STATE OF TEXAS COUNTY OF DENTON CITY OF CORINTH

On this the 2nd day of February 2017 the City Council of the City of Corinth, Texas met in a Regular Session at the Corinth City Hall at 7:00 PM, located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

Present:	Bill Heidemann, Mayor
	Joe Harrison, Mayor Pro-Tem
	Sam Burke, Council Member
	Scott Garber, Council Member
	Lowell Johnson, Council Member
	Don Glockel, Council Member
Staff Members Present	: Lee Ann Bunselmeyer, Acting City Manager
	Fred Gibbs, Planning and Development Director
	Guadalupe Ruiz, Human Resources Director
	Mike Brownlee, City Engineer
	Barbara Cubbage, Planning and Development Manager
	Kim Pence, City Secretary
	Mack Reinwand, City Attorney
	Shea Rodgers, Technology Services Manager
	Jason Alexander, Economic Development Director

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:

Mayor called the meeting to order at 7:00 p.m. Associate Pastor, Jacob Fields delivered the Invocation and led in the Pledge of Allegiance.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine and will be enacted in one motion. Should the Mayor, a Councilmember, or any citizen desire discussion of any Item that Item will be removed from the Consent Agenda and will be considered separately.

1. Consider and act on minutes from the December 1, 2016 Workshop Session.

Councilmember Glockel – pulled item #1 from the Consent Agenda for discussion. Change Mr. Alexander's comments from "Yes Sir" to "No Sir" on page 6 of the minutes.

MOTION made by Councilmember Glockel to approve with corrections on the December 1, 2016

Workshop Session Minutes. Seconded by Councilmember Johnson.

AYES:Burke, Garber, Johnson, GlockelNOES:NoneABSENT:NoneABSTAIN:Harrison

MOTION CARRIED

2. Consider and act on minutes from the December 1, 2016 Regular Session.

Councilmember Harrison – pulled item #2 from the Consent Agenda. He was not present at that meeting.

MOTION made by Councilmember Burke to approve the minutes from the December 1, 2016 Regular Session. Seconded by Councilmember Garber.

AYES:Burke, Garber, Johnson, GlockelNOES:NoneABSENT:NoneABSTAIN:Harrison

MOTION CARRIED

- 3. Consider and act on minutes from the December 10, 2016 Special Session.
- 4. Consider and act on minutes from the December 15, 2016 Workshop Session.
- 5. Consider and act on minutes from the December 15, 2016 Regular Session.
- 6. Consider and act on minutes from the January 5, 2017 Regular Session.
- 7. Consider and act on a resolution approving the Investment Policy for the City of Corinth.
- 8. Consider and act on a resolution approving the Investment Policy for the Economic Development Corporation.
- 9. Consider and act on a resolution approving the Investment Policy for the Crime Control & Prevention District.

MOTION made by Councilmember Garber to approve items #3, 4, 5, 6, 7, 8, and 9 of the Consent Agenda. Seconded by Councilmember Burke.

AYES:Burke, Garber, Johnson, Harrison, GlockelNOES:NoneABSENT:None

MOTION CARRIED

CITIZENS COMMENTS

In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Please complete a Public Input form if you desire to address the City Council. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member thereof.* Section 30.041B Code of Ordinance of the City of Corinth.

Taylor Holley, 8153 Plainview Road, Krum, Texas 76244 – would like to open up a produce stand in Corinth. I have two stands, one in Krum and one in Sanger. People love fresh produce and would like to see if there is any interests in opening a stand here.

PUBLIC HEARING/BUSINESS ITEM

10. TO HEAR PUBLIC OPINION REGARDING THE AMENDMENT OF LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLANS, AND ASSOCIATED IMPACT FEES FOR WATER, WASTEWATER AND ROADWAY CAPITAL IMPROVEMENTS.

Fred Gibbs, Planning and Development Director - A public hearing has been scheduled to receive input on the adoption of the 2016 Land Use Assumptions, Water, Wastewater and Roadway Impact Fee reports. The reports provide a detailed discussion of the land use assumptions and capital improvements plan under which roadway, water and wastewater impact fees may be imposed for new development. Any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and the capital improvements plan.

Once the public hearing is closed, City Council has a time limit (by state statute) of thirty days to adopt the report and set impact fee levels via ordinance. The next City Council meeting to adopt the Impact Fee Ordinance is scheduled for March 2, 2017 which is within the 30 day timeframe required to set fee levels.

