provide of or Comm Descript	mprovemer? No letails on easission standion of the	CEQ license number of the operated to the requested area: ppears on license) drew Moore n LaPradd ts required for the existing PWS ch required major capital improvants (attach any engineering reportation)	Class C C C C C C C C C C C C C C C C C C	License No. WW0048534 WW0059256 ant to meet TO correct deficient letters):	Operations of the wat Water/Sewer Sewer Sewer CEQ or Commission ncies to meet the TCE
•	List sew A. B.	Are any i standards Yes Provide of or Comm Descript	mprovemer? No letails on easission standion of the	CEQ license number of the operal ed to the requested area: ppears on license) frew Moore In LaPradd ts required for the existing PWS ch required major capital improvards (attach any engineering reportants)	Class C C C C C C C C C C C C C C C C C C	License No. WW0048534 WW0059256 ant to meet TO correct deficient letters):	Operations of the wat Water/Sewer Sewer Sewer CEQ or Commission CEQ or Commission CEQ the TCE



		Part E: Financial Information
28.	If the Applicant seeking to obtain	a CCN for the first time is an Investor Owned Utility (IOU) and under the original
	rate jurisdiction of the Commission	n, a proposed tariff must be attached to the application. The proposed rates must be
	supported by a rate study, which pr	ovides all calculations and assumptions made. Once a CCN is granted, the Applicant
	must submit a rate filing package v	with the Commission within 18 months from the date service begins. The purpose of
	this rate filing package is to revise	a utility's tariff to adjust the rates to a historic test year and to true up the new tariff
	rates to the historic test year. It is th	e Applicant's responsibility in any future rate proceeding to provide written evidence
	and support for the original cost ar	d installation date of all facilities used and useful for providing utility service. Any
	dollar amount collected under the r	ates charged during the test year in excess of the revenue requirement established by
	the Commission during the rate ch	ange proceeding shall be reflected as customer contributed capital going forward as
	an offset to rate base for ratemakin	g purposes.
29 .	If the Applicant is an existing IOU	please attach a copy of the current tariff and indicate:
	A. Effective date for most recer	t rates:
		rovided to the Commission or a predecessor regulatory authority?
	No Yes	Application or Docket Number:
		· · · · · · · · · · · · · · · · · · ·
	C. If notice was not provided to municipality)	the Commission, please explain why (ex: rates are under the jurisdiction of a
	n/a	
	Teal A Provide NV 44 Comme	Land Committee Committee (NICC/SSC) and and the Land Committee Com
	If the Applicant is a Water Supp	ly or Sewer Service Corporation (WSC/SSC) and seeking to obtain a CCN, attach a copy of the current tariff.
30.	Financial Information	
		ng information typically included within a balance sheet, income statement, and
	statement of cash flows. If the	Applicant is an existing retail public utility, this must include historical financial
	information and projected finance	al information. However, projected financial information is only required if the
	Applicant proposes new service co	nnections and new investment in plant, or if requested by Commission Staff. If the
	Applicant is a new market entrant	and does not have its own historical balance sheet, income statement, and statement
	of cash flows information, then the	Applicant should establish a five-year projection.
		may be shown by providing any combination of the following that includes necessary et, income statement, and statement of cash flows:
	1. Completed Appendix A;	
	2. Documentation that include	es all of the information required in Appendix A in a concise format; or
	3. Audited financial stateme	nts issued within 18 months of the application filing date. This may be provided
	electronically by providing	a uniform resource locator (URL) or a link to a website portal.



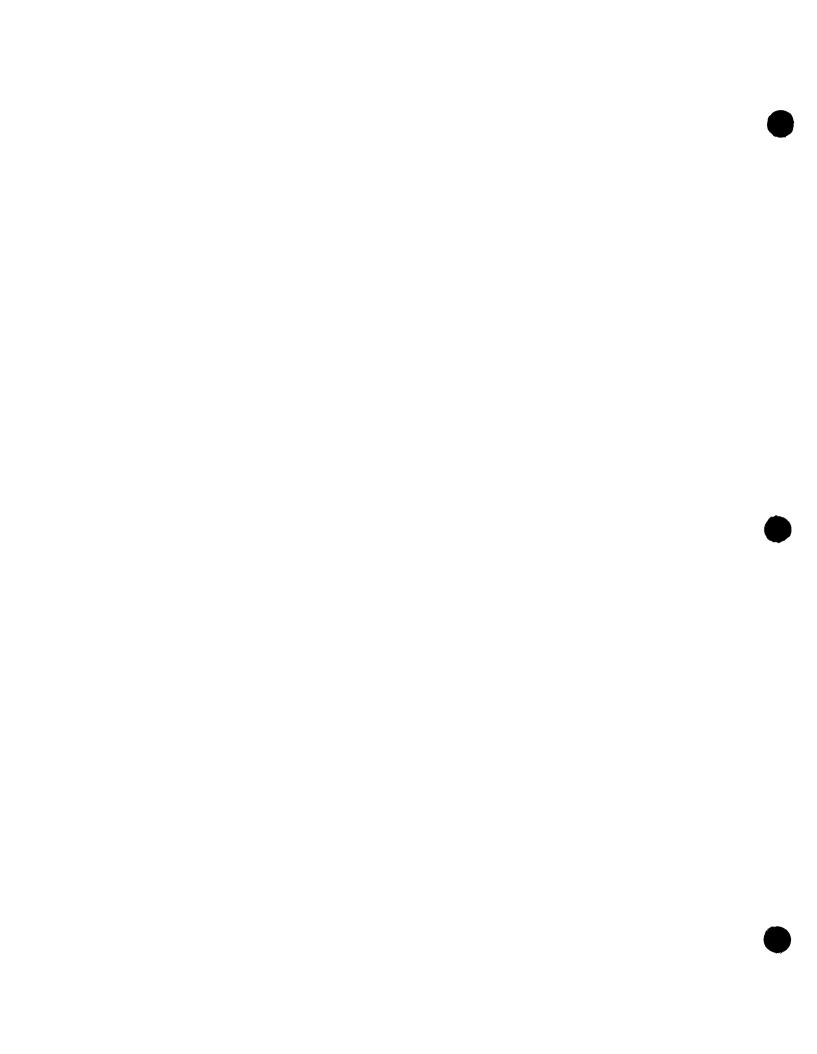
Projected Financial Information may be shown by providing any of the following:

- 1. Completed Appendix B;
- 2. Documentation that includes all of the information required in Appendix B in a concise format;
- 3. A detailed budget or capital improvement plan, which indicates sources and uses of funds required, including improvements to the system being transferred; or
- 4. A recent budget and capital improvements plan that includes information needed for analysis of the operations test for the system being transferred and any operations combined with the system. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.
- 31. Attach a disclosure of any affiliated interest or affiliate. Include a description of the business relationship between all affiliated interests and the Applicant.

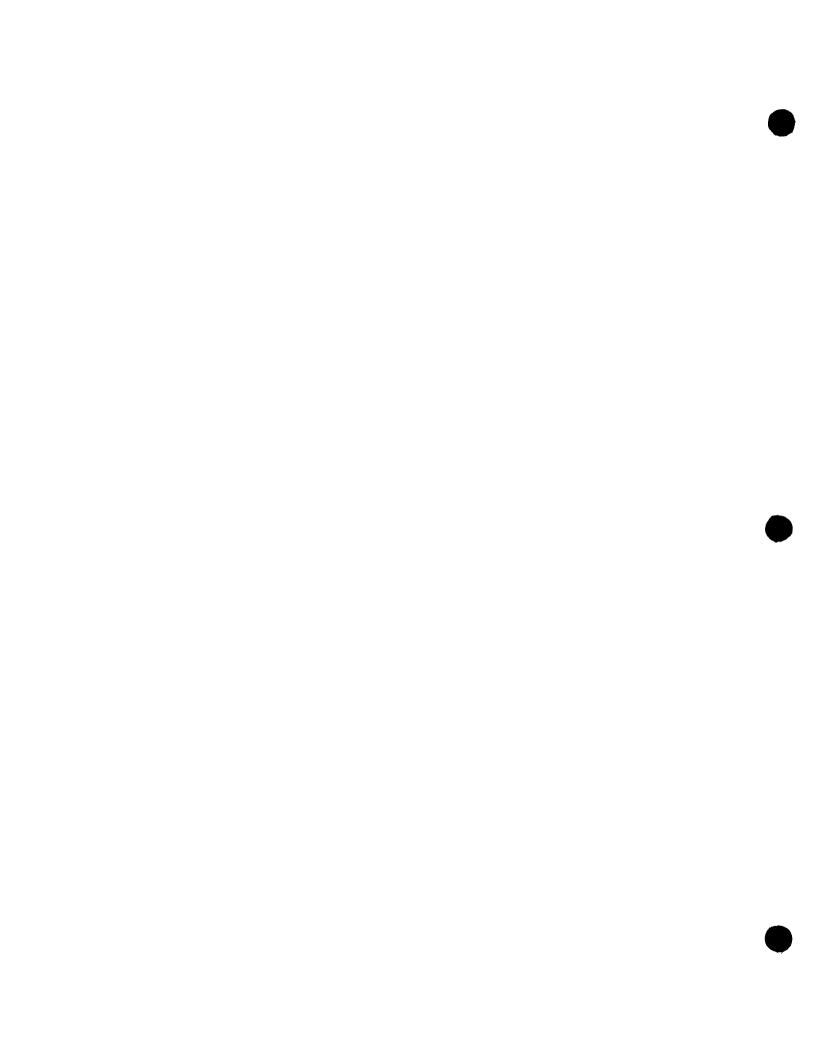
DO NOT INCLUDE ATTACHMENTS A OR B IF LEFT BLANK

Part F: Mapping & Affidavits

- 32. Provide the following mapping information with each of the seven (7) copies of the application:
 - 1. A general location (small scale) map identifying the requested area in reference to the nearest county boundary, city, or town. The Applicant should adhere to the following guidance:
 - i. If the application includes an amendment for both water and sewer certificated service areas, separate maps must be provided for each.
 - ii. A hand drawn map, graphic, or diagram of the requested area is not considered an acceptable mapping document.
 - To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
 - A detailed (large scale) map identifying the requested area in reference to verifiable man-made or natural landmarks such as roads, rivers, and railroads. The Applicant should adhere to the following guidance:
 - i. The map should be clearly labeled and the outer boundary of the requested area should be marked in reference to the verifiable man-made or natural landmarks. These verifiable man-made and/or natural landmarks must be labeled and marked on the map as well.
 - ii. If the application includes an amendment for both water and sewer certificated service area, separate maps need to be provided for each.
 - To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
 - 3. One of the following identifying the requested area:
 - i. A metes and bounds survey sealed or embossed by either a licensed state land surveyor or a registered professional land surveyor. Please refer to the mapping guidance in part 2 (above);



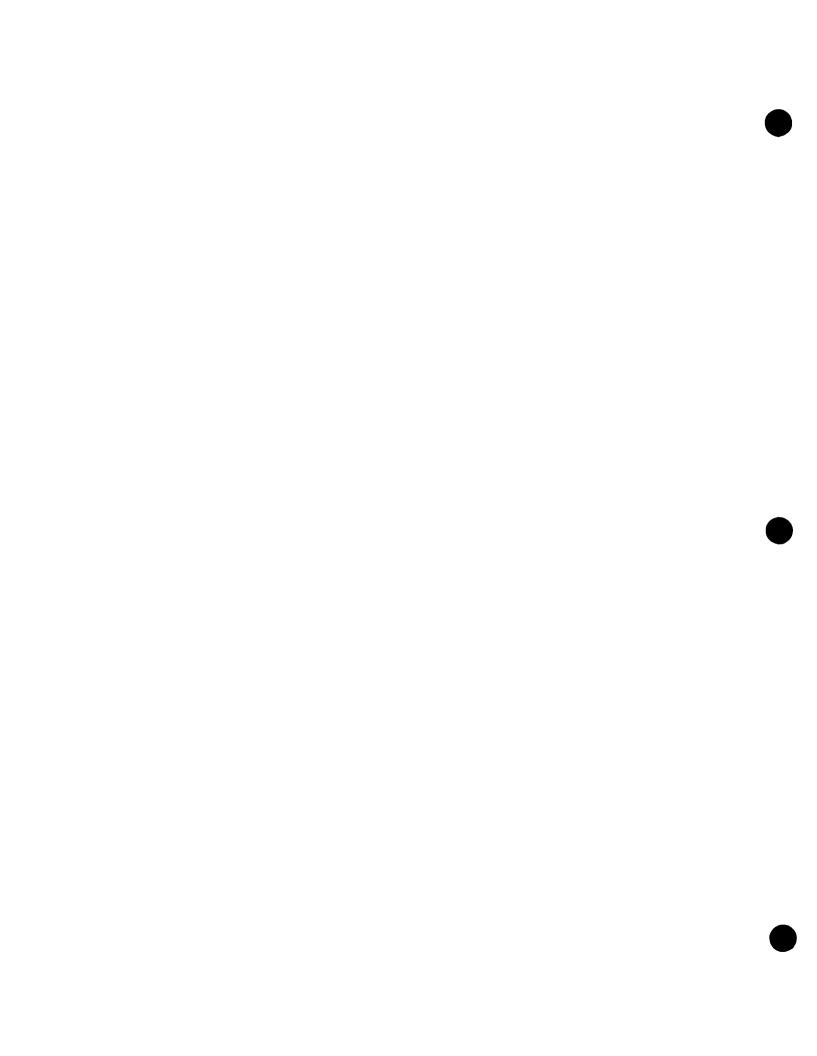
			not provide sufficient detail, Staff may request additional to the mapping guidance in part 2 (above); or		
	1	lane Coordinate System (US Feet)	(SHP) format georeferenced in either NAD 83 Texas State or in NAD 83 Texas Statewide Mapping System (Meters). clude a single, continuous polygon record. The following		
	а		t correspond to the same requested area as shown on the maps. The requested area must be clearly labeled as either area.		
	t	A shapefile should include six file).	a files (.dbf, .shp, .shx, .sbx, .sbn, and the projection (.prj)		
	C		l be filed on a data disk (CD or USB drives), clearly l Records. Seven (7) copies of the digital mapping data is		
		Part G: Notice In	formation		
33.	The following information will be used to generate the proposed notice for the application. DO NOT provide notice until the application is deemed sufficient for filing and the Applicant is ordered to provide notice. 33. Complete the following using verifiable man-made and/or natural landmarks such as roads, rivers, or railroads to describe the requested area (to be stated in the notice documents). Measurements should be approximated from the outermost				
	boundary of the requested ar		reasonements should be approximated from the caterinost		
	The total acreage of the	requested area is approximately:	28,806		
	Number of customer of	onnections in the requested area:	2,000		
		The closest city or town:	Celina		
	Approximate mile	ge to closest city or town center:	1		
	• •	Direction to closest city or town:	East		
	The requested area is ge	nerally bounded on the North by:	County Road(CR) 60, CR 107, CR 132, CR 138		
		on the <u>East</u> by:	CR 136, CR 135, Honey Creek, CR 134, CR 133, W FM 455, FM 2478		
		on the <u>South</u> by:	Frontier Parkway, Celina Sewer CCN,		
		on the West by:	CR 9, Celina ETJ, CR 10		
34.	A copy of the proposed map	will be available at City o	f Celina, Tx City Hall		



