

**STATE OF TEXAS
COUNTY OF DENTON
CITY OF CORINTH**

On this, the 14th day of January 2021, the City Council of the City of Corinth, Texas, met in Special Workshop Session at the Corinth City Hall at 5:45 P.M., 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:

Council Members Present:

Bill Heidemann, Mayor
Sam Burke, Mayor Pro-Tem
Scott Garber, Council Member
Steve Holzwarth, Council Member
Tina Henderson, Council Member
Kelly Pickens, Council Member

Staff Members Present:

Bob Hart, City Manager
Lana Wylie, City Secretary
Patricia Adams, Messer – Fort - McDonald
Lee Ann Bunselmeyer, Finance, Communications & Strategic Services Director
Jerry Garner, Police Chief
Jason Alexander, Economic Development Corporation Director
Helen-Eve Beadle, Planning & Development Director
Michelle Mixell, Planning & Development Manager
Miguel Inclan, Planner
George Marshall, City Engineer
Shea Rodgers, Technology Services Manager
Lance Stacy, City Marshal

CALL TO ORDER:

Mayor Heidemann called the meeting to order at 5:45 P.M.

WORKSHOP BUSINESS AGENDA:

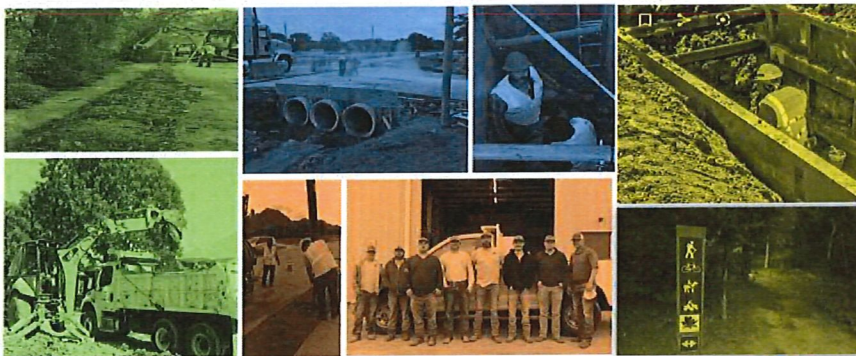
- 1. Hold a discussion and provide staff direction on identifying a pool of potential appointments for the Board of Directors for Tax Increment Financing Reinvestment Zone Number 2, City of Corinth, Texas ("TIRZ No. 2"), the Board of Directors for the future Tax Increment Financing Reinvestment Zone Number 3, City of Corinth, Texas ("TIRZ No. 3"), the Board of Directors for the Corinth Economic Development Foundation ("CEDF") and the Board of Directors for the future Agora Municipal Management District No. 1 (the "MMD").**

City Manager Hart discussed the TIRZ #2 Board of Directors, the TIRZ #3 Board of Directors, and the CEDF Board of Directors. After meeting with Denton County, the suggestion would be to have three members from the City Council, Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, and three members from Denton County, the Board of Directors for TIRZ #2. He suggested TIRZ #3 would include Mayor Heidemann, Council Member Henderson, Council Member Pickens, and members from the community. He mentioned Paul Ruggiere, Lindsey Baker, and Tom Winterburn as possible candidates. Mayor Pro Tem Burke agreed that Ruggiere and Baker would be good candidates and Peggy Bush. Council Member Holzwarth suggested John Roy, previous Mayor of Hickory Creek. He also inquired about the responsibilities and terms. Mr. Hart stated it would involve the project plan, budget, and periodic 30-minute meetings, quarterly, for two years; to fulfill the statutory requirements. Council Member Garber

agreed with Ms. Baker serving on the TIRZ #3 Board of Directors. For the CEDF Board of Directors, Mr. Hart suggested James Combs of Combs Coffee or Grady Ray. The City Council may email him with their suggestions for the TIRZ #3 Board.

2. **Receive a report, hold a discussion and provide staff direction on the issuance and sale of City of Corinth, Texas, combination tax and limited surplus revenue certificates of obligation, Series 2021.**

Lee Ann Bunselmeyer, Finance, Communications & Strategic Services Director, reminded the City Council of the budgeted projects. There was approximately \$12.5 million; the debt was split between \$9.7 million and \$2.9 million. The previous discussion with the City Council included raising the \$2.9 million to \$5 million. With the preliminary design work beginning for Agora, right-of-way land acquisitions within the TOD, Lynchburg Creek drainage, and bills that could affect how debt issuance might eliminate the city's ability to issue certificates of obligation, requiring voter approval. The current interest rates are under 2%, which supports the decision to increase to \$5 million. If the increase is approved, staff will not request debt issuance for at least one year. Ms. Bunselmeyer shared a presentation with the City Council.