In order to set fee levels, an Ordinance setting the Impact Fee levels must be adopted by Council. Fee levels can range from zero to the maximum calculated amount as shown in the report. It is important to note that while fee levels cannot go beyond the calculated maximum level (without a Special Financial Analysis), Council can change the fee levels after they have been set by Ordinance. Previously established fee levels (from previous Impact Fee studies) can also be adjusted by Ordinance provided the new fees are not raised beyond the maximum calculated fee amount.

In addition to adopting the report, staff is also seeking guidance for the desired fee levels to be included in the Impact Fee Ordinance. The Impact Fee Ordinance will be presented at the regular City Council meeting on March 2, 2017.

Anthony Samarripas, Kimley-Horn – we presented the content to the CIAC on January 23rd and they provided minor comments to the Roadway components, unit prices associated with the cost projections that were in the reports. We addressed those and have provided updated reports that was passed out to the Council this evening. See Exhibit A.

Anthony spoke on the impact fee components and calculations.

There are 3 main components associated with the impact fee, the Land Use Assumption, The Service Unit Calculation, and the Capital Improvement Plans.

Land Use Assumptions are the growth projections that we use over the next 10 years to identify what infrastructure needs the city is going to have. We worked with the City staff to determine what previous growth rates to determine what growth rate we wanted to use for the next 10 years. Those growth projections are consistent with the current Future Land Use Plan.

Land Use Assumptions (cont)

	Year	Population Growth	Employment (Sq. Ft.) Growth			
			Basic	Service	Retail	Total
Corinth	2016 - 2026	3,554	150,000	622,500	852,500	1,625,000

- 10-Year Growth Projections
 - · Population Growth 3,554
 - Non-Residential Growth 1,625,000 Square Feet

Over the next 10 years we are projecting a population growth rate of about 3,500 people and an employment growth rate of about 1.6 million sq. feet.

One of the key items regarding Impact Fee that is in the law is Service Units. What the law says is that in order for a City to apply impact fees fairly you have to have Service Units and be able to measure each type of development against another development whether it is a single family resident or 100,000 sq. foot lots or industrial development. There has to be a way to figure out what each proportional share for each of those different development types.

Service Units (Governed by TLC)

- Chapter 395 "Service Unit" Definition
 - Standardized measure of consumption attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards and based on historical data and trends applicable to the political subdivision in which the individual unit of development is located during the previous 10 years
- Roadway utilizes vehicle miles One vehicle to travel one mile
- Water and wastewater utilize standard water meter (5/8"x3/4")
 - Standard water meter equates to one (1) service unit, all larger meters are some equivalent number of service units based on meter capacity

For Roadway, we use vehicle miles and vehicle miles are a way to measure the anticipated traffic that a certain development will put on the roadway. The more vehicle miles you generate the bigger proportional share you have of the roadway because you are impacting it more then another developer potentially.

The water and wastewater is based on the water meter size. If a development chooses a larger water meter size their impact is going to be higher on the water/wastewater infrastructure thus their impact fee will be higher.

The third component is the Capital Improvement Plan, the Impact Fee/CIP. We developed an impact fee CIP and is very similar to your Master Plan/CIP but it is a little different in some aspects.

Impact Fee Calculations for water and roadway it is city wide and in one surface area so no matter where development comes in to the City they will be subject to the same water and roadway impact fee.

Wastewater is broken up into 3 basins so depending on which basin in development it is in they could pay a different impact fee.

The law requires when we go through the impact fee calculation we account for a credit and there is one of two ways to do that. One, is a detailed analysis or we can reduce the impact fee by 50%. Based on the previous direction we received from Council we proceeded to the 50% reduction and that is what you will see in the results that were presented.

Credit Calculation/Financial Analysis

- Chapter 395
 - A plan for awarding:
 - (A) A credit for the portion of ad valorem tax and utility service revenues generated by new service unit during the program period that is used for the payment of improvements, including the payment of debt, that are included in the capital improvements plan; or
 - (B) In the alternative, a credit equal to 50 percent of the total project cost of implementing the capital improvements plan.

Roadway CIP



We take the Roadway CIP and develop a cost to implement that CIP and develop a cost to build that infrastructure and also add in finance costs. The law allows the City to recover cost associated with issuing debt whether that is financing cost or anticipated interests, you can recover that costs and we try to include that in the calculations. We cut the total in half and once we get to that number we divide that by the projected 10 year growth and the growth is shown in traffic (Vehicle Miles) and that is the base service unit for roadway.