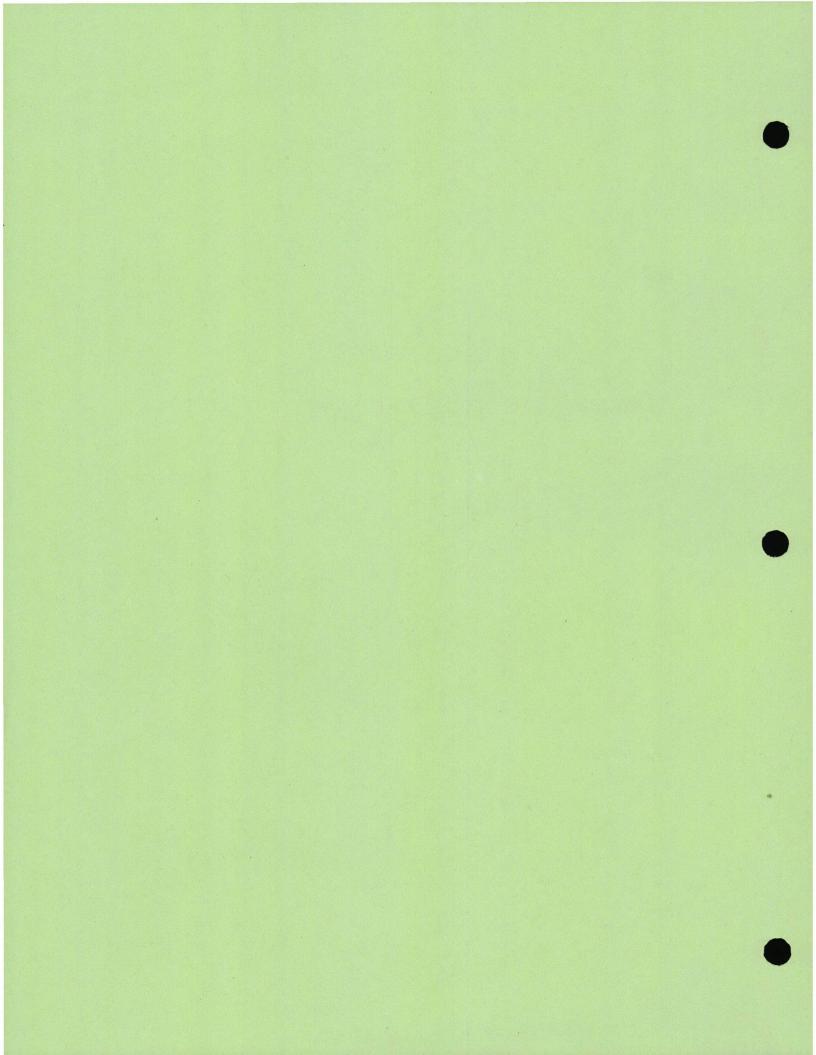
Applicant's Oath STATE OF Texas COUNTY OF Collin I , Jason Laumer being duly sworn, file this application to obtain or amend a water or sewer CCN, as City Manager (owner, member of partnership, title as officer of corporation, or authorized representative) I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission. I further represent that the application form has not been changed, altered, or amended from its original form. I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants within its certificated service area should its request to obtain or amend its CCN be granted. (Utility's Authorized Representative) If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed. SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of Texas this day the 22nd of June **SEAL IEANNIE DIANNE REGAN** Notary Public, State of Texas Notary ID # 13136670-6 My Commission Expires November 30, 2021 PUBLIC IN AND FOR THE

My commission expires:

November 30th 2021



Attachment 1 Statements Corresponding to Application



Statements Corresponding to Application

Part B: Question 12.C.)

It is not economically feasible to obtain retail service from the sewer retail public utilities listed in Question 12.A because most of the proposed area is within the City of Celina's Extraterritorial Jurisdiction(ETJ) and the small parts that are not within the ETJ, are not part of the public utilities listed.

Part B: Question 12.D)

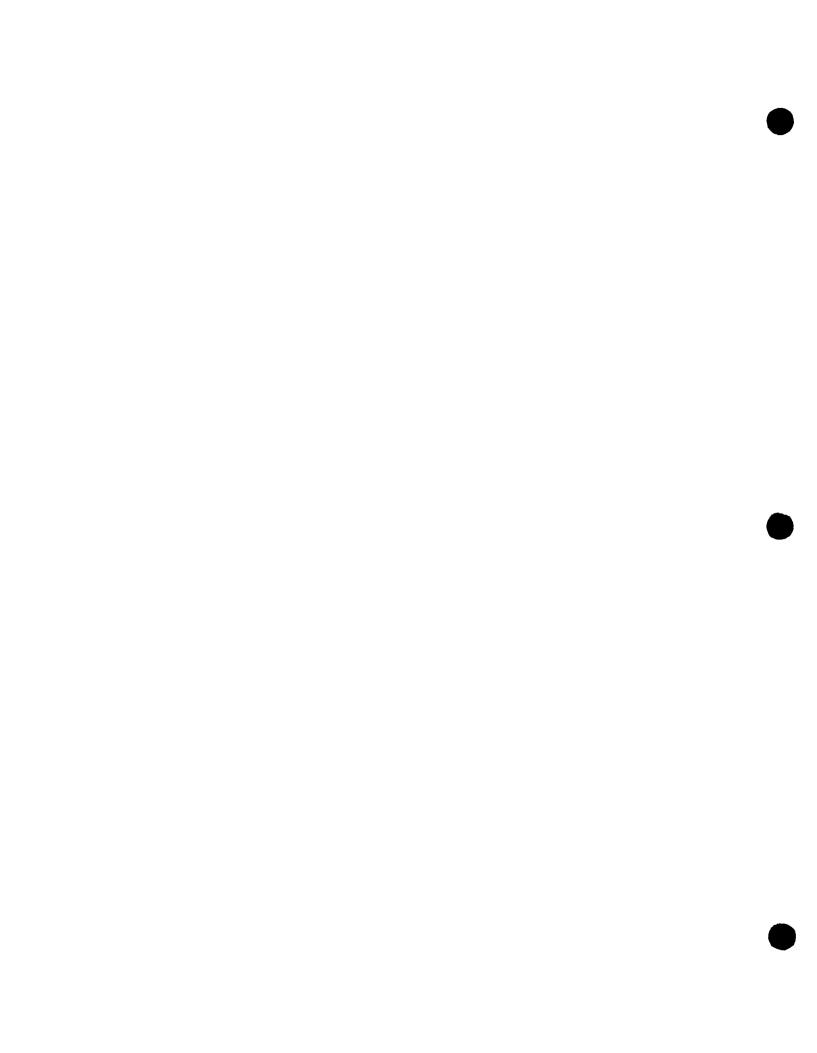
Not Applicable

Part D: Question 22.)

Additional connections are to be determined.

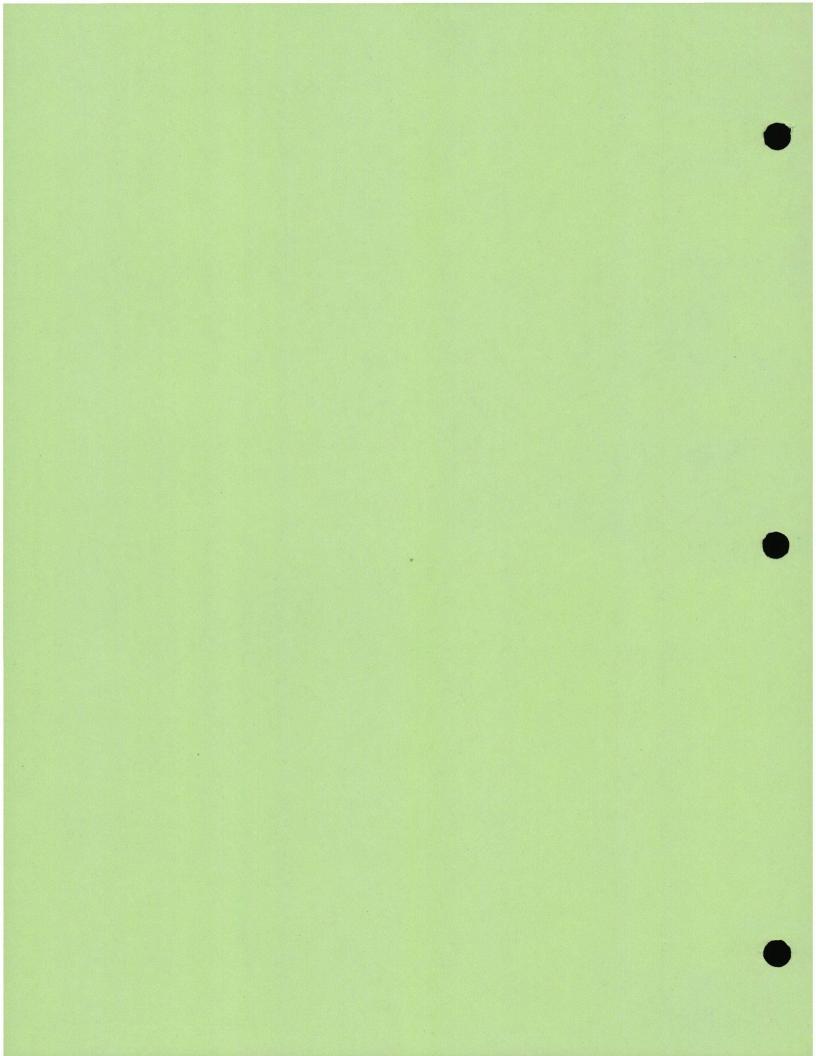
Part D: Question 24.)

Currently the WWTP does not have adequate capacity to meet the current and projected demands in the proposed area. WWTP expansion is under design and will be expanded in the future as development is constructed.



Attachment 2 Future Use Plan

(ref. pg 4, Part B: Question 6)



OVERSIZED MAP(s) or DOCUMENT(s)

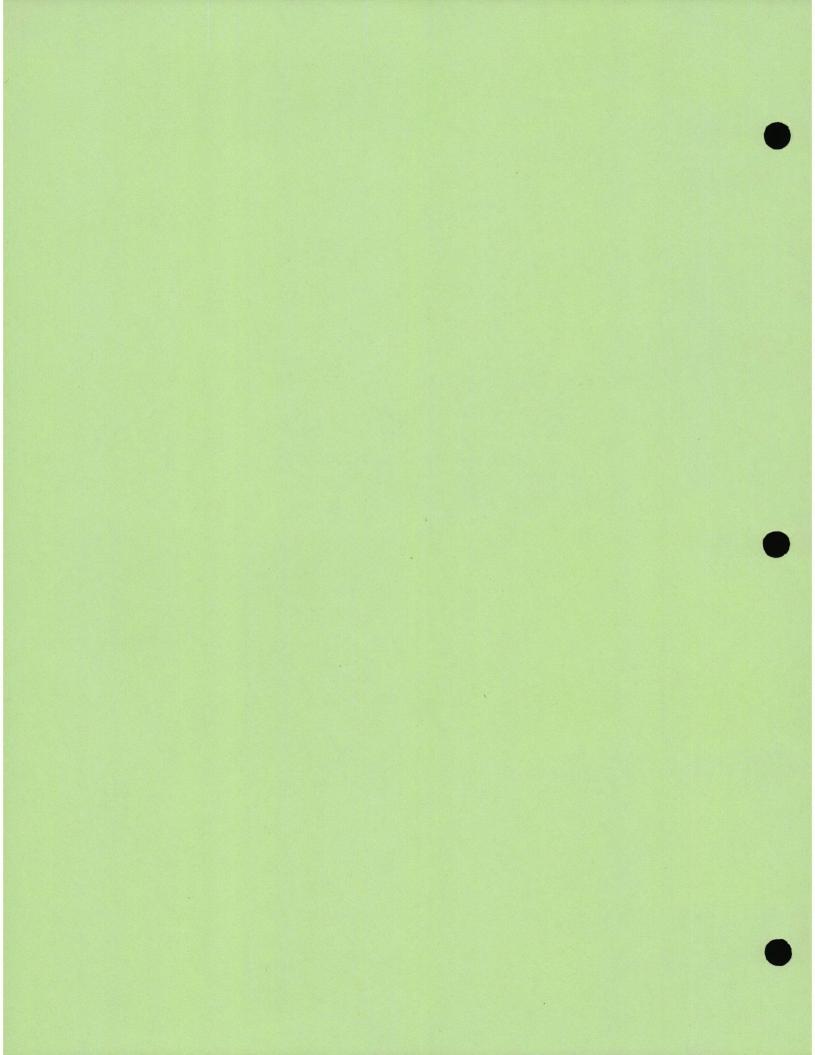
TO VIEW OVERSIZED MAP(s) or DOCUMENT(s)

PLEASE CONTACT CENTRAL RECORDS 512.936.7180

Thank you

Attachment 3 Economic Development Corporation (EDC) Map

(ref. pg 4, Part B: Question 10)



OVERSIZED MAP(s) or DOCUMENT(s)