CAPITAL AND DEBT OVERVIEW



Project Name	Project Total Costs	Existing Bond Proceeds	FY21 Budget Allocation	Unfunded Project Amount
Agora District Parks & ROW	\$3,000,000	\$2,500,000	500,000	\$0
TOD West Land Acquisition <i>(Lake Sharon Extension/Wetlands Drainage)</i>	\$1,900,000	-	-	\$1,900,000
North Corinth Street	\$3,220,000	-	-	\$3,220,000
NCTC Way	\$2,500,000	-	-	\$2,500,000
Main Street	\$2,212,000	-	-	\$2,212,000
Agora Way	\$750,000	-	-	\$750,000
Lynchburg Creek Watershed	\$3,876,844	\$969,211	(Grant) \$2,907,633	\$0
Wetlands & Flood Mitigation	\$1,000,000	\$1,000,000	-	\$0
TOD North Land Acquisition <i>(Lynchburg Drainage)</i>	\$2,000,000	-	-	\$2,000,000
TX Dot 4 Corners Land Acquisition	\$1,351,000	-	\$1,351,000	\$0
Dobbs Rd Reconstruction	\$500,000	-	\$500,000	\$0
Public Safety Communication	\$172,000	-	\$172,000	\$0
Fiber Optic Line	\$150,000	-	\$150,000	\$0
TOTAL FY21 CIP	\$22,631,844	\$4,469,211	\$2,173,000	\$12,582,000

Why Increase Debt Issuance to \$5M

- Include issuance of \$2M for Agora Park, ROW Land Acquisitions, and Lynchburg Creek Drainage
- Potential Legislative changes that could impact the issuance of Certificates of Obligation in the future.
- Increase in Interest Rate
- No debt issuance 2021-22

Ms. Bunselmeyer shared the tax rate impact based on \$2.9 and \$5 million. She estimated a conservative 3% growth in AV value. If housing costs increase and construction growth occurs, the tax impact could reduce. If there is a decrease, the impact may be greater. Mayor Heidemann inquired about the Denton County Central Appraisal District's (DCAD) 2020 computer problems. Ms. Bunselmeyer confirmed DCAD had implemented new software, resulting in a delay in receiving the tax values, which were also inaccurate. DCAD closed for the months of December and January to revert to their old computer system. She asked the City Council to confer and guide on the amount of debt issuance. Mayor Pro Tem inquired about the projects and stated that the tax rate either needs to stabilize or reduce. Ms. Bunselmeyer said the dependency is determined on the schedule of the projects and the AV values, which increased over the past five years. Council Member Garber agreed with Mayor Pro Tem Burke and supported the \$5 million. He is concerned with Public Works and Public Safety salaries, as they are below market value. Ms. Bunselmeyer stated the approved November election for the Fire District Sales Tax would shift approximately \$500,000 within the general fund. The long-range financial from 2020 was an anomaly with SB2 with values and could not support the step plan. The Lake Cities are now paying their share for fire services, and for Station 3, increasing approximately \$5 or \$600,000 and that there is capacity in the General Government funds, assuming there are no additional programs and City Council's priorities. Mr. Garber also inquired about the street projects for the TOD. Mr. Hart confirmed the projects need to be completed as a part of progressing with the TOD.

City Council supports the debt issuance of \$5 million and will meet on January 14, 2021, at 5:30 p.m.