Roadway Maximum Allowable

Maximum Recoverable Cost for Impact Fee	\$13,376,498
Credit	(\$13,376,498
Pre-Credit Recoverable Cost	\$26,752,995
Existing Impact Fee Fund Balance	(\$224,904)
Financing Cost	\$6,724,221
Recoverable Impact Fee CIP Cost	\$20,253,678
Cost of CIP	\$40,776,798

ſ	Maximum Impact Fee =	\$13,376,498	-	6999
l	Maximum Impact Fee =	15,057 (Vehicle-Miles)	-	0000

Roadway Impact Fee Example – Single Dwelling Unit

	Determine Development Unit and Vehicle-Miles Per Development Unit				
Step 1	From Table 10 [Land Use - Vehicle-Mile Equivalency Table]				
	Development Type: 1 Dwelling Unit of Single-Family Detached Housing				
	Number of Development Units: 1 Dwelling Unit				
Veh-Mi Per Development Unit: 4.00					
Step	Determine Maximum Assessable Impact Fee Per Service Unit (Vehicle-Mile)				
2	From Table 9, Line 18 [Maximum Assessable Fee Per Service Unit]				
	Service Area: \$888				
	Determine Maximum Assessable Impact Fee				
Step 3	Impact Fee = # of Development Units * Veh-Mi Per Dev Unit * Max. Fee Per Service Unit Impact Fee = 1 * 4.00 * \$888 Maximum Assessable Impact Fee = \$3,552				

This table shows what Corinth is currently charging as well as some of the neighboring cities are currently charging. The adopted rate of \$962 is what a single-family dwelling pays today. The maximum Assessable of what the city could be charging is \$3,208 so the city is charging quite a bit less than the maximum today.

The new maximum assessable based on the calculations is \$3,552 which is the exercise shown on the previous slide. Based on the discussion we had at the last workshop is we show an option for \$2,000 for a single-family dwelling and that was one of the numbers that Council has mentioned they were considering so we placed it on the table so you could see where that is with the neighboring communities as well as with respect to your maximum assessable and that is about 56% of what your maximum could be if you charged \$2,000.

Roadway Comparison

Impact Fee Comparise	m
Single Family Dwelling	Unit
Roadway	
City	Adopted Fee
Lewisville	\$0
Allen	\$650
Coppell	\$890
The Colony	\$944
Corinth 2011 (Adopted)	\$962
Carinth 2016 (56.3% of Max)	\$2,000
Denton	\$2,000
Southlake	\$2,292
Little Elm	\$2,310
Corinth 2011 (Max Assessable	\$3,208
w/Credit)	
Rowlett	\$3,490
Corinth 2016 (Max Assessable	\$3,552
w/ Credit)	45,552
Flower Mound	\$3,715
McKinney	\$3,800
Frisco	\$3,816
Colleyville	\$4,940

The table below shows similar information but for a different development type. We show different percentages just as a reference point if Council wanted to look at what percent of the maximum you would want to set the fees at for non-residential.

Roadway Comparison

Impact Fee Comparison			
100,000 sq. ft. Industrial			
Roadway			
City	Adopted Fee		
Lewisville	\$0		
Denton	\$58,775		
Allen	\$60,000		
Coppell	\$67,200		
Rowlett	\$67,700		
The Colony	\$91,600		
Corinth 2011 (Adopted)	\$92,421		
McKinney	\$97,001		
Corinth 2016 (30% of Max)	\$103,363		
Flower Mound	\$148,959		
Corinth 2016 (45% of Max)	\$155,045		
Southlake	\$166,725		
Uttle Elm	\$187,200		
Corinth 2016 (60% of Max)	\$206,726		
Colleyville	\$212,200		
Corinth 2011 (Max Assessable w/Credit)	\$308,072		
Frisco	\$309,100		
Corinth 2016 (Max Assessable w/Credit)	\$344,544		

The table below show 10,000 sq. ft. for Retail example with similar information and what those rates would look like at 30%, 45%, and 60% to give you a feel for where that would put you at with surrounding cities.

Roadway Comparison

Impact Fee Comparison 10,000 sq. ft. Retail Roadway			
City	Adopted Fee		
Lewisville	\$0		
The Colony	\$10,970		
Coppell	\$13,398		
Allen	\$15,000		
Colleyville	\$15,080		
Corinth 2016 (30% of Max)	\$18,275		
Corinth 2011 (Adopted)	\$18,842		
Denton	\$21,000		
Flower Mound	\$24,259		
Corinth 2016 (45% of Max)	\$27,413		
Rowlett	\$27,535		
Uttle Elm	\$32,550		
Southlake	\$33,908		
Corinth 2016 (60% of Max)	\$36,550		
McKinney	\$37,640		
Frisco	\$50,070		
Corinth 2011 (Max Assessable w/Credit)	\$62,805		
Corinth 2016 (Max Assessable w/Credit)	\$60,917		