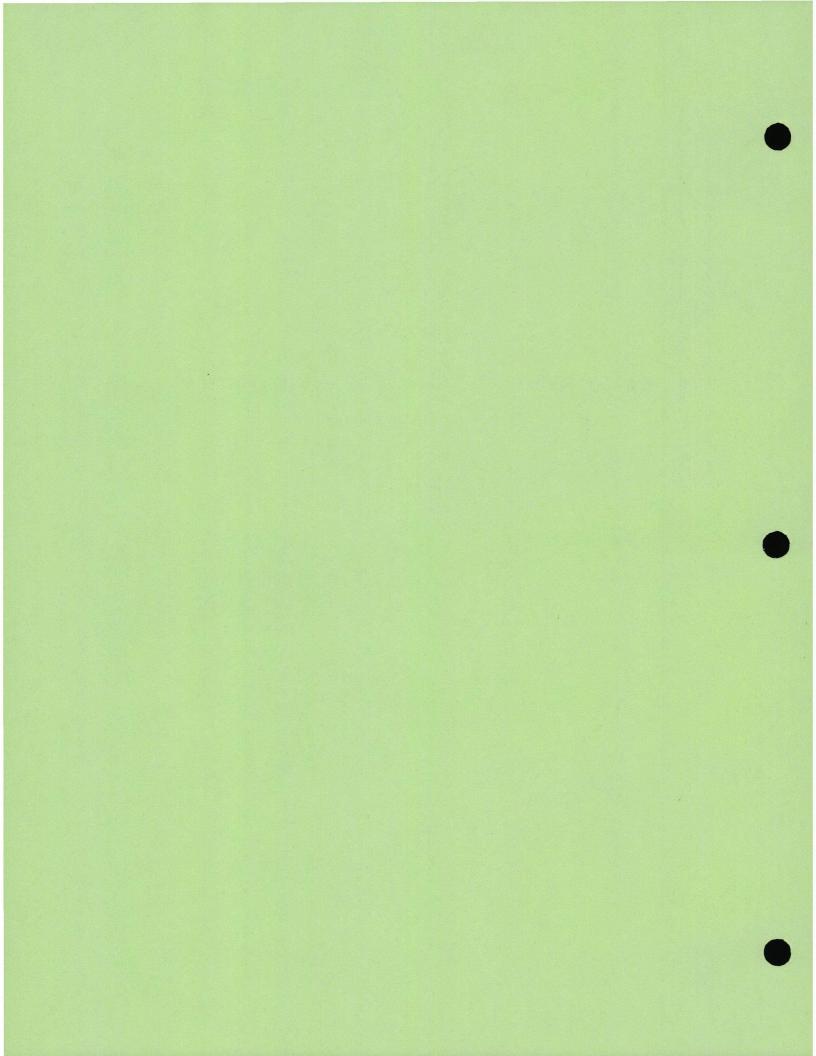
TO VIEW OVERSIZED MAP(s) or DOCUMENT(s)

PLEASE CONTACT CENTRAL RECORDS 512.936.7180

Thank you

Attachment 4 Enforcement Action Correspondence

(ref. pg 6, Part C: Question 16)



Bryan W. Shaw, Ph.D., P.E., Chairman Toby Baker, Commissioner Jon Niermann, Commissioner Richard A. Hyde, P.E., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 2, 2018

FIRST CLASS MAIL

The Honorable Sean Terry, Mayor City of Celina 142 North Ohio Street Celina, Texas 75009-6201

RE: City of Celina

TCEQ Docket No. 2016-1715-MWD-E; Permit No. WQ0014246001 Agreed Order Assessing Administrative Penalties

Enclosed is a copy of an order issued by the Commission.

Questions regarding the order should be directed to the Texas Commission on Environmental Quality's Enforcement Division at (512) 239-2545 or the Litigation Division at (512) 239-3400. If there are questions pertaining to the mailing of the order, then please contact Leslie Gann of the Office of the Chief Clerk at (512) 239-3319.

Sincerely,

Budget C. Bohon
Bridget C. Bohon
Chief Clerk

BCB/lg

Enclosure

cc: Jake Marx, Staff Attorney, TCEQ Litigation Division
Jeff Tate, Regional Contact, TCEQ Regional Office
Meaghan Bailey, SEP Coordinator, TCEQ Enforcement Division
Ross Luedtke, Enforcement Coordinator, TCEQ Enforcement Division

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING CITY OF CELINA; RN102336567

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER

DOCKET NO. 2016-1715-MWD-E

On <u>JAN 24 2018</u>, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding City of Celina ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, represented by the Litigation Division, and Respondent presented this Order to the Commission.

Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, to request an evidentiary hearing, receive notice of an evidentiary hearing, and a right to appeal. By entering into this Order, Respondent agrees to waive all notice and procedural rights which might otherwise be authorized or required in this action.

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

- 1. Respondent owns and operates a wastewater treatment plant located at 700 North Florida Drive, approximately 2,500 feet north of the intersection of Florida Drive and Farm-to-Market Road 455 in Celina, Collin County, Texas (the "Facility"). The Facility adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in Tex. WATER CODE § 26.001(5).
- 2. During an investigation conducted on July 25, 2016, an investigator documented that Respondent:
 - a. Failed to prevent the unauthorized discharge of a pollutant into or adjacent to water in the state. Specifically, raw sewage discharged into an unnamed tributary of Doe Branch Creek as a result of three pumps failing at the Carter Lift Station, resulting in a fish kill totaling 41 fish.
 - b. Failed to adequately notify the appropriate local government officials and the local media of an unauthorized discharge. Specifically, the

- July 24, 2016 unauthorized discharge of wastewater of over 100,000 gallons from the Carter Ranch Lift Station which entered a nearby creek was not reported to local government officials and the local media.
- c. Failed to submit written notification of noncompliance to the TCEQ Dallas/Fort Worth Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance. Specifically, the written notification of the unauthorized discharge that occurred on July 24, 2016 was not received by TCEQ.
- 3. The Executive Director recognizes that on February 10, 2017, Respondent updated operational procedures to ensure that noncompliance reports are submitted to TCEQ, the media, and local government in a timely manner. The Executive Director further recognizes that on September 6, 2016, Respondent received results that remedial actions related to the unauthorized discharges were successful and no further action was required.

CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to Tex. WATER CODE ch. 26 and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a., Respondent failed to prevent the unauthorized discharge of a pollutant into or adjacent to water in the state, in violation of Tex. Water Code § 26.121(a)(1) and (c), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0014246001, Permit Condition 2.g.
- 3. As evidenced by Finding of Fact No. 2.b., Respondent failed to adequately notify the appropriate local government officials and the local media of an unauthorized discharge, in violation of 30 Tex. ADMIN. CODE § 319.302.
- 4. As evidenced by Finding of Fact No. 2.c., Respondent failed to submit written notification of noncompliance to the TCEQ Dallas/Fort Worth Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and 9(A) and TPDES Permit No. WQ0014246001, Monitoring and Reporting Requirement No. 7.a.
- 5. Pursuant to TEX. WATER CODE § 7.051, TCEQ has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 6. An administrative penalty in the amount of thirteen thousand one hundred fifty-eight dollars (\$13,158.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in Tex. Water Code § 7.053. Pursuant to Tex. Water Code § 7.067, thirteen thousand one hundred fifty-eight dollars (\$13,158.00) of the penalty shall be conditionally offset by Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the SEP Agreement ("Attachment A" incorporated herein by reference). Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full

compliance with all the terms and conditions of this Order, which includes any payment schedule and the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

- 1. Respondent is assessed an administrative penalty as set forth in Conclusion of Law No. 6 for violations of state statutes and rules of the TCEQ. The payment of this penalty and Respondent's compliance with all requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
- 2. Respondent shall implement and complete a SEP as set forth in Conclusion of Law No. 6. The amount of thirteen thousand one hundred fifty-eight dollars (\$13,158.00) of the assessed administrative penalty is conditionally offset based on Respondent's implementation and completion of a SEP pursuant to the terms and conditions contained in the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
- 6. If Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Respondent's failure to comply is not a violation of this Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 7. This Order, issued by the Commission, shall not be admissible against Respondent in a civil proceeding, unless the proceeding is brought by the

Office of the Attorney General of the State of Texas ("OAG") to: (1) enforce the terms of this Order, or (2) pursue violations of a statute within TCEQ's jurisdiction, or of a rule adopted or an order or permit issued by TCEQ under such a statute. The Executive Director may, without further notice or hearing, refer this matter to the OAG for further enforcement proceedings if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.

- 8. The provisions of this Order are deemed severable, and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
- 9. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
- 10. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 11. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

City of Celina Docket No. 2016-1715-MWD-E Page 5

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Bujanles Shaw	1-31-18
For the Commission	Date
For the Executive Director	<u>Dec. 5, 2017</u> Date
I, the undersigned, have read and understant to agree to the attached Order, and I do agree therein. I further acknowledge that the TCEC amount, is materially relying on such representations.	ee to the terms and conditions specified Q, in accepting payment for the penalty
I also understand that failure to comply with and/or failure to timely pay the penalty amount	•
 A negative impact on compliance history; 	
 Greater scrutiny of any permit application 	s;
 Referral of this case to the Attorney Gene relief, additional penalties, and/or attorne 	
 Increased penalties in any future enforcer 	ment actions;
 Automatic referral to the Attorney General actions; and 	l's Office of any future enforcement
 TCEQ seeking other relief as authorized b 	y law.
In addition, I understand that any falsification result in criminal prosecution.	n of any compliance documents may
lean luy	9/21/2019
Signature - The Honorable Sean Terry, Mayor City of Celina 142 North Ohio Street Celina, Texas 75009	
☐ If mailing address has changed, please check	this box and provide the new address below

Attachment A

Docket Number: 2016-1715-MWD-E SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	City of Celina
Penalty Amount:	Thirteen Thousand One Hundred Fifty-Eight Dollars (\$13,158)
SEP Offset Amount:	Thirteen Thousand One Hundred Fifty-Eight Dollars (\$13,158)
Type of SEP:	Compliance SEP
Project Name:	Lift Station Upgrades
Location of SEP	Collin County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order for Respondent to perform a Supplemental Environmental Project ("SEP"). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

Respondent is a Local Government that qualifies under Tex. WATER CODE § 7.067 to apply the SEP Offset Amount set forth above to address violations at its wastewater treatment plant which are described in this Agreed Order. This Agreed Order cites violations at Respondent's wastewater treatment plant.

1. Project Description

A. Project

Respondent shall hire a licensed, qualified contractor to remove the multitrode level indicator at the Carter Ranch Lift Station and replace it with a float system and install a generator hook-up that will allow a portable generator to be connected to the lift station in the event of a power outage. In addition, Respondent shall also clean up and remediate the soil from the SSO occurrence; replace the start capacitors; rent a temporary pump; repair the broken pump and install the refurbished pump at the wastewater treatment plant.

Specifically, the SEP Offset Amount shall be used for materials, supplies, and equipment for one or more of the following: new float system for the lift station, and transformer, fusible disconnect, camlock receptacles for the portable generator hook up, SSO cleanup, start capacitors, pump rental, pump repairs and installations (the "Project"). The SEP does not address other obligations required by the Agreed Order. The Project will be performed in accordance with all federal, state, and local environmental laws and regulations, including obtaining any permits that may be required prior to commencement of the work.

Respondent may solicit bids from qualified contractors to install the system. Any advertisements related to the SEP, including solicitation for bids publication, must include the enforcement statement as stated in Section 6, Publicity.

Respondent shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed in Subsection C, Minimum Expenditure, Estimated Cost Schedule. No portion of the SEP Offset Amount shall be spent on administrative costs, including but not limited to operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondent's signature affixed to the attached Agreed Order certifies that Respondent is performing the Compliance SEP solely as part of the terms of settlement in the enforcement action.

B. Environmental Benefit

This SEP will provide an environmental benefit by improving the quality of wastewater effluent being released into the environment. Inadequately treated effluent can carry bacteria, viruses, protozoa (parasitic organisms), helminthes (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis (causing stomach cramps and diarrhea) to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. Additional risks include occurrences of low dissolved oxygen, fish kills, algal bloom, and bacterial contamination in waterways.

C. Minimum Expenditure

Respondent shall spend at least the SEP Offset Amount to complete the Project described in Section 1, above, and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project.

Estimated Cost Schedule

Item	Quantity	Units	Cost	Total
New float system for lift station	1	Each	\$3,970	\$3,970
Portable generator hook-up including transformer, fusible disconnect, camlock receptacles	1	Each	\$8,840	\$8,840
SSO cleanup	1	Each	\$38,498	\$38,498
Replace start capacitors	3	Each	\$135	\$405
Pump rental	1	Each	\$525	\$525
Pump repair and installation	1	Each	\$2,983	\$2,983

City of Celina Docket No. 2016-1715-MWD-E Attachment A

Ite	m	Quantity	Units	Cost	Total
	Total				\$55,221

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 90 days after the effective date of this Agreed Order.

3. Records and Reporting

A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to the TCEQ describing actions performed to date to implement the Project. Within 90 days after the effective date of this Agreed Order, Respondent shall submit a report detailing the progress made and all actions completed on the Project from the Notice of Commencement or during the previous 60-day period. Respondent shall submit progress reports containing detailed information on all actions completed on the Project to date as set forth in the Reporting Schedule table below:

Reporting Schedule

Days from Effective Order Date	Information Required
30	Notice of Commencement describing actions taken to begin project
90	Notice of SEP completion

B. Final Report

Within 90 days after the effective date of the Agreed Order, or within 30 days after completion of SEP, whichever is earlier, Respondent shall submit a Final Report to the TCEQ, which shall include the following:

- 1. Itemized list of expenditures and total cost of the Project;
- 2. Copies of invoices, paid receipts, cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
- 3. Proof of publication of invitation for bids (publication must include the enforcement statement, as stated in Section 6, Publicity), if applicable;
- 4. Dated photographs of the purchased equipment; the equipment

being removed; work being performed during the installation process; and of the completed Project;

- 5. Copies of all engineering plans related to work performed pursuant to the Project, if applicable;
- 6. A notarized/certified statement and supporting documentation demonstrating the quantifiable environmental benefits achieved as a result of the Project; and
- 7. Any additional information demonstrating compliance with this Attachment A.