BOND ISSUANCE IMPACT

	Debt Tax Rate	Tax Impact
Current Debt Tax Rate	\$.12993	-
2020 Debt Issuance (\$9.7M)	\$.13993	1.00¢

2021 Bonds	Debt Tax Rate	Tax Impact
\$3M Debt Issuance	\$.15156	1.16¢
\$5M Debt Issuance	\$.15616	1.62¢

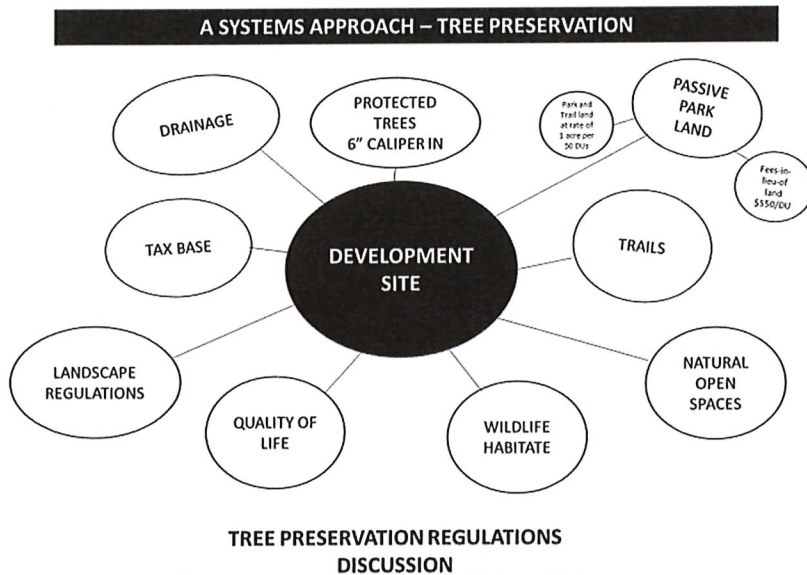
BOND ISSUANCE SCHEDULE

	\$2.9 Million Issuance January 2021
Council approves Publication of Notice of Intent	Nov 19
1 st Notice of Intent Published	Nov 24
2 nd Notice of Intent Published	Dec 1
Rating Calls/Meetings	Dec 28- Jan 1
Receive Ratings	Jan 13
Pricing	Jan 21
Council passes Ordinance Authorizing issuance of the Certificates	Jan 21
Closing and Delivery of Funds	Feb 18

- Continue discussion from November 19, 2020, City Council Workshop, and provide staff with direction regarding the City's tree preservation ordinance.

Mr. Hart began with the continuation of the city's tree preservation program. The system, viewed holistically, a system with many subsystems and the principle that if you optimize a subsystem, you will optimize the system as a whole. If you say you want to do everything you can to preserve the trees, the subsystem impacted may be the drainage. There is a balance of tree removal to support drainage. There are competing demands, which then become a balancing act.

Michelle Mixell, Planning and Development Manager, reminded the City Council of the meeting from November 19th with the current practices and ordinances and challenges and areas of improvement. She discussed Ashford Park, a new development, and their tree preservation project. She shared the following presentation with the City Council.



- RECAP & KEY OBSERVATIONS (discussed at City Council Workshop on 11-19-20)
- DISCUSSION AND HOMEWORK ASSIGNMENT (assigned City Council Workshop on 11-19-20)
 - Table A - Existing Challenges & Suggestions for Improvement
 - Case Study Discussions – What do you want to see in Corinth in terms of Tree Preservation?
 - Prior Examples – Sites that have been clear-cut (with exception in areas that could not be disturbed due to environmental factors) based on ROW, Building Pad, Easements, and driveways exemptions
 - Lake Sharon Phase III (discussed at City Council Workshop on 11-19-20)
 - FM281
 - Current Sites – Sites that have incorporated some Tree Preservation while in process of rewriting our Tree Preservation Ordinance
 - Ashford Park Planned Development – Set for Public Hearing with PZ - 1/25/21

KEY POINTS – TABLE A (Homework)

INCENTIVES

1. **CREDIT FOR % OF TREE CI PRESERVED** (Offer 1:1 credit)
2. **SLIDING SCALE** – Offer Credits for Tree CI Preserved based on sliding scale:
 - 3:1 for 6"+ post oaks
 - 2:1 for 6"+ protected trees (others on list)
 - 0.5:1 for 6"+ trees not on list (only if included in a concentrated grove of trees and habitat)
3. **BONUS – GROVE/HABITAT PRESERVATION CREDIT** – Offer an added 10% to the base % of tree CI preserved above 15% saved when trees are saved in concentrated groves or 50'+ wide corridors connecting open spaces
4. **LEVERAGE PARK AND TRAIL LAND REQUIREMENTS** – Use park land requirements (1 acre of land/50 dwellings) to entice passive designation of open space land preserves that contain tree groves and natural areas
 1. Developer can use this land to offset park land fees AND reduce tree mitigation costs by receiving credits listed in 1-3 above
 2. Natural areas reduce erosion and stormwater runoff
5. **BONUS – ROW SLIDING SCALE CREDITS** – Offer bonus credits based on the % of Protected Tree CI preserved e.g., if 15% of total CI on site is preserved, the Developer would receive a credit of 15% off of the total CI being proposed for removal within the ROW. This number would go up based on the number % of Protected Tree CI preserved on site (as determined in item 1 above)