We have a very similar water CIP map. We are showing existing and proposed water lines as well as tanks,

pump stations and any infrastructure that provides water service. We take that CIP and develop a cost to implement that CIP. Again we add in financing cost and reduce that number by 50% so we are buying the credit of almost 3.9 million dollars and that leaves a recoverable cost of about \$3.9 million dollars. We take that cost and divide it by the growth for water and wastewater in terms of service units for single-family dwelling so now we have 1, 782 service units and that is just another way to take the 3,500 population growth, the 1.6 million sq. ft. of employment growth and turn it into a service unit or equivalent dwelling unit number. The maximum result in impact fee for water is \$2,182.



Below is another similar table of what the city is currently charging on water and wastewater. The city adopted the maximum rate so you will see one line item for 2011 the city is currently charging \$1,441 for a single – family dwelling unit and based on the updated 2016, you could be charging as much as \$2,182. Both of those numbers put you relative to the benchmark of the cities that we have shown.

Water Comparison

Innext Fee Comparison				
Impact Fee Comparison				
Single Family Dwelling Unit				
Water				
City	Adopted Fee			
The Colony	\$475			
Allen	\$1,200			
McKinney	\$1,417			
Corinth 2011 (Adopted/Max Assessable	** ***			
w/50% Credit)	\$1,441			
Rowlett	\$1,466			
Little Elm	\$1,578			
Frisco	\$1,772			
Corinth 2016 (Max Assessable w/50%	40.400			
Credit)	\$2,182			
Colleyville	\$2,491			
Southlake	\$2,815			
Lewisville	\$3,165			
Flower Mound	\$4,098			
LCMUA	\$4,257			
Denton	\$4,500			

Water Maximum Allowable

+	,443,056
\$5,	,838,663
\$1,	,938,435
\$7,	,777,098
(\$3)	,888,549)
mpact Fee \$3,	,888,549
3,888,549	\$2,182
(Service Units)	
	\$1, \$7, (\$3,



Wastewater Service Areas

The Water CIP map that shows existing and proposed infrastructure. The Denton Basin is relatively close to being fully developed, there is not any proposed projects they are anticipated to be needed to serve future development so there is not project shown on the impact fee CIP. As a result the impact fee for Denton Basin is 0. The other two basins do have impact fees because they have projects.

Wastewater CIP



We have a very similar exercise and cost out what that infrastructure will cost to construct and add financing costs and apply the 50% credit. We take those final numbers and divide by the growth. Upper Trinity East, the maximum assessable is \$1,271 and for Upper Trinity West it is \$2,121. (Typo on slide).

Wastewater Maximum Allowable

	Service Area		
	Upper Trinity East	Upper Trinity West	
Cost of CIP	\$6,423,750	\$9,456,941	
Recoverable Impact Fee CIP Cost	\$1,750,800	\$2,252,400	
Financing Cost	\$577,764	\$747,796	
Pre-Credit Recoverable Cost	\$2,328,564	\$3,000,196	
Credit	(\$1,164,282)	(\$1,500,098)	
Maximum Recoverable Cost for Impact Fee	\$1,164,282	\$1,500,098	

Maximum Impact Fee (Upper Trinity East)	=	\$1,164,282 916 (Service Units)	=	\$1,271
Maximum Impact Fee (Upper Trinity West)	=	\$1,500,098 707 (Service Units)	=	\$2,182

The table below shows what the City is currently charging and what the new maximum assessable rates have been calculated to be. Upper Trinity East, the City is currently charging \$1,094 and the new maximum assessable is \$1,271. Upper Trinity West, the current maximum assessable is \$1,300 and the new maximum assessable is \$2, 121.

Wastewater Comparison

Impact Fee Comparison	
Single Family Dwelling Unit	
Wastewater	
City	Adopted Fee
McKinney	\$174
Allen	\$500
The Colony	\$570
Colleyville	\$643
Corinth 2011 Upper Trinity East (Adopted/Max Assessable w/50% Credit)	\$1,094
Corinth 2016 Upper Trinity East (Max Assessable w/50% Credit)	\$1,271
Corinth 2011 Upper Trinity West	\$1,300
(Adopted/Max Assessable w/50% Credit)	
Rowlett	\$1,377
Frisco	\$1,619
Southlake	\$1,675
Corinth 2016 Upper Trinity West (Max Assessable w/50% Credit)	\$2,121
Denton	\$2,200
Uttle Elm	\$2,492
Lewisville	\$2,724
Flower Mound	\$2,733
LCMUA	\$3,415

As far as the next steps, we are having a Public Hearing this evening, answer any questions you may have and at some point we will look to Council to approve the studies, which is approving what is in the report, the maximum assessable calculations, the land use assumptions and as a separate item the Council will adopt an Ordinance that sets what the new impact fees are going to be. Council has at their discretion to set those fees anywhere from 0 up to the maximum that we have talked about.