C. Address

Respondent shall submit all SEP reports and any additional information as requested to the following address:

Texas Commission on Environmental Quality Litigation Division Attention: SEP Coordinator, MC 175 P.O. Box 13087 Austin, Texas 78711-31087

4. Additional Information and Access

Respondent shall provide additional information as requested by TCEQ staff, and shall allow access to all records related to the SEP Offset Amount. Respondent shall also allow representatives of the TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

5. Failure to Fully Perform

If Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 through 4 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

In the event the ED determines that Respondent failed to fully implement and complete the Project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

City of Celina
Docket No. 2016-1715-MWD-E
Attachment A

Texas Commission on Environmental Quality Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

6. Publicity

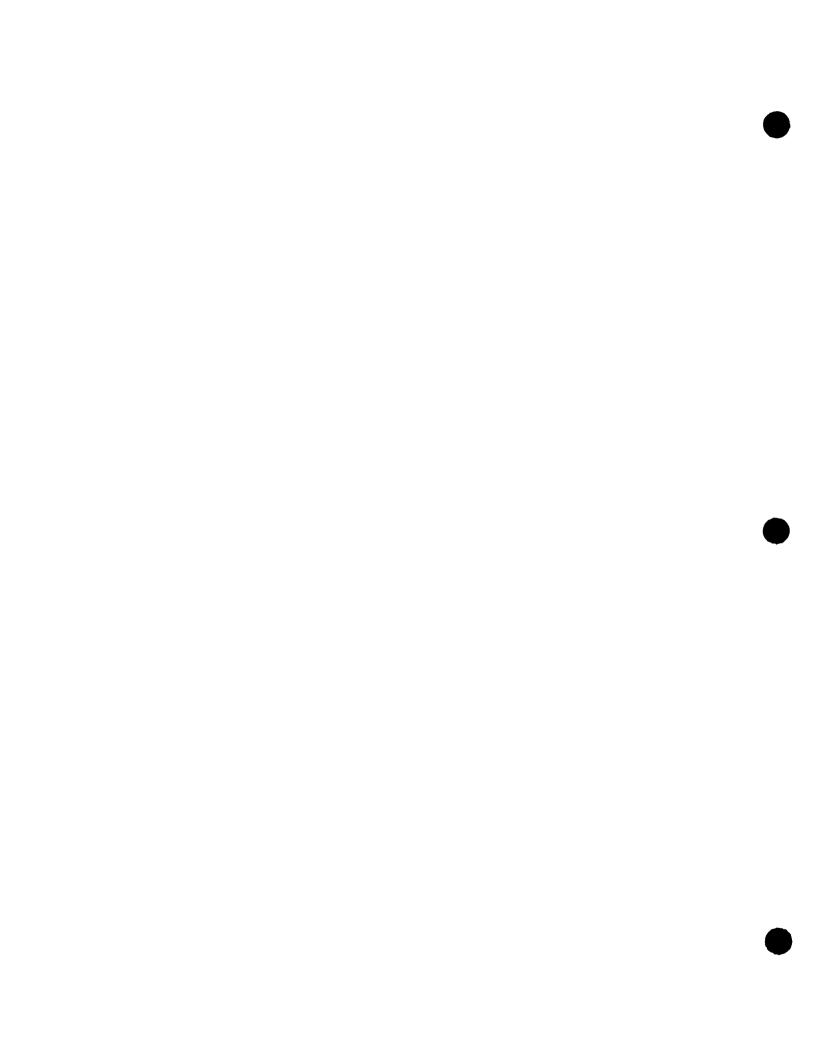
Any public statements concerning this Project made by or on behalf of Respondent must include a clear statement that the Project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

7. Recognition

Respondent may not seek recognition for this project in any other state or federal regulatory program.

8. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Bryan W. Shaw, Ph.D., P.E., Chairman Toby Baker, Commissioner Jon Niermann, Commissioner Richard A. Hyde, P.E., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 16, 2016

Alan Fourmentin City of Celina 142 North Ohio Street Celina, Texas 75009

RE: City of Celina

Permit No. WQ0014246001

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director (ED) has issued final approval of the above-named application. According to 30 Texas Administrative Code (TAC) Section 50.135 the approval became effective on the date the ED signed the permit or other approval. A copy of the final approval is enclosed and cites the effective date.

You may file a **motion to overturn** with the chief clerk. A motion to overturn is a request for the commission to review the TCEQ executive director's approval of the application. Any motion must explain why the commission should review the TCEQ executive director's action. According to 30 TAC Section 50.139 an action by the ED is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the chief clerk in person or by mail. The Chief Clerk's mailing address is Office of the Chief Clerk (MC 105), TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. On the same day the motion is transmitted to the chief clerk, please provide copies to Robert Martinez, Environmental Law Division Director (MC 173), and Vic McWherter, Public Interest Counsel (MC 103), both at the same TCEQ address listed above. If a motion is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the ED's approval. According to Texas Water Code Section 5.351 a person affected by the ED's approval must file a petition appealing the ED's approval in Travis County district court within 30 days after the <u>effective date of the approval</u>. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

Individual members of the public may seek further information by calling the TCEQ Public Education Program, toll free, at 1-800-687-4040.

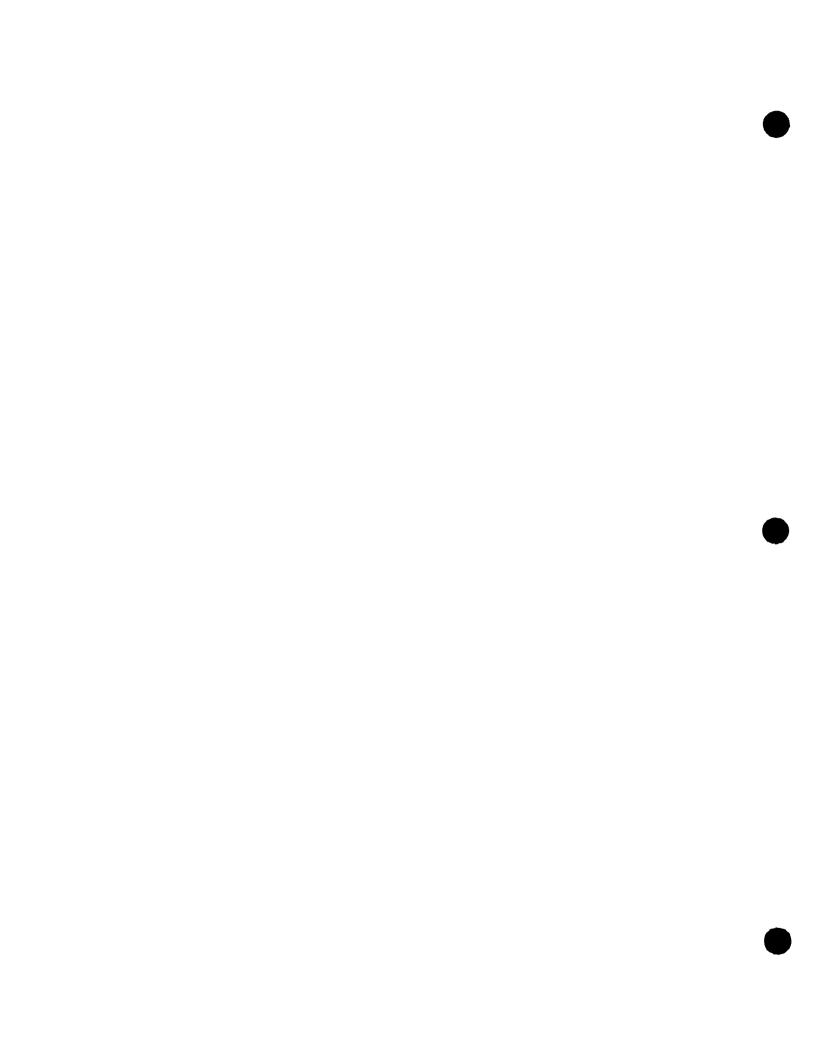
Sincerely,

Bridget C. Bohac Chief Clerk

Budget C. Bohan

BCB/tm

cc: Vic McWherter, TCEQ Public Interest Counsel (MC 103)



Bryan W. Shaw, Ph.D., Chairman Carlos Rubinstein, Commissioner Toby Baker, Commissioner Zak Covar, Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 21, 2013

CERTIFIED MAIL

The Honorable Todd McCally, Mayor Pro-Tem City of Celina 142 North Ohio Street Celina, Texas 75009-6201

RE: City of Celina

TCEQ Docket No. 2011-1643-MWD-E; Permit No. WQ0014246001 Agreed Order Assessing Administrative Penalties and Requiring Certain Action

Enclosed is a copy of an order issued by the Commission.

Questions regarding the order should be directed to the Enforcement Coordinator or the Staff Attorney. If there are questions pertaining to the mailing of the order, then please contact Leslie Gann of the Texas Commission on Environmental Quality's Office of the Chief Clerk (MC 105) at (512) 239-3319.

Sincerely,

Bridget C. Bohar
Bridget C. Bohar

Chief Clerk

BCB/lg

Enclosure

cc: Heather Brister, Enforcement Coordinator, TCEQ Enforcement Division Sharon Blue, SEP Coordinator, TCEQ Litigation Division

111WD/14246-001/CC

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN § BEFORE THE
ENFORCEMENT ACTION §
CONCERNING § TEXAS COMMISSION ON
CITY OF CELINA §
RN102336567 § ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2011-1643-MWD-E

At its FEB 1 3 2013 agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Celina ("the Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a wastewater treatment plant located at 700 North Florida Drive, approximately 2,500 feet north of the intersection of Florida Drive and Farm-to-Market Road 455 in Celina, Collin County, Texas (the "Facility").

- 2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
- 3. During a record review on August 11, 2011, TCEQ staff documented the following effluent values based on the self-reported discharge monitoring reports ("DMRs"):

•		EFFLU	JENT PARAMI	BTER			
			Perm it Lim it			,	
	Escherichia coli Daily Average Concentration 126 Colony Forming Units per 100 Milliliters	Escherichia coli Daily Maximum Concentration 394 Colony Forming Units per 100 Milliliters	Daily Average Flow 0.50 Million Gallons per Day	Ammonia Nitrogen Daily Average Concentration 3 Milligrams per Liter	Ammonia Nitrogen Daily Maximum Concentration 10 Milligrams per Liter	Ammonia Nitroge Daily Average Loading 13 Pounds per Day	
Month/Year							
January 2011	С	С	С	8.57	18.4	37.93	
February 2011	С	c	0.589	c	c	c c	
March 2011	1,484	2,420	С	c	С		
May 2011	c c		0.707	С	С	14.09	
June 2011	С	С	c	6.41	17.5	27.05	

4. The Respondent received notice of the violations on August 22, 2011.

II. CONCLUSIONS OF LAW

- 1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.
- 2. As evidenced by Findings of Fact No. 3, the Respondent failed to comply with permitted effluent limits, in violation of Tex. WATER CODE § 26.121(a)(1), 30 Tex. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014246001, Interim I Effluent Limitations and Monitoring Requirements No. 1.
- 3. Pursuant to Tex. Water Code § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
- 4. An administrative penalty in the amount of Twenty-Six Thousand Thirty Dollars (\$26,030) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Water Code § 7.053. Twenty-Six Thousand Thirty Dollars (\$26,030) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Twenty-Six Thousand Thirty Dollars (\$26,030) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Celina, Docket No. 2011-1643-MWD-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall implement and complete the SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 4 above, Twenty-Six Thousand Thirty Dollars (\$26,030) of the assessed administrative penalty shall be offset with the condition that the Respondent implements the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
- 3. The Respondent shall, within 180 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0014246001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

City of Celina DOCKET NO, 2011-1643-MWD-E Page 4

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section, Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2309 Gravel Drive Fort Worth, Texas 76118-6951

- 4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

- 9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 10. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001,142.

City of Celina DOCKET NO. 2011-1643-MWD-E Page 6

SIGNATURE PAGE

TEXAS COMMISSIO	N ON ENVIRONMENTAL QUAL	ITY
Buranl	J. Shaw	
For the Commission		
Pan Jan	1	12/21/12 Date
For the Executive Dir	rector	Date
City of Celina. I am Celina, and do agree	authorized to agree to the attach to the specified terms and con	ached Agreed Order in the matter of the led Agreed Order on behalf of the City of ditions. I further acknowledge that the mount, is materially relying on such
procedural rights, inc by this Agreed Order the right to appeal.	duding, but not limited to, the right, notice of an evidentiary hearing agree to the terms of the Agreed notitutes full and final adjudication	rder, the City of Celina waives certain ht to formal notice of violations addressed g, the right to an evidentiary hearing, and d Order in lieu of an evidentiary hearing. on by the Commission of the violations set
 and/or failure to time A negative im Greater scruti Referral of the additional personal perso	ely pay the penalty amount, may repact on compliance history; iny of any permit applications subtise case to the Attorney General nalties, and/or attorney fees, or to nalties in any future enforcement afternal to the Attorney General's cother relief as authorized by law.	mitted; 's Office for contempt, injunctive relief, a collection agency; actions; Office of any future enforcement actions;
Signature		8/27/12 Date
Name (Printed or typ Authorized Represen City of Celina		MAYOR ROTEN Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section III, Paragraph 1 of this Agreed Order.

Attachment A Docket Number: 2011-1643-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	City of Celina
Penalty Amount:	Twenty-Six Thousand Thirty Dollars (\$26,030)
SEP Offset Amount:	Twenty-Six Thousand Thirty Dollars (\$26,030)
Type of SEP:	Compliance SEP
Project Name:	Removal and Disposal of Silt, Grease and Waste Solids
Location of SEP:	Collin County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order for Respondent to contribute to a Supplemental Environmental Project ("SEP"). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent is a Local Government that qualifies under Texas Water Code § 7.067 to apply the SEP Offset Amount set forth above to correct violations at its wastewater treatment facility which are described in this Agreed Order. This Agreed Order cites violations at the Respondent's wastewater treatment facility. Respondent shall utilize a rented sewer vacuum truck in order to remove silt, grease, and waste solids from various components of the wastewater system including, but not limited to the collection system lift stations; the effluent lift station and the aeration basins at the Wastewater Treatment Plant. All removed solids will be deposited into approved containers and hauled by Texas Waste Management to a certified landfill located at Waste Management Hillside Landfill, 1100 Nelson Road, Sherman, Texas 75090, and TCEO Permit Number 523-B. Specifically, the SEP Offset Amount shall be used for containers, materials, supplies, and equipment rentals (the "Project"). Respondent shall provide labor at no cost to the SEP. Any advertisements, including solicitation for bids publication, related to the SEP must include the enforcement statement as stated in Section 6, Publicity, below. The Project will be performed in accordance with all federal, state, and local environmental laws and regulations, including obtaining any permits that may be required prior to commencement of the work.

Respondent shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed in Subsection C. Minimum Expenditure, Estimated Cost Schedule, below. No portion of the SEP Offset Amount shall be spent on administrative costs, including but not limited to operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondent's signature affixed to the attached Agreed Order certifies that Respondent has no prior commitment to perform this Project and that the SEP is being performed solely as part of the terms of settlement in this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by improving the quality of wastewater effluent being released into the environment. Inadequately treated effluent can carry bacteria, viruses, protozoa (parasitic organisms), helminthes (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis (causing stomach cramps and diarrhea) to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis.

C. Minimum Expenditure

Respondent shall spend at least the SEP Offset Amount to complete the Project described in Section 1, above, and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project.

Estimated Cost Schedule

Item		Quantity	Cost	Units	Total
Vacuum Truck Rental		1	\$200	76 days	\$15,200
Waste Containers		20	\$545	each	\$10,900
	Total				\$26,100

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 90 days after the effective date of this Agreed Order.

3. Records and Reporting

A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to the TCEQ describing actions performed to date to implement the Project. Within 60 days of the effective date of this Agreed Order, Respondent shall submit a report detailing the progress made and all actions completed on the Project during the previous 30-day period and setting forth a schedule for achieving completion of the Project within the 90-day time-frame set forth in Section 2, Performance Schedule, above. Respondent shall submit progress reports to the TCEQ in 30-day increments containing detailed information on all actions completed on the Project to date as set forth in the Reporting Schedule table below:

Days from Effective Order Date	Information Required
30	Notice of Commencement describing actions taken to begin project
60	Actions completed during previous 30-day period

Days from Effective Order Date	Information Required
90	Notice of SEP completion

B. Final Report

Within 90 days after the effective date of the Agreed Order, Respondent shall submit a Final Report to the TCEQ, which shall include the following:

- 1. Itemized list of expenditures and total cost of the Project;
- 2. Copies of invoices, paid receipts, cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;
- 3. Dated photographs of the work being performed; and include photographs of the completed Project;
- 4. Copies of manifests showing proper disposal;
- 5. A notarized/certified statement and supporting documentation demonstrating the quantifiable environmental benefits achieved as a result of the Project; and
- 6. Any additional information demonstrating compliance with this Attachment A.