Council Member Pickens asked if there were a 200-year-old tree that could be exempt from removal. Ms. Mixell deferred to Patricia Adams, City Attorney, who stated it would depend on the location and that it would be a higher replacement if they removed it. Ms. Mixell asked if there should be more incentivization to preserve heritage trees, Council Member Pickens agreed. Ms. Mixell is seeking guidance from the City Council on the direction of the tree preservation program, sharing the following case studies:

A SYSTEMS APPROACH – TREE PRESERVATION

CAST STUDIES

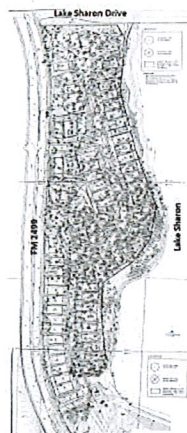
- LAKE SHARON PHASE III SINGLE FAMILY
- FM281
- ASHFORD PARK SINGLE FAMILY

Case Study:
Lake Sharon Phase III



Undeveloped Site

- Heavily Wooded – Received 30% reduction on Protected Trees removed
- ROW, Easements, Building Pads and Driveways Exempted from replacement calculations



Tree Survey

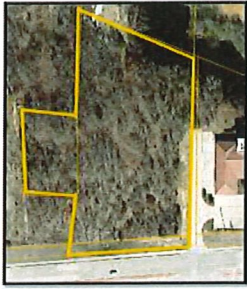
- 2,474 Protected Trees Identified on site (25,000 CI) – Trees 6"+ dbh



Result

- 50% 2,474 trees (31,000 CI) Removed from site
- 5% (2,700 CI) Saved in floodplain & in undevelopable area south of dam
- 1% (222 CI) or 74 trees to be replaced on site

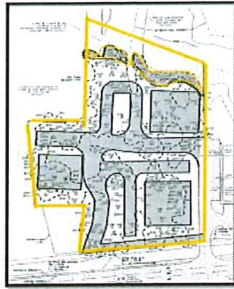
Case Study:
FM2181
VACANT
PARCEL



FM2181 just east of Acme Brick west of Parkridge Drive

Undeveloped Site

- 2.8 acres
- Heavily Wooded



FM2181 just east of Acme Brick west of Parkridge Drive

Tree Survey

- Received 50% reduction on Protected Trees removed
- ROW, Easements, Building Pads and Driveways Exempted from replacement calculations



FM2181 just east of Acme Brick west of Parkridge Drive

Result

- Clear-cut of site
- Fee-in-lieu-of replanting
- Fee \$70/CI for total of 553 CI to be mitigate

CASE STUDY – ASHFORD PARK - LAKE SHARON DRIVE

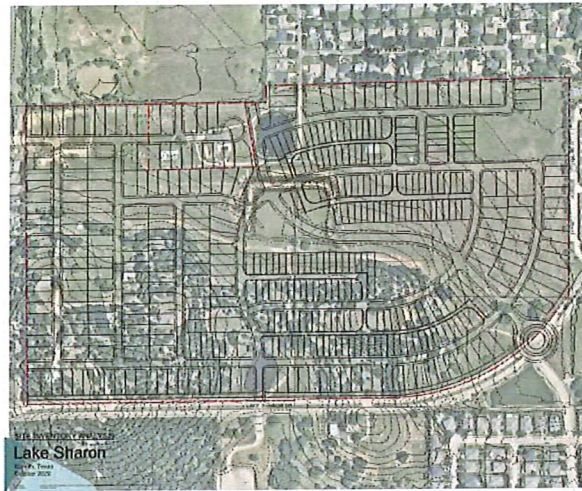
BACKGROUND

1. 82.2 Acres
2. South half of property heavily treed
3. Proposing Single Family Detached Homes
4. Developer submitted PD Rezoning Concept Plan asking for past practice exemptions (October 2020)
 - a) ROW, building pads (+5' from pad), easements, driveways
 - b) Credits permitting all required landscaping to count toward mitigation replacement trees
 - c) Credits for all park land/fees
5. Staff informed Applicant of Current Tree Preservation Ordinance Review being undertaken – past practice was not an option moving forward
6. Developer has been working with Staff over four iterations of the site design to find “common ground” that will satisfy city vision for tree preservation and open space.