Mayor Heidemann opened the Public Hearing at 7:12 p.m.

Lee Ann Bunselmeyer, Acting City Manager – right now if you close the public hearing tonight you have to adopt your rates 30 days from today which would be March 2, 2017. That would be at our next Council meeting and you would not have the option of discussing and postponing it at a later date.

If you opt to leave the public hearing open and extend it to March 2, 2017, at that point it will give you flexibility if you choose not to adopt your rates on March 2, 2017 and you close your public hearing on that date that will give you an extra 30 days to be able to review and make a decision.

MOTION made by Councilmember Burke to continue the Public Hearing to March 2, 2017. Seconded by Councilmember Garber.

AYES:Burke, Garber, Johnson, Harrison, GlockelNOES:NoneABSENT:None

MOTION CARRIED

Councilmember Glockel – for traffic, where it talks about the trips and how it counts, you don't look at existing people? That is only for new traffic? If I build 100 homes in a subdivision we are only talking about those 100 homes?

Anthony Samarripas, Kimley-Horn – we do existing counts on the roadways to figure how much traffic is out there already but we are only counting the fee for new homes.

Councilmember Glockel – when did you use the method to determine the traffic?

Anthony Samarripas, Kimley-Horn - approximately six months ago. During the school year in early fall.

BUSINESS ITEM:

10a. Consider and discuss the amendment of land use assumptions, capital improvements plans, and associated impact fees for water, wastewater and roadway capital improvements.

No Action taken on Business item.

BUSINESS AGENDA

11. Consider and act on a Resolution ordering a Joint General Election with Denton County to be held on May 6, 2017 to fill the offices of the Mayor and Councilmember Places 2 and 5; establishing procedures for that election and providing an effective date.

MOTION made by Councilmember Harrison to approve the Resolution ordering a Joint/General Election with Denton County to he held on May 6, 2017. Seconded by Councilmember Burke.

AYES:	Burke, Garber, Johnson, Harrison, Glockel
NOES:	None
ABSENT:	None

MOTION CARRIED

12. Consider and act on a Joint Election Agreement and Contract for Election Services with Denton County for the May 6, 2017 General Election.

MOTION made by Councilmember Johnson to approve a Joint/General Agreement and Contract of Election Services with Denton County for the May 6, 2017 Election. Seconded by Councilmember Harrison.

AYES:Burke, Garber, Johnson, Harrison, GlockelNOES:NoneABSENT:None

MOTION CARRIED

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

The purpose of this section is to allow each councilmember the opportunity to provide general updates and/or comments to fellow councilmembers, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Councilmember may direct that an item be added as a business item to any future agenda.

Councilmember Burke – would like to ask the Acting City Manager and our Council to consider adding language to our contracts with contractors such as Eikon that would allow us to take some action if they lose a key representative or personnel and add that as a standard clause to those types of contracts.

Mayor Heidemann – expressed thanks to the police department and fire department in all their efforts in helping and assisting Little Elm through the tragedy they went through.

Mayor Heidemann recessed the Regular Session at 7:36 p.m. * See Closed Session.

CLOSED SESSION

The City Council will convene in such executive or closed session to consider any matters regarding any of the above listed agenda items as well as the following matters pursuant to Chapter 551 of the Texas Government Code.

<u>Section 551.07</u> (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

<u>Section 551.072.</u> To deliberate the purchase, exchange, lease or value of real property if deliberation in an openmeeting would have a detrimental effect on the position of the governmental body in negotiations with a thirdperson.

<u>Section 551.074.</u> To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

City Council met in Closed Session from 7:36 p.m. until 8:48 p.m.

a City Manager

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in ornear the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

After discussion of any matters in closed session, any final action or vote taken will be in public by the CityCouncil. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.

Mayor Heidemann reconvened the Regular Session at 8:48 p.m.

There was no action taken from Closed Session.

ADJOURN:

Mayor Heidemann adjourned the meeting at 8:49 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the $\underline{16^{\text{th}}}$ day of March, 2017.

<u>Kimberly Pence</u> Kimberly Pence, City Secretary City of Corinth, Texas