C. Address

Respondent shall submit all SEP reports and any additional information as requested to the following address:

Texas Commission on Environmental Quality Litigation Division Attention: SEP Coordinator, MC 175 P.O. Box 13087 Austin, Texas 78711-3087

4. Additional Information and Access

Respondent shall provide additional information as requested by TCEQ staff, and shall allow access to all records related to the SEP Offset Amount. Respondent shall also allow representatives of the TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

5. Failure to Fully Perform

If Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 through 4, above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

In the event the ED determines that Respondent failed to fully implement and complete the Project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

City of Celina Attachment A

Texas Commission on Environmental Quality Litigation Division Attention: SEP Coordinator, MC 175 P.O. Box 13087 Austin, Texas 78711-3087

6. Publicity

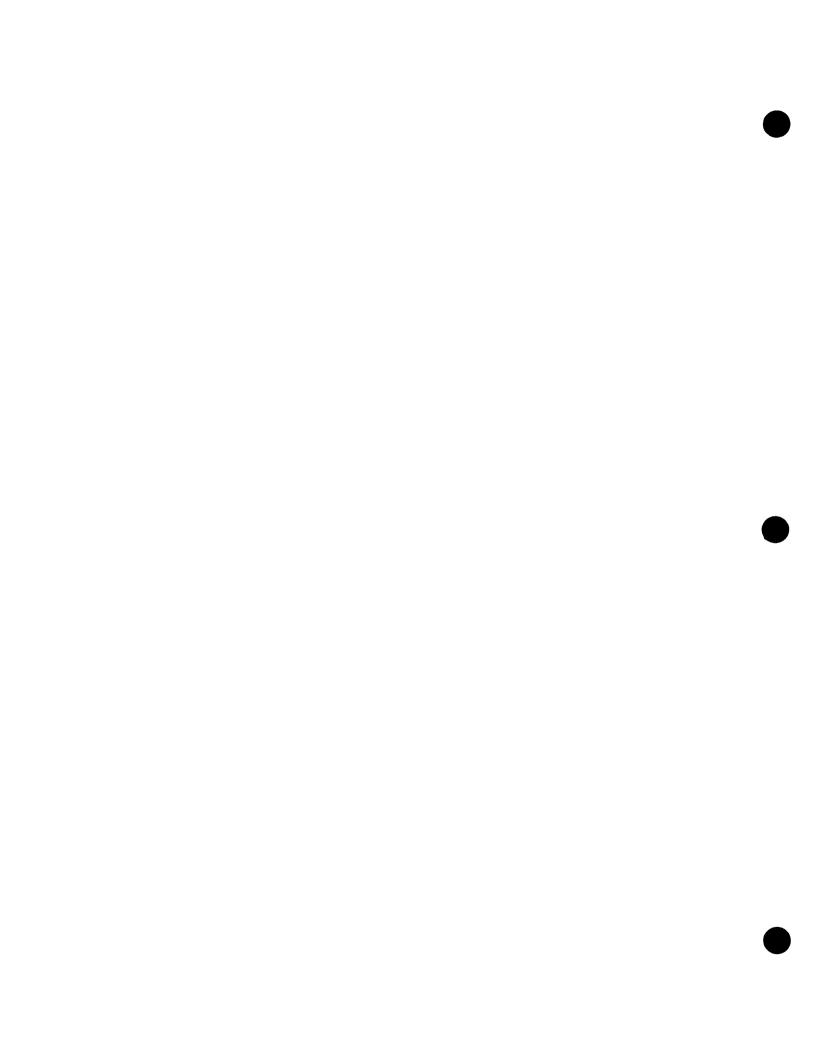
Any public statements concerning this Project made by or on behalf of Respondent must include a clear statement that the Project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

7. Clean Texas Program

Respondent shall not include this Project in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

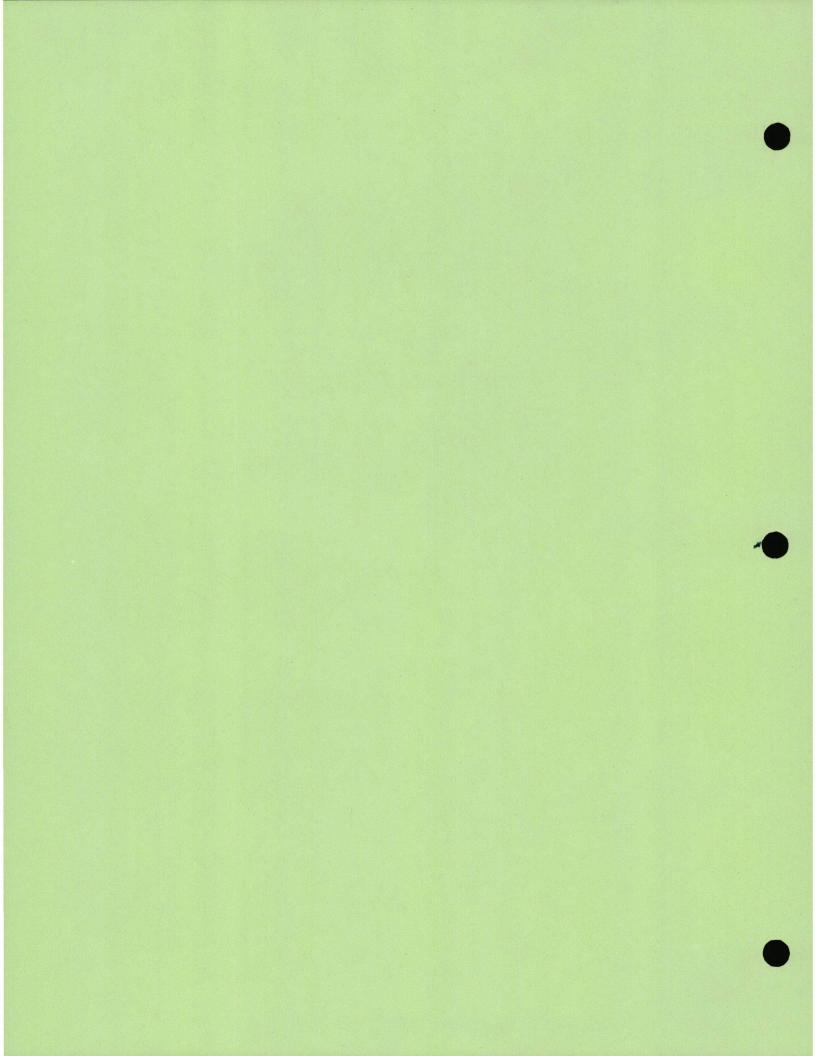
8. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Attachment 5 TCEQ Compliance Correspondence

(ref. pg 7, Part D: Question 20.B)





· SITE SEARCH:

please enter search phrase Go

SUBJECT INDEX

> <u>Air</u> → <u>Water</u> → <u>Waste</u>

Search TCEQ Data
Agency Organization Map

	Site Associated with This Customer						(If no Sit							or Customer a in thesame rov all compliance	v, this is
Customer	Name	City or Nearest City	County	TCEQ Region	Related Numbers	Rating	Classification	Date Rated	Date Posted						
CITY OF CELINA	CITY OF CELINA WWTP			REGION 04 - DFW METROPLEX	■ WQ0014246001 ■ WQ0014246001 ■ WQ0014246001 ■ TX0023272 ■ WQ0014246001 ■ WQ0014246001 ■ TX0023272		SATISFACTORY	09/01/2017	11/15/2017						

What's a "site"?

A "site" (sometimes called a "regulated entity") is any person or thing that is of environmental interest to the TCEQ. At a "site", one or more regulatory activities of interest to us occur or have occurred in the past. Some examples of sites are:

- Industrial plants, such as the Exxon Baytown Facility
- Small businesses, such as Texaco Gas Station #200 or Elroy's Dry Cleaning & Laundry
- Public facilities, such as the City of Austin's Hornsby Bend Wastewater Treatment Plant

What's a "customer"?

A "customer" owns, operates, is responsible for, or is affiliated with a regulated entity. Examples include:

- Major industrial corporations, such as Exxon USA, Exxon Inc, or Texaco Inc
- Small businesses, such as Karl Redmond dba Karl's Kleaners, which owns several dry-cleaner locations
- Governmental bodies, such as the City of Austin, the United States Air Force, or a municipal utility district
- Individuals, such as Karl A. Redmond, owner of Karl Redmond dba Karl's Kleaners

Return to top
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The TCEQ is committed to accessibility. To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

Compliance History Report for CN600637623, RN102336567, Rating Year 2016 which includes Compliance History (CH) components from September 1, 2011, through August 31, 2016.

Customer, Respondent, CN600637623, City of Celina Classification: SATISFACTORY Rating: 6.44

or Owner/Operator:

Regulated Entity: RN102336567, Celina WWTP Classification: SATISFACTORY Rating: 6.44

Complexity Points: 5

CH Group: 08 - Sewage Treatment Facilities

Location: Located at 700 North Florida Drive, approximately 2,500 feet north of the intersection of Florida Drive and

Repeat Violator: NO

Farm-tq-Market Road 455, Celina, Collin County, Texas 75009

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s): WASTEWATER PERMIT WQ0014246001 WASTEWATER EPA ID TX0023272

Compliance History Period: September 01, 2011 to August 31, 2016 Rating Year: 2016 Rating Date: 09/01/2016

Date Compliance History Report Prepared: September 12, 2016

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 12, 2011 to September 12, 2016

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Sandra Douglas Phone: (512) 239-2549

Site and Owner/Operator History:

1) Has the site been in existence and/dr operation for the full five year compliance period?

YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

Effective Date: 02/24/2013 ADMIN ORDER 2011-1643-MWD-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)

30 TAC Chapter 305, SubChapter F 305.125(1)

Ramt Prov: Effluent Limits PERMIT

Description: Failed to comply with permitted effluent limits.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	September 20, 20 1 1	(959510)
Item 2	October 19, 2011	(971584)
em 3	November 18, 201	(977751)
Item 4	December 20, 201	(984517)
Item 5	January 18, 2013	(1079400)
Item 6	April 20, 2013	(1095901)
Item 7	June 10, 2013	(1110502)

Item 8	July 15, 2013	(1117391)
Item 9	November 12, 2013	(1140875)
Item 10	December 13, 2013	(1147346)
Item 11	February 11, 2014	(1160741)
Item 12	March 19, 2014	(1167393)
Item 13	Aprıl 09, 2014	(1174514)
Item 14	May 19, 2014	(1180712)
Item 15	June 12, 2014	(1187613)
Item 16	July 18, 2014	(1193810)
Item 17	September 03, 2014	(1198900)
Item 18	November 09, 2014	(1218671)
Item 19	December 18, 2014	(1224451)
Item 20	January 13, 2015	(1231041)
Item 21	February 17, 2015	(1242484)
Item 22	March 18, 2015	(1248824)
Item 23	August 17, 2015	(1283320)
Item 24	September 12, 2015	(1290458)
Item 25	October 23, 2015	(1296662)
Item 26	November 20, 2015	(1302112)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1 Date: 11/30/2015 (1309043)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

2 Date: 12/31/2015 (1315826)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

3 Date: 01/31/2016 (1325219)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

4 Date: 02/29/2016 (1331953)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

5 Date: 03/31/2016 (1345908)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

6 Date: 04/30/2016 (1345909)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

7 Date: 05/31/2016 (1352354)

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date:

06/30/2016

(1359324)

Self Report? YES

Classification:

Moderate

Citation:

2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)

Failure to meet the limit for one or more permit parameter Description:

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

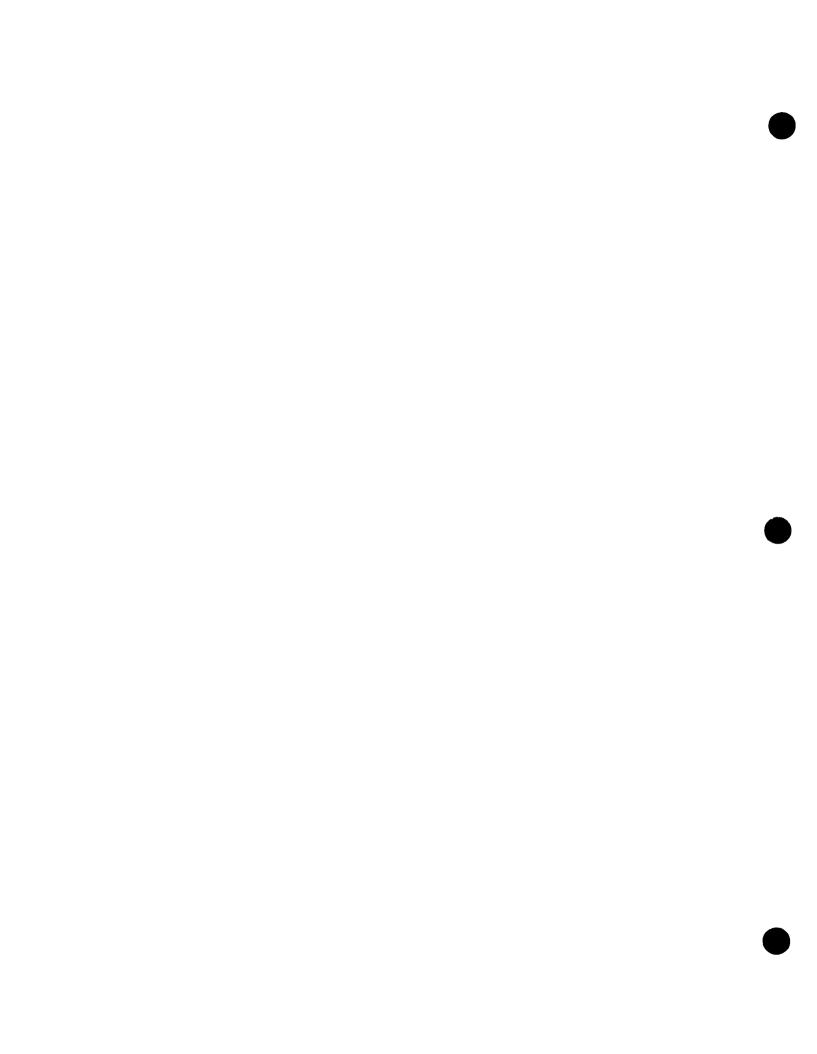
N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A