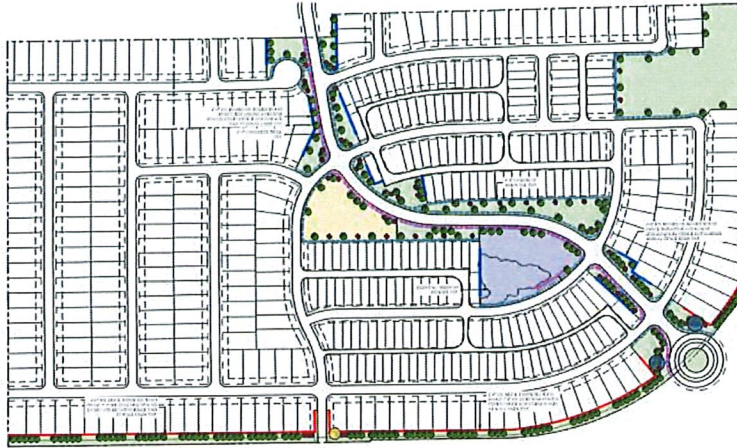
QUESTION

Are we on the right track?

Ashford Park – Site Analysis



Ashford Park – 1st Iteration



CASE STUDY – ASHFORD PARK - LAKE SHARON DRIVE

SUMMARY	CALIPER INCHES	PERCENT
TOTAL TREE CI	19872.2	100%
REMOVED TREE CI	16860.9	85%
SAVED TREE CI	3011.3	15%
PRESERVATION CREDITS		
BASE 1:1 CREDIT	3011.1	15%
BONUS –GROVE/HABITAT PRESERVATION CREDIT - ADD 10% BASE CREDIT	4968.05	25%
SLIDING SCALE CREDIT – 3:1, 2:1 & 1:1 based on size of trees/type preserved	8747.7	Multiplier of 2.93
LANDSCAPE CREDITS		
BONUS –GROVE/HABITAT PRESERVATION CREDIT - ADD 10% BASE CREDIT	4968.05	25%
SLIDING SCALE CREDIT – 3:1, 2:1 & 1:1 based on size of trees/type preserved	8747.7	Multiplier of 2.93

CASE STUDY – ASHFORD PARK - LAKE SHARON DRIVE

ROW CREDITS		
ROW CREDIT – BASED ON 15% OF SAVED TREES (minimum to receive credit) <small>Note - This percent will increase at the same rate that the number of CI saved on the site increases</small>	540	15% Credit is based on CI Removed from ROW only
LANDSCAPE CREDITS – MEWS LOTS & OPEN SPACE PLANTINGS	1996	

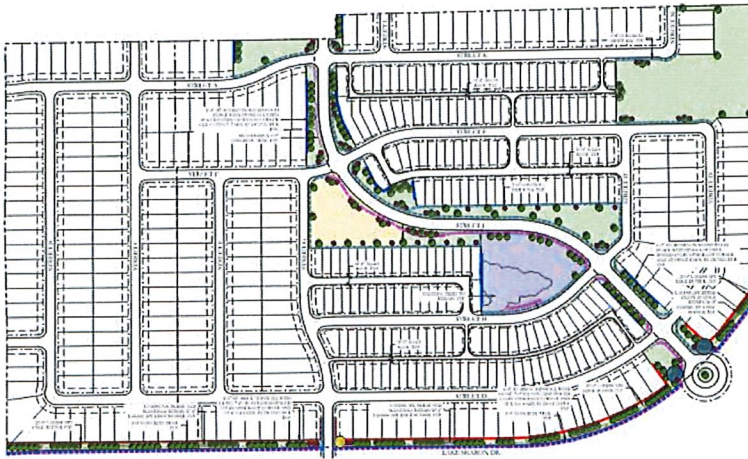
TENTATIVE CREDIT - SUMMARY	Total:		Fee: \$150.00
BONUS –GROVE/HABITAT PRESERVATION CREDIT - ADD 10% BASE CREDIT	4968.05	25% (includes the 15% base 1:1 credit)	
SLIDING SCALE CREDIT – 3:1, 2:1 & 1:1 based on size of trees/type preserved	8747.70	2.93 Multiplier	
ROW CREDIT – BASED ON 15% OF SAVED	540.00		
LANDSCAPE CREDITS – MEWS LOTS & OPEN SPACE PLANTINGS	1996		
Subtotal CI Credits:	16251.75		
Total CI Removed:	16860.90		
CI Required to Mitigate:	609.15		\$91,372