Page 1 of 2

EXECUTIVE SUMMARY - ENFORCEMENT MATTER - CASE No. 53278 City of Celina

RN102336567 Docket No. 2016-1715-MWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

MWD

Small Business:

N/A

Location(s) Where Violation(s) Occurred:

700 North Florida Drive, approximately 2,500 feet north of the intersection of Florida Drive and Farm-to-Market Road 455, Celina, Collin County

Type of Operation:

wastewater treatment plant

Other Significant Matters:

Additional Pending Enforcement Actions: None Past-Due Penalties: None Past-Due Fees: None Other: None Interested Third-Parties: None

Texas Register Publication Date: October 20, 2017

Comments Received: None

Penalty Information

Total Penalty Assessed: \$13,158

Total Paid to General Revenue: \$0

Supplemental Environmental Project

("SEP") Conditional Offset: \$13,158

Name of SEP: Lift Station Upgrades; Collin County

Compliance History Classifications

Person/CN - Satisfactory Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: None

Applicable Penalty Policy: April 2014

City of Celina RN102336567

Docket No. 2016-1715-MWD-E

Investigation Information

Complaint Date(s):

N/A

Date(s) of Investigation:

July 25, 2016

Date(s) of NOV(s):

N/A

Date(s) of NOE(s):

September 2, 2016

Violation Information

- 1. Failed to prevent the unauthorized discharge of a pollutant into or adjacent to water in the state [Tex. Water Code § 26.121(a)(1) and (c), 30 Tex. ADMIN. Code § 305.125(1), and TPDES Permit No. WO0014246001, Permit Condition 2.q.l.
- 2. Failed to adequately notify the appropriate local government officials and the local media of an unauthorized discharge [30 Tex. ADMIN. CODE § 319.302].
- 3. Failed to submit written notification of noncompliance to the TCEQ Dallas/Fort Worth Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance [30 Tex. ADMIN. CODE § 305.125(1) and 9(A) and TPDES Permit No. WQ0014246001, Monitoring and Reporting Requirement No. 7.a.].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

On February 10, 2017, Respondent updated operational procedures to ensure that noncompliance reports are submitted to TCEO, the media, and local government in a timely manner. Additionally, on September 6, 2016, Respondent received results that remedial actions related to the unauthorized discharges were successful and no further action was required.

Technical Requirements:

None

Litigation Information

Date Petition(s) Filed:

December 14, 2016

Date Answer Filed:

February 1, 2017

Settlement Date:

September 21, 2017

Contact Information

TCEQ Attorneys: Jake Marx, Litigation Division, (512) 239-3400

Garrett Arthur, Public Interest Counsel, (512) 239-6363

TCEQ Litigation Division Agenda Coordinator: Janice Hernandez, (512) 239-2575

TCEQ SEP Attorney: Meaghan Bailey, Litigation Division, (512) 239-3400

TCEQ Enforcement Coordinator: Ross Luedtke, Enforcement Division, (512) 239-3157 TCEQ Regional Contact: Jeff Tate, Dallas/Fort Worth Regional Office, (817) 588-5800

Respondent Contact: The Honorable Sean Terry, Mayor, City of Celina, 142 North Ohio Street,

Celina, Texas 75009

Respondent's Attorney: N/A

		Penalty	Calculation	n worksne	eet (PC		
Policy Revision 4 (A	April 2014)					PCW Revision	on March 26, 2014
DATES Assigned	6-Sep-	2016					
PCW		2016 Screenii	14-Sep-2016	EPA Due			
RESPONDENT/FACIL	TTV TNEO	PMATTON					
Respondent							
Reg. Ent. Ref. No							
Facility/Site Region	4-Dallas/	Fort Worth		Major/Mii	nor Source	Minor	
CASE INFORMATION							
Enf./Case ID No	53278			No. of	Violations	3	
Docket No	2016-171	5-MWD-E			Order Type		
Media Program(s)		ality		Government/			
Multi-Media	3					Ross Luedtke	
Admin. Penalty \$	Limit Min	imum \$0	Maximum	\$25,000	EC's Team	Enforcement Team	1 1
Autilii. Peliaity \$	Lillie Mill	30	Plaximum	\$23,000			
	* *	Pena	alty Calcula	tion Section	1		and the same of th
TOTAL BASE PEN	ALTV (S		7. Maria 10 10 10 10 10 10 10 10 10 10 10 10 10			Subtotal 1	\$9,375
TOTAL DASE PEN	ALII (S	ani oi violatio	n base penait	iles)		Subtotal I	ψ5/5/5
ADJUSTMENTS (+							
TOTAL CONTROL OF THE PARTY OF T	and the same and the same and the same and the same and	ultiplying the Total Ba	se Penalty (Subtotal 1)			tals 2, 3, & 7	¢2.042
Compliance H	100100000000000000000000000000000000000		41.0%	Adjustment		tais 2, 3, & 7	\$3,843
Notes	Enhanc		eed order without		and eight		participant of the second of t
	Ara 12 23	months of s	self-reported efflue	ent violations.			
Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
Notes	S	The Respondent	does not meet the	culpability criteri	a.		
							Programme and the second
Good Faith Ef	fort to Co	mply Total Adjus	stments			Subtotal 5	-\$187
Economic Ber	nefit		0.0%	Enhancement*		Subtotal 6	\$0
	Total EB			d at the Total EB \$ An	nount		
Estimate	ed Cost of Cor	npliance \$23,435					
SUM OF SUBTOTA	LS 1-7				F	inal Subtotal	\$13,031
OTHER FACTORS				1.0%		Adjustment	\$127
Reduces or enhances the Fin	al Subtotal by	the indicated percent	age.				
Notos						* 2,	
Notes						1 1 2	
					Final Per	nalty Amount	\$13,158
STATUTORY LIMI	T ADJUS	STMENT			Final Asse	ssed Penalty	\$13,158
DEFERRAL				0.0%	Reduction	Adjustment	\$0
Reduces the Final Assessed F	Penalty by the	indicated percentage.		0.0 70		Aujustinent	40
		40					
Notes		No deferral is	recommended for	Findings Orders.			

\$13,158

PAYABLE PENALTY

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Respondent City of Celina **Case ID No.** 53278 Reg. Ent. Reference No. RN102336567 Media [Statute] Water Quality Enf. Coordinator Ross Luedtke

No Adjustment Percentage (Sompliance History Person Classification (Subtotal 7) Satisfactory Performer Adjustment Percentage (Sompliance History Summary Compliance History Enhancement for one agreed order without denial of liability and eight months of self-reported	Adjust.	Number	pliance History Site Enhancement (Subtotal 2) omponent Number of
Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) Orders Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of judgments or consent decrees without a denial of liability, of this state or the federal government (number of consent) Convictions Convictions Chronic excessive emissions events (number of events) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Chher Other Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Environmental menumental requirements Adjustment Percentage (Sampliance History Person Classification (Subtotal 7) Satisfactory Performer Inpliance History Summary Compliance Enhancement for one agreed order without denial of liability and eight months of self-reported efficiency.	0%	0	
Orders Orders Orders Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government Convictions Any criminal convictions of this state or the federal government (number of counts) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Environmental management systems in place for one year or more No Other Other Environmental management systems in place for one year or more No Adjustment Percentage (Sampliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Percentage (Sampliance History Person Classification (Subtotal 7) Satisfactory Performer Adjustment Percentage (Sampliance History Summary Enhancement for one agreed order without denial of liability and eight months of self-reported bistory	16%	8	Other written NOVs
a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of the folderal government) Convictions Any criminal convictions of this state or the federal government (number of counts) Emissions Chronic excessive emissions events (number of events) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Cother Other Othe	0%	0	
Judgments and Consent Decrees of liability of this state or the federal government (number of judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government Convictions Any criminal convictions of this state or the federal government (number of counts) Emissions Chronic excessive emissions events (number of events) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Environmental management systems in place for one year or more No Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Participation in a voluntary pollution redu	25%	1	a denial of liability, or default orders of this state or the federal government, or
Decrees Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government Convictions Any criminal convictions of this state or the federal government (number of counts) Emissions Chronic excessive emissions events (number of events) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Participation in a voluntary p	0%	0	of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)
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Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Participation in a voluntary pollution reduction program Environmental requirements No Adjustment Percentage (Sampliance History Person Classification (Subtotal 7) Satisfactory Performer Adjustment Percentage (Sampliance History Summary Enhancement for one agreed order without denial of liability and eight months of self-reported	0%	0	I ONVICTIONS I
Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Participation in a voluntary pollution reduction program Participation in a voluntary pollution reduction program No Early compliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Percentage (Sampliance History Person Classification (Subtotal 7) Satisfactory Performer Madjustment Percentage (Sampliance History Summary Compliance Enhancement for one agreed order without denial of liability and eight months of self-reported History Enhancement for one agreed order without denial of liability and eight months of self-reported	0%	0	Emissions Chronic excessive emissions events (number of events)
Other Ot	0%	0	Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)
Other Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Early compliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Percentage (Sompliance History Person Classification (Subtotal 7) Satisfactory Performer Adjustment Percentage (Sompliance History Summary Compliance History Enhancement for one agreed order without denial of liability and eight months of self-reported	0%	0	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were
Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Early compliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Percentage (Sompliance History Person Classification (Subtotal 7) Satisfactory Performer Adjustment Percentage (Sompliance History Summary Compliance History Enhancement for one agreed order without denial of liability and eight months of self-reported	0%	No	Environmental management systems in place for one year or more
Participation in a voluntary pollution reduction program Early compliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Percentage (Sometime of the product of the	0%		Voluntary on-site compliance assessments conducted by the executive director
Early compliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Percentage (Sompliance History Person Classification (Subtotal 7) Satisfactory Performer Adjustment Percentage (Sompliance History Summary Compliance History Summary Enhancement for one agreed order without denial of liability and eight months of self-reported	0%	No	Other
No No Adjustment Percentage (Sompliance History Person Classification (Subtotal 7) Satisfactory Performer Adjustment Percentage (Sompliance History Summary Compliance History Enhancement for one agreed order without denial of liability and eight months of self-reported	0%	No	Early compliance with, or offer of a product that meets future state or federal
No Adjustment Percentage (Sompliance History Person Classification (Subtotal 7) Satisfactory Performer Adjustment Percentage (Sompliance History Summary Compliance History Enhancement for one agreed order without denial of liability and eight months of self-reported	btotal 2)	entage (Sul	The second secon
Satisfactory Performer Satisfactory Performer Majustment Percentage (Sompliance History Summary Compliance History Enhancement for one agreed order without denial of liability and eight months of self-reported			eat Violator (Subtotal 3)
Satisfactory Performer Mpliance History Summary Compliance History Enhancement for one agreed order without denial of liability and eight months of self-reported	btotal 3)	entage (Sul	No Adjustment Perc
Compliance Enhancement for one agreed order without denial of liability and eight months of self-reported			pliance History Person Classification (Subtotal 7)
Compliance History Enhancement for one agreed order without denial of liability and eight months of self-reported	btotal 7	entage (Sul	Satisfactory Performer Adjustment Perc
Compliance History Enhancement for one agreed order without denial of liability and eight months of self-reported	,	c.ruge (our	
History Enhancement for one agreed order without denial of liability and eight months of self-reported			pliance history Summary
Notes		elf-reported	History History Enhancement for one agreed order without denial or liability and eight months of s effluent violations.
Total Compliance History Adjustment Percentage (Subtotals	2, 3, & 7	Subtotals 2.	Total Compliance History Adjustment Percentage (S
I Compliance History Adjustment Final Adjustment Percentage *cappe			Compliance History Adjustment

Violation No.	RN102336567 Water Quality 1					Percent Interest	Years of Depreciation
					to the second of	5.0	15
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings	新产品的			0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction	\$12,810	24-Jul-2016	5-Nov-2017	1.28	\$55	\$1,097	\$1,152
Land			resident to the second	0.00	\$0	n/a	\$0
Record Keeping System	27.575		e de Rose	0.00	\$0	n/a	\$0
Training/Sampling	#10.000	24 1/1 2016	26 3.4 2016	0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs	\$10,000	24-Jul-2016	26-Jul-2016	0.01	\$3 \$0	n/a n/a	\$3 \$0
Permit Costs		THE RESIDENCE OF THE PARTY OF T		0.00	3 0	II/a	\$ U
Other (as needed)	THE RESERVE OF THE PERSON OF T	with a float syste	em and install a	gener	ator hook-up. Dat	n/a move the multitrode te required is the dis	
Other (as needed) Notes for DELAYED costs	and replace The Remdiation	with a float system Find philosophy in the system on/Disposal delayers in the system in the system on the system in the system in the system on the system in the system i	em and install a inal date is the ed cost is the e , back fill excav rosion control n	the estimates stimates ated an easure	cimated cost to relator hook-up. Dated date of complied cost to pump wereas with fresh market	move the multitrode te required is the di- ance. astewater from the aterials and grade to is the discharge dat	level indicato scharge date. creek, excavato previous
	The Remdiation soil from topograpghy,	with a float syste Fi on/Disposal delayen impacted areas and implement en th	em and install a inal date is the ed cost is the e , back fill excav rosion control n e date remedia	the est general estimate stimate ated an neasure tion ac	cimated cost to relator hook-up. Dai ted date of complied cost to pump wereas with fresh mass. Date required tivities were comp	move the multitrode te required is the di- ance. astewater from the aterials and grade to is the discharge dat	e level indicator scharge date. creek, excavat previous te. Final date
Notes for DELAYED costs	The Remdiation soil from topograpghy,	with a float syste Fi on/Disposal delayen impacted areas and implement en th	em and install a inal date is the ed cost is the e , back fill excav rosion control n e date remedia	the est general estimate stimate ated an neasure tion ac	cimated cost to relator hook-up. Dai ted date of complied cost to pump wereas with fresh mass. Date required tivities were comp	move the multitrode te required is the disance. astewater from the sterials and grade to is the discharge dataleted.	level indicato scharge date. creek, excavat previous te. Final date
Notes for DELAYED costs Avoided Costs	The Remdiation soil from topograpghy,	with a float syste Fi on/Disposal delayen impacted areas and implement en th	em and install a inal date is the ed cost is the e , back fill excav rosion control n e date remedia	the est general stimates atted an easure tion accenteris	imated cost to relator hook-up. Dated date of complied cost to pump wereas with fresh mass. Date required tivities were complied (except \$0 \$0	move the multitrode te required is the dis ance. astewater from the terials and grade to is the discharge dat leted. for one-time avoid \$0 \$0	creek, excavato previous te. Final date ded costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	The Remdiation soil from topograpghy,	with a float syste Fi on/Disposal delayen impacted areas and implement en th	em and install a inal date is the ed cost is the e , back fill excav rosion control n e date remedia	the est general stimates atted an easure tion accenteris	imated cost to relator hook-up. Dai ted date of complied cost to pump wereas with fresh mass. Date required tivities were complete (except \$0 \$0 \$0	move the multitrode te required is the dis ance. astewater from the sterials and grade to is the discharge dat sleted. for one-time avoid \$0 \$0 \$0 \$0	creek, excavato previous te. Final date ded costs) \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	The Remdiation soil from topograpghy,	with a float syste Fi on/Disposal delayen impacted areas and implement en th	em and install a inal date is the ed cost is the e , back fill excav rosion control n e date remedia	general general stimated an easure tion accentering 0.00 0.00 0.00 0.00 0.00	imated cost to relator hook-up. Daited date of complied cost to pump wreas with fresh mass. Date required tivities were completed (except \$0 \$0 \$0 \$0 \$0	move the multitrode te required is the disance. astewater from the sterials and grade to is the discharge dat leted. for one-time avoid \$0 \$0 \$0 \$0 \$0	creek, excavato previous ce. Final date ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	The Remdiation soil from topograpghy,	with a float syste Fi on/Disposal delayen impacted areas and implement en th	em and install a inal date is the ed cost is the e , back fill excav rosion control n e date remedia	stimate ated an easure tion accentering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	imated cost to relator hook-up. Daited date of complied cost to pump wreas with fresh mass. Date required tivities were complied to the complex of the compl	move the multitrode te required is the dis ance. astewater from the sterials and grade to is the discharge dat sleted. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	creek, excavato previous te. Final date sted costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Personnel spection/Reporting/Sampling Supplies/Equipment	The Remdiation soil from topograpghy,	with a float syste Fi on/Disposal delayen impacted areas and implement en th	em and install a inal date is the ed cost is the e , back fill excav rosion control n e date remedia	general general stimated an easure tion accentering 0.00 0.00 0.00 0.00 0.00	imated cost to relator hook-up. Daited date of complied cost to pump wreas with fresh mass. Date required tivities were completed (except \$0 \$0 \$0 \$0 \$0	move the multitrode te required is the disance. astewater from the sterials and grade to is the discharge dat leted. for one-time avoid \$0 \$0 \$0 \$0 \$0	creek, excavato previous ce. Final date ded costs) \$0 \$0 \$0 \$0 \$0

\$22,810

Approx. Cost of Compliance

TOTAL

\$1,155

5011					AND DESCRIPTION
PCW	No. 2016-1715-MWD-E	Docket		Screening Date Respondent	
evision 4 (April 2014)				Case ID No.	
vision March 26, 2014	PCW Revision			Reference No.	Pog
					Reg.
				ledia [Statute] nf. Coordinator	
				Violation Number	
				Rule Cite(s)	
	§ 319.302	30 Tex. Admin. Code		Rule Cite(s)	
	al government officials and the local ally, the July 24, 2016 unauthorized as from the Carter Ranch Lift Station to local government officials and the	thorized discharge. Specifications water of over 100,000 gallor	media of an una discharge of was	lation Description	
\$25,000	Base Penalty				
		One list News			F
		Health Matrix Harm	ty and numa	nmental, Prope	>> ENV
		oderate Minor	Major	Release	
				Actual	OR
	Percent 0.0%			Potential	
		, , , , , , , , , , , , , , , , , , ,	hannen man kan		
				nmatic Matrix	>>Prog
		oderate Minor	Major	Falsification	
	Percent 5.0%		X		
				trix	
	not met.	of the rule requirement was	100	tes	
				tes	
				<u> </u>	
	Adjustment \$23,750				
44.050					
\$1,250					
				vents	Violatio
				vents	Violatic
	Number of violation days	1	iolation Events	Number of \	
	,	Lancing Lancing			
		Company of the Compan	daily		
			weekly		
			monthly		
\$1,250	Violation Base Penalty		quarterly		
			semiannual		
			annual		
		X	single event		
	ded.	ne single event is recommen			
\$125	Reduction	10.0%	ply [Efforts to Com	Good F
7123	A SECURIOR PROGRAMMENT OF THE PR	NOE/NOV NOE/NOV to EDPRP/S			200u I
			Extraordinary		
		x	Ordinary		
			N/A		
			14/7		
		The Respondent achiev	Notes		
	2017.	February 10,	Hotes		
\$1,125	Violation Subtotal				
	Statutory Limit Test		this violation	Benefit (EB) for	Econon
\$1,653	Violation Final Penalty Total	\$107	ed EB Amount	Estimat	
1.7.2==	and Boundary (c. 1)	This ideless we to			
\$1,653	sed Penalty (adjusted for limits)	Inis violation Final Asses			

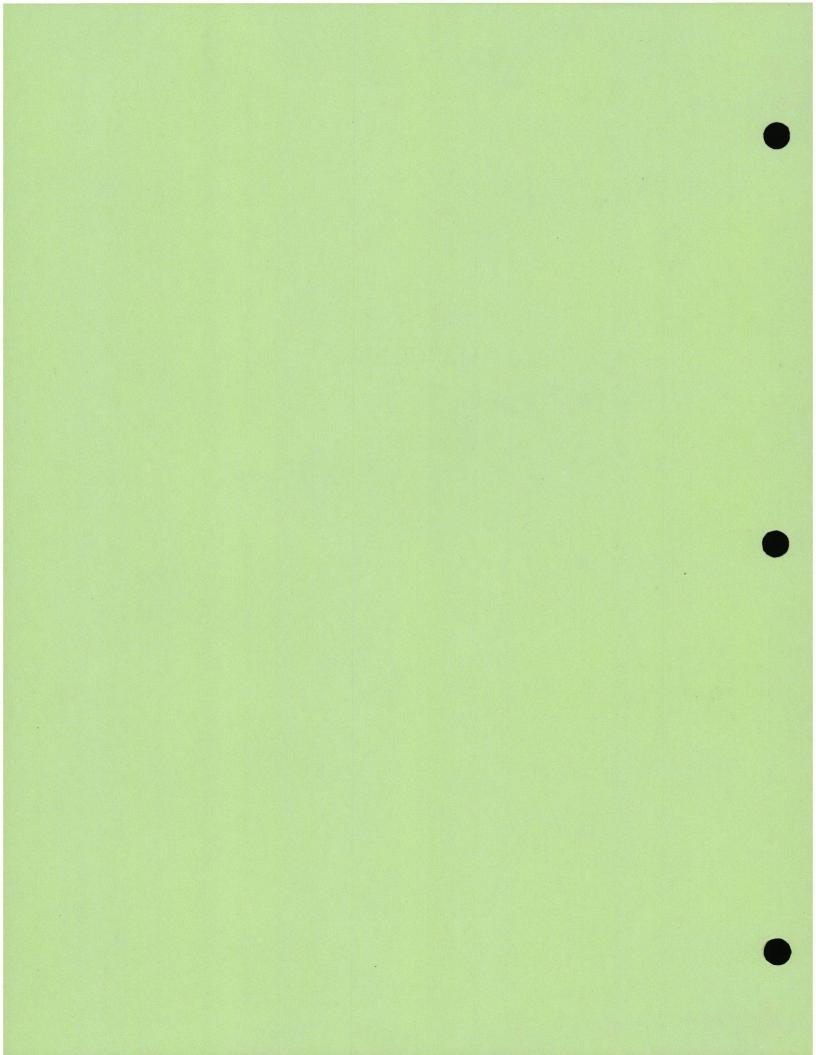
	E	conomic	Benefit	Wo	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	53278						
Media Violation No.	Water Quality 2					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment	(C)	NEW CONTRACTOR		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction		M. (4) 图 (4) (4)		0.00	\$0	\$0	\$0
Land	Call Marketonia			0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	26-Jul-2016	10-Feb-2017	0.55	\$7	n/a	\$7
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	Element III			0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	appropriate le required by th	ocal government one rule. Date requ	officials and the lired is the date co	local r the no mplian	media are notified of the space date.	conduct training to after an unauthoriz oill was due and the	ed discharge as final date is the
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enteri	ng item (except	for one-time avoi	ded costs)
Disposal		B0000000000000000000000000000000000000		0.00		\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment		医在中央外外的		0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$100	24-Jul-2016	26-Jul-2016	0.00	\$0	\$100	\$100
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER.					ental officials and the date the notice was	
Approx. Cost of Compliance		\$350			TOTAL		\$107

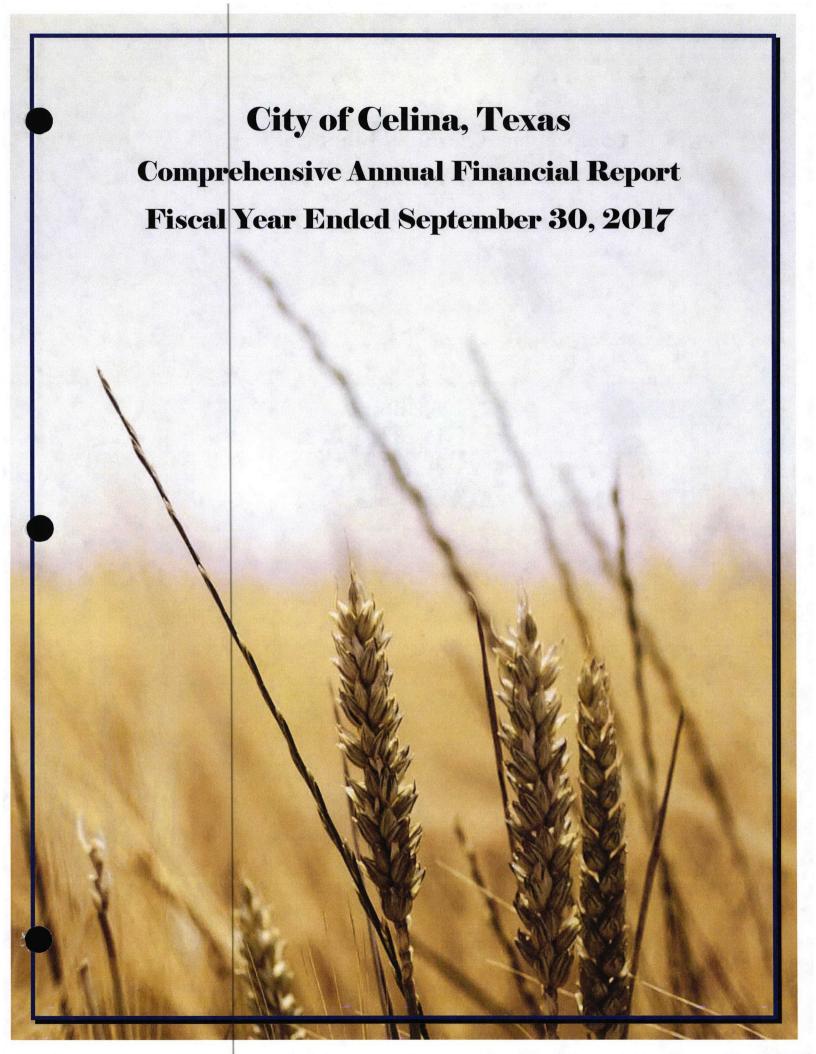
	Screening Date Respondent			Dock	et No. 2016-1715-MWD-E	Policy Revis	PCW ion 4 (April 2014)
	Case ID No.	53278					n March 26, 2014
Reg.	Ent. Reference No.	RN102336567					
	Media [Statute]						
	Enf. Coordinator						
	Violation Number						
	Rule Cite(s)	30 TCA. A		THE RESERVE OF THE PARTY OF THE	nd (9)(A) and TPDES Permit eporting Requirements No. 7.		
	Violation Description	Regional Office a aware of th	and the Enfo ne noncompl	rcement Divisio iance. Specifica	mpliance to the TCEQ Dallas/ in within five working days of ally, the written notification o in July 24, 2016 was not rece	becoming f the	
					Bas	e Penalty	\$25,000
>> En	vironmental, Prope	rty and Huma	n Health	Matrix			
			Harm				
	Release		Moderate	Minor			
OR	Actual						
	Potential				Percent 0.0%		
>>Pro	grammatic Matrix	Malar	Modorato	Minor			
	Falsification	Major	Moderate	Minor	Percent 2.5%		
			Х		Fercent 2.5%		
				Week and the second			
	Matrix Notes	30 to 70	percent of	the rule require	ement was met.		
					Adjustment	\$24,375	
September 1981							
							\$625
Violati	ion Events					TO THE STATE OF TH	
Violati	ion events						
	Number of	Violation Events	1		7 Number of violation	days	
		daily					
		weekly					
		monthly					
		quarterly			Violation Bas	e Penalty	\$625
		semiannual					
	2	annual					
		single event	Х				
			One single	event is recomn	nended.		
Good	Faith Efforts to Com		10.0%	NOE/NOVIL TOTAL	D/C-MI	Reduction	\$62
		Extraordinary	ore NOE/NOV	NOE/NOV to EDPR	P/Settlement Offer		
		·					
		Ordinary	and the same	X			
		N/A				1	
		Notes	The I	CONTRACTOR OF THE SAME PROPERTY OF THE SAME PARTY.	ieved compliance on 10, 2017.		
					Violation	n Subtotal	\$563
Econo	mic Benefit (EB) fo	r this violation	1		Statutory Limi	t Test	
	Estimat	ed EB Amount		\$32	Violation Final Pen	alty Total	\$827
			This viol	ation Final Ac	sessed Penalty (adjusted	for limits)	\$827
CONTRACTOR				A	(aujuotea		402/

	E	conomic	Benefit	Wo	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	53278						Years of
Violation No.						Percent Interest	Depreciation
						5.0	15
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings		E. Charles and Salar		0.00	\$0	\$0	\$0
Other (as needed)	Control of the second			0.00	\$0	\$0	\$0
Engineering/Construction			医原子 体上工艺 是	0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$250	30-Jul-2016	10-Feb-2017	0.53	\$7	n/a	\$7
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs		Statistics of the second	Carlotte Anna	0.00	\$0	n/a	\$0
Other (as needed)	ELECTRICAL SECTION OF THE PERSON OF THE PERS			0.00	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs	the TCEQ in a	a timely manner.	Date required i	s the d	late the report was te.	mpliance reports are due. Final date is for one-time avoid	the compliance
Disposal	ANNOAL	IZE [1] avoided	Costs Deloie	0.00		\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]		67/60/CB-017-10/CB-02-10/2		0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]		S ESCHALAR STATEMENT		0.00	\$0	\$0	\$0
Other (as needed)	\$25	24-Jul-2016	30-Jul-2016	0.00	\$0	\$25	\$25
Notes for AVOIDED costs	Estimated co	st to submit the n	oncompliance r			mely manner. Date e the report was du	THE RESERVE OF THE PROPERTY OF
Approx. Cost of Compliance		\$275			TOTAL		\$32