Staff is currently in discussions with Applicant over the rate at which ROW might be credited.

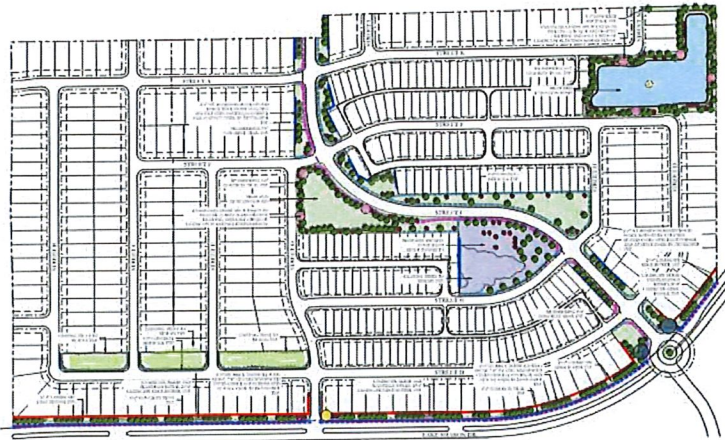
Three scenarios are shown to the right.

FINAL MITIGATION CI TOTAL:	Rate per CI		Fee:
15% of CI removed in ROW			
Required Mitigation:	609.15 \$	150.00	\$ 91,372.50
FINAL MITIGATION CI TOTAL:	Rate per CI		Fee:
20% of CI removed in ROW			
Required Mitigation:	429.15 \$	150.00	\$ 64,372.50
FINAL MITIGATION CI TOTAL:	Rate per CI		Fee:
25% of CI removed in ROW			
Required Mitigation:	249.15 \$	150.00	\$ 37,372.50