Attachment 6 FY 2017 City of Celina Financial Audit

(ref. pg 9, Part E: Question 30)





Comprehensive Annual Financial Report City of Celina, Texas Fiscal Year Ended September 30, 2017



As Prepared By
Finance Department

City of Celina, Texas

Comprehensive Annual Financial Report

Fiscal Year Ended September 30, 2017

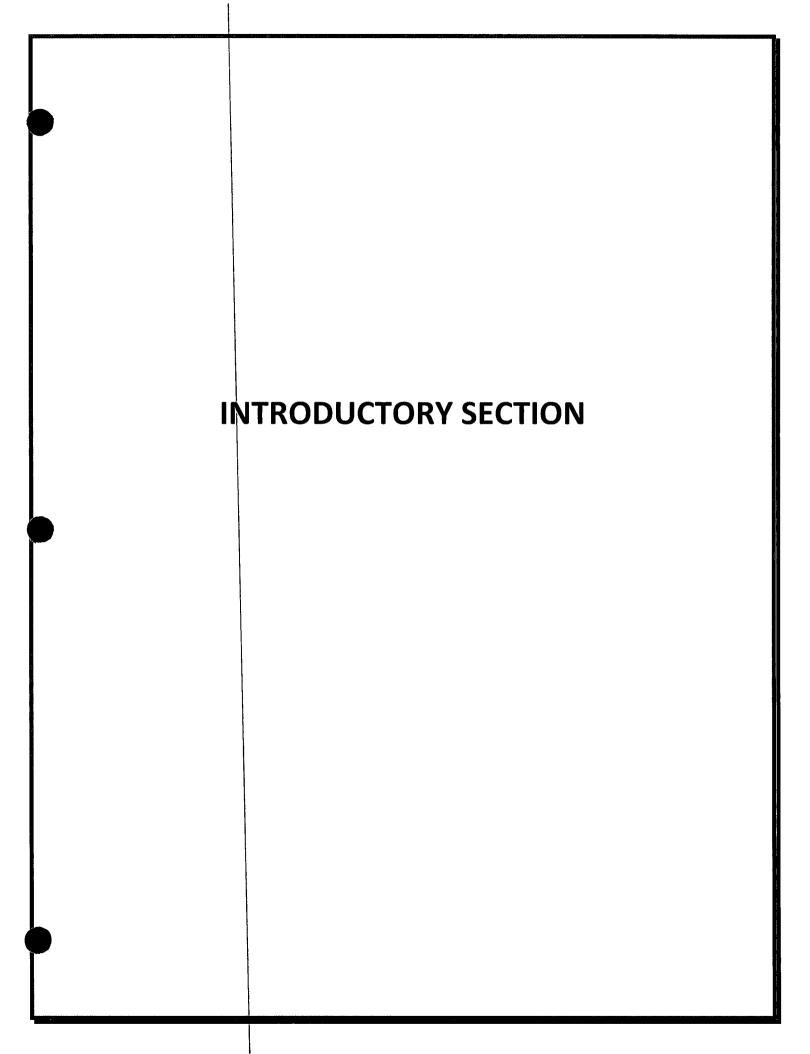
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March 23, 2018

Honorable Mayor and City Council, City Manager, Citizens of Celina:

The Comprehensive Annual Financial Report (CAFR) of the City of Celina, Texas (the City), for the fiscal year ended September 30, 2017, is submitted herewith. Management assumes full responsibility for the completeness and reliability of the information contained in this report, based on a comprehensive framework of internal controls established for this purpose. Because the cost of internal controls should not exceed anticipated benefits, the objective is to provide reasonable rather than absolute assurance that the financial statements are free of any material misstatements. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and reported in a manner designed to present fairly the financial position and results of operations of the City.

Scott, Singleton, Fincher and Company, P.C., a firm of licensed certified public accountants, has issued unmodified ("clean") opinions on the City of Celina financial statements for the year ended September 30, 2017. The independent auditor's report is located at the front of the financial section of this report.

Management's Discussion and Analysis (MD&A) immediately follows the independent auditor's report and provides a narrative introduction, overview, and analysis of the basic financial statements. MD&A complements this letter of transmittal and should be read in conjunction with it.

OUR HISTORY

Celina, in the northwest corner of Collin County, was not established until 1876, but settlers came into the area at a much earlier date. These settlers lived the lives of typical pioneers building their homes from logs, or hauling lumber from Jefferson. They traveled by foot, horseback or in wagons, making their clothes at home and raising what they had to eat. These early families, as well as later ones, mainly came from Tennessee or Kentucky.

In October, 1879 a little settlement began to form a few miles southwest of the present day Celina. John T. Mulkey, Celina's first postmaster, named the town after Celina, Tennessee. The Methodist Church was built in 1880, and also doubled as the school for a while. By 1885, a general store, mill, and a drug store has been opened in "Old Celina."

About 20 years later, considerable excitement was caused by the news that the Frisco railway was soon to extend its line through this part of the country. However, the right of way was to miss the little town. Shortly thereafter, the merchants of the town made plans to move the town to the railroad. When the time came to move, the businesses and houses were each placed on rollers and pulled to the new site by traction engines. This was done in February, 1902, and the ground was muddy. Some of the buildings became bogged down and had to be left until dry weather. A town site company had secured the land for the new "Celina," which was part of a pasture belonging to the late William Willock. The company had taken the fences down, marked off the streets, and placed the lots for sale. It was intended that the current Main Street would be the primary street of town so it was made wider than the other streets and the price of the lots were higher. Because of the higher price, the merchants began locating north of main Street and west of the railroad. A row of wooden buildings was formed facing the railroad. In 1907, the town was officially incorporated with Will Newsom serving as the first mayor.

The businesses looked about the same until 1910, when Fred Smith (who later became the first mayor of University Park in Dallas) began getting ready to lay the square and erect buildings around it. On July 6, 1911, several of the buildings were ready for use and there was a general moving day. Gravel was put on the streets and Celina took on the appearance of a wide awake, growing little city.

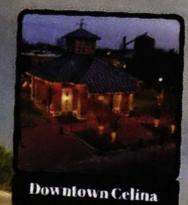
Celina has had a variety of businesses since that time, including an opera house in 1917. A partial listing of businesses and professional services in 1937 included a dry goods store, 7 gas stations, 2 drug stores, an ice cream factory, 2 grain elevators, 1 flour mill, 2 ice houses, 3 cotton gins, laundry, lumber yard, shoe and harness shop, jewelry store, blacksmith, bank, movie theatre, 3 tailor ships, funeral home, 2 dairies, 3 cafés, 2 chicken hatcheries, 3 doctors, a dentist, 10 churches, and a modern brick school building.

As in all communities, the establishment of a school is of utmost importance. The first school in the "new" Celina was a small wooden structure that was in the neighborhood of the Jeff Malone residence. In 1906, a 2 story brick school building was completed on the campus where the Celina Independent School District Administrative offices are now. In 1915, this school was destroyed by fire. In 1916, another 2 story brick building with a basement was finished and school began in it. This school was torn down and a new one completed and dedicated in April of 1943. This is the building presently being used for the CISD Administrative Offices. A new high school was built in 1976, and a new elementary school was completed in 1987. Bonds were passed in the spring of 1996 for a new high school and an addition to the elementary. After completion of the new high school, the middle school students will occupy the current Junior High school. In September 2001, bonds were passed for a new elementary school, additions to the high school, new vocational facilities, and renovations to the track. A new state of the art elementary school opened in fall of 2003.

An excerpt from the Celina Record of 1937 states: "If you are casting about for a good place to make you home you should visit Celina and see for yourself what it has to offer. Some here occasionally say the grass is greener elsewhere and move away, but most of them decide there is no use trying find a better place in which to live and rear their families, come back and settle down firmly fixed in their belief that trying is a waste of time."

PRESENT DAY CELINA





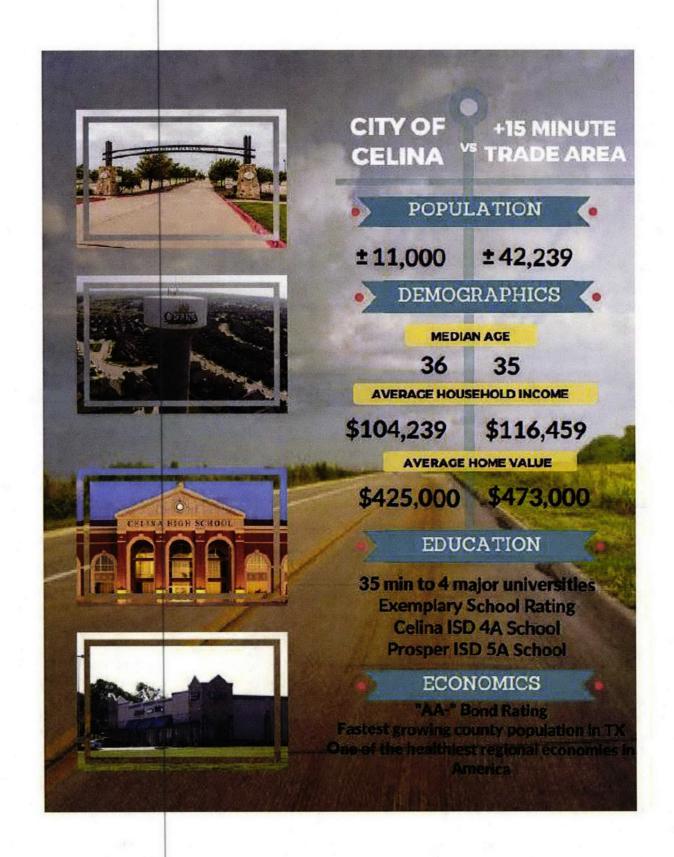
UNIQUE HERITAGE

Outstanding communities to raise a family, with iop areas a family with iop areas of the family which to array of settings in which to

PRIME LOCATION

Situated in high-growth
Collin County and nestled
between the Indior arteries
of Preston Rd and Dalles
Moth Tollway

HOMETOWN ATMOSPHERE Centralized downtown for residents to gather and experience a fieldly environment



PROFILE OF THE GOVERNMENT

The City of Celina is empowered to levy property tax on both real and personal properties located within its boundaries and to extend its corporate limits by annexation when deemed appropriate by the City Council. The City of Celina is a home-rule city, and operates on a Mayor-Council form of government. The governing body includes the Mayor and six City Council members. All governing body members serve three-year terms. The governing body, being the elected representative of the people, adopts all ordinances and resolutions and determines the general goals and policies. The City Manager is the chief administrative officer of the government and is responsible for the enforcement of laws and ordinances, the appointment and supervision of the directors or department heads, and the performance of City functions.

The City of Celina provides a full range of services to its citizens. These services include: fire and police services, ambulance and emergency services, the public library, parks and recreation, water, sewer, trash pickup, traffic engineering, streets and infrastructure, community development including planning and zoning, public improvements, economic development and other administrative services.

The financial reporting entity includes all funds of the primary government as well as its component units. The component units are legally separate entities for which the primary government is financially accountable, but they are not part of the primary government's operations. The Celina Community Development Corporation (Type B) and Celina Economic Development Corporation (Type A) are included in the City's financial statements as discreetly presented component units.

FINANCIAL INFORMATION

Accounting Procedures and Budgetary Control

The City's accounting records for general governmental activities are maintained on a modified accrual basis, with revenues being recorded when available and measurable, and expenditures being recorded when the services or goods are received and the liabilities are incurred. Accounting records for the City's water and sewer and other proprietary activities are maintained on the accrual basis. The financial structure of the City budget is such that line items roll into categories, which in turn roll into departments then into the fund level. The budget ordinance that is presented to Council requests appropriation at the fund level.

The budgetary process begins in March of each year with the preparation of both current and proposed year revenue estimates by the City's finance department and expenditure estimates provided by each department within the City. Budgets are reviewed and subsequently modified and approved by Council. The City Council is required to hold public hearings on the proposed budget and to approve the final budget no later than September 30th at the close of the fiscal year.

LOCAL ECONOMY

During the past year, Celina has experienced tremendous growth. The growth is primarily as a result of new residential developments coming into the City. These new developments will bring approximately 7,200 homes into Celina over the next five years. The number of single-family construction permits has risen to 903 during the past year and another significant increase is expected in 2018 to 1,100 housing permits. This rate of growth will have a significant impact on the City, the two school systems that serve Celina and its quality of life.

New commercial development is underway with the completion of the Tractor Supply store and construction of Ace Hardware. Construction of two office/retail complexes has begun. Preston Plaza, is a 17,000 square foot building and Celina Professional Village will be a two office/retail building complex with approximately 20,000 square feet each. Along with new retail development comes the expectation that sales tax revenue will increase. The City saw a 30.59% increase in sales tax during FY 2017 as compared to FY 2016 and is optimistic that there will be an increase in sales tax revenue during FY 2018.

A new elementary school in the Bluewood subdivision opened in Fall 2017 which provided a much needed addition to the Celina ISD and its own increasing demand for schools.

Another significant impact on the City's economy is the relocation of major corporations to the Metroplex. Toyota and Liberty Mutual have added demand for more housing and municipal services as they relocate their staff to the surrounding areas. The Celina Economic Development Corporation staff continues to seek out potential employment prospects, along with the crucial retail, restaurants, and services needed for a growing city. An ongoing goal is to create an environment which attracts businesses that will provide new employment opportunities to sustain economic growth.

MAJOR INITIATIVES

- * The City is currently conducting a rate study that will better forecast utility revenues for the next 5 years.
- * A classification and compensation study was completed. This study helped the City in determining the appropriate pay ranges and job description of all City positions.
- * Construction of water and sewer lines completed in the Southeast sector that provides water and sewer services to residents of that development all through the southern border of the City.
- * The downtown water rehabilitation project started. This project is being funded partially by the Texas Community Development Grant with matching funds from the City.
- * Several street improvements either were started or completed. These include CR 83, downtown overlay, Preston Hills, High Point and the Falcon/Ascot street areas.
- * Renovation of the police department building and partial renovation of the City Hall Annex was completed during FY 2017.
- * Major renovations for the City Hall Annex are scheduled to begin in FY 2018.

ACKNOWLEDGMENTS

The presentation of this report on a timely basis could not be accomplished without the efficient and dedicated services of the entire staff of the Finance Department. We would like to express our appreciation to all members of the Departments who assisted and contributed to its presentation. Acknowledgement is also given to Scott, Singleton, Fincher and Company, P.C. for their valuable assistance in production of the report. We would like to thank the Mayor and Council members for their commitment in planning and conducting the financial operations of the City in a responsible and progressive magner.

Respectfully submitted,

Jaý Toutounchian Director of Finance