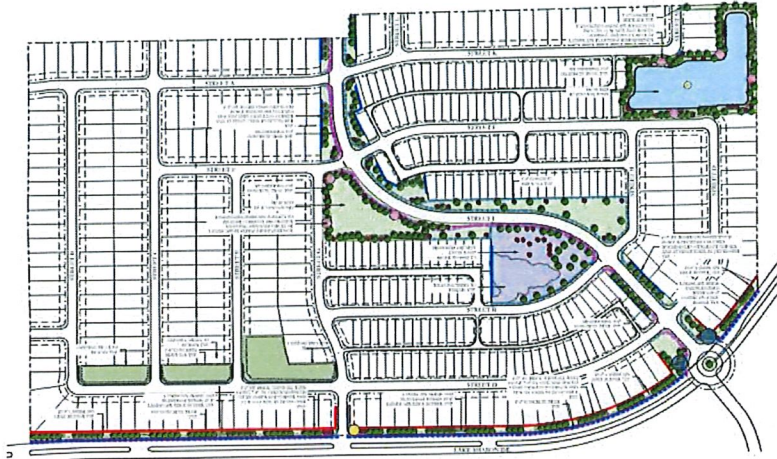
Ashford Park – 2nd Iteration



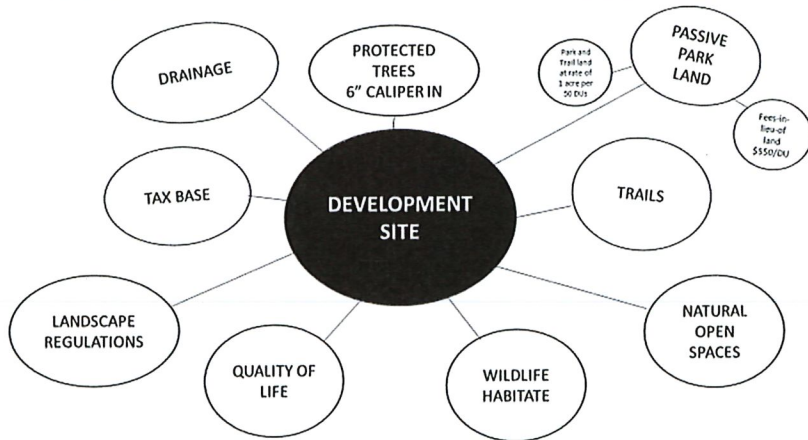
Ashford Park – 3rd Iteration



Ashford Park – 4th Iteration



A SYSTEMS APPROACH – TREE PRESERVATION



City of Corinth - Tree City USA, May of 2020

Please consider the following quote from the Arbor Day Foundation 2019-2020 Annual Report which discusses the benefits of Tree City USA and Tree Cities of the World . . .

"...these communities enjoy profound environmental and community benefits, including lower urban temperatures, cleaner air and water, increased property values, lower energy bills, neighborhood beauty, and civic pride."

Council Member Pickens inquired about preserving the root system of trees that are to be saved and wanted to be sure the replacement tree had a minimum caliper. She also asked about a builder charging for a premium lot. Ms. Mixell confirmed they are writing standards and has been written this into a Planned Development. Ms. Mixell did not know about a premium charge for wooded lots. Council Member Garber appreciates being included in the process from the beginning. He encourages staff to move forward and enticement of preservation and working with vendors. Mayor Pro Tem Burke agrees staff is moving in the correct direction. He asked about a tree line at the back of the property for Ashford. Ms. Mixell was not sure due to drainage.

Table A. City of Corinth Tree Preservation Regulations		Suggestions for Improvement:	
Existing Challenges:			
1.	Past Practice Inconsistencies in applying code and no defined purpose statement.	1.	Establish a clear and defined "Purpose and Intent".
2.	Ordinance language confusing regarding process and procedures.	2.	Revise process and procedures and incorporate "Tree Mitigation Worksheet" in ordinance (or at least by reference).
3.	Requires City Council Approval on all requests for tree replacement/fees-in-lieu-of/replacement off site.	3.	Consider an Administrative Approval process for Tree Removal applications with City Council providing for relief in situations of undue hardship.
4.	Require 1:1 replacement for caliper inches removed regardless of the size of tree.	4.	Create a "sliding-scale" for Protected Tree removal based on the size of tree removed to encourage tree preservation rather than replanting or paying fee-in-lieu-of. E.g., Meritage Homes example where if protect groves of trees in private common open space areas offer 2:1 credit and (increase to 3:1 for post oaks) and 0.5:1 for secondary trees preserved in a grove for wildlife habitat.
5.	50% reduction given on required replacement total caliper inches on sites that are considered to be "heavily treed" where 50% or more of tree canopy covers the site – There is no requirement to preserve any of the trees just a credit given – this seems to encourage clear cutting of the site.	5.	Reevaluate the 50% reduction provision for "heavily treed sites" considering a sliding scale and "preservation credits" on sliding scale for trees saved. Again, to encourage preservation on site.
6.	No definitions related to Tree Preservation regulations.	6.	Add relevant definitions to ensure clear and consistent application of provisions.

7.	No preservation credits or incentives offered to encourage creative site design to preserve trees.	7.	Establish a <u>progressive sliding-scale credit structure</u> that rewards/incentivizes the development community to incorporate significant pockets or stands of trees into site design by giving substantial credits against replacement requirements for each tree saved on site.
8.	No incentives for developers to preserve groves of existing trees that aid in stormwater management, erosion control, provide woodland habitat for wildlife and nesting grounds for birds incorporate any trees or natural areas into site design – this is evident throughout our UDC.	8.	Develop innovative <u>sliding scale provisions</u> that would offer credits to entice sustainable development design that incorporates contiguous pockets of tree canopy into the design of a neighborhood or site by offering the following incentives. Credits would be offered <u>in addition</u> to preservation credits applied per individual trees saved noted in item 7, above. The preservation of a grove of existing mature trees (protected and secondary trees) with contiguous tree canopy to be preserved in an undisturbed area would receive 1:1 credit reduction (though this ratio would be on a sliding scale) of required replacement caliper inches for trees removed elsewhere on site. Contiguous tree canopy would need to include at least x number of protected trees to receive x% reduction. Possible incentive "sliding scale" credit for woodland preservation could be as follows: a. 20% preservation of existing mature trees in contiguous canopy would receive 20% reduction of required total caliper inches of replacement trees as follows:

		b.	Preserve 25% of existing mature trees in contiguous canopy would receive 30% credit reduction from required placement of Protected Trees.
		c.	Preserve 30% of existing mature trees in contiguous canopy would receive 35% credit reduction from required placement of Protected Trees.
		d.	Preserve 35% of existing mature trees in contiguous canopy would receive 40% credit reduction from required placement of Protected Trees.
		e.	Preserve 40% of existing mature trees in contiguous canopy would receive 50% credit reduction from required placement of Protected Trees.
		f.	Preserve 50% of existing mature trees in contiguous canopy would receive 75% credit reduction from required placement of Protected Trees.
9.	Section 3.05.10. Park and Trail Dedications for Residentially Zoned land not used to as a tool to require deeded HOA open spaces to be reserved as "passive" open space e.g., tree groves for the enjoyment of the neighborhood and to retain important habitat and natural areas. Requires 1 acre/50 dwelling units	9.	With the adoption of the Comprehensive Park, Recreation, and Open Space Plan (2020), it is a matter of policy that Corinth does not wish to own/receive public dedications of parkland. The City has ample public parkland. However, this is an opportunity to provide for meaningful passive "neighborhood" level passive open spaces to be owned by HOA and used to preserve Protected Tree groves and wildlife habitat. E.g., Walton Ridge and Meritage Homes example (give credit for required open space acreage AND offer additional credit (sliding scale) for trees preserved within those areas)

10.	No defined criteria/indicators of what might be considered an undue hardship for providing relief – Consistently treat similarly situated applicants in same manner.	10.	Define what might constitute relief for <u>undue hardship</u> , if after credits are applied e.g., excessive cost of replacement (assuming site design includes the preservation of X number of protected trees). Undue hardship would <u>not</u> be based on clearcutting site with no attempt at preserving or incorporating protected trees into site design.
✓ 11.	Fee Schedule updated in March 2020 to \$150.00/caliper inch for mitigation when considering fee-in-lieu-of replacement of Protected Trees.	11.	Recognizing that past practice has been to reduce the fee requirements, perhaps consider \$X caliper inch when X percent of trees are preserved in a grove on site and/or Applicant strives to working within a "context sensitive design" approach rather than clear cutting a site.
✓ 12.	Currently no differentiation between large undeveloped tracts and existing undeveloped platted lot in residential subdivision	12.	Provide administrative relief option for existing platted lots in residential subdivisions where a single home is being proposed – offer building pad exemption if the lot contains over X% contiguous tree canopy and no other suitable location for dwelling. Lot would need to owned by an individual (not a home builder/developer/corporation).
✓ 13.	Non-residentially zoned land not required to provide park land or trail land based on density	13.	Consider offering a scale of credits for non-residentially zoned developments that design/incorporate an open plazas/natural areas or treed open space trail area/linkages on site that preserve Protected Trees in pockets/groves or linear linkages could offer 2:1 for such trees preserved in those areas and/or 1:1 credit towards required landscaping for trees preserved.
14.	Tree protection requirements at time of construction are not well defined and do not contain a process for monitoring survivability of Protected Trees during and after construction.	14.	Update language to: (1) better define methods for protecting trees during construction, and (2) outline include a process for replacement of Protected Trees shown on Tree Protection Plan that do not survive construction, e.g., development agreements and bonding for a period of time, etc.

15.	<p>Inconsistent past practice - Tree Preservation regulation language has been interpreted to exempt Protected Trees from "replacement calculations" when located within proposed:</p> <ul style="list-style-type: none"> a. ROW b. Easements c. building pads, 5' around building pads d. and driveways <p>Current regulations as written directs that an application for the removal of a protected tree shall be approved and not denied on basis of being located within ROW, easements, building pads, and driveways. It does not exempt the removed Protected Trees from the replacement calculations.</p>	15.	<p>Decide as a matter of policy, what is the direction the City intends to go from here regarding Tree Preservation.</p> <p>Lake Sharon Phase III development (currently under construction) is an example of subdivision design where ROW, Easements, building pads, 5' around building pads, and driveways were exempted from Tree Preservation calculations.</p> <p>The site was effectively clear cut and minimal replacement trees required due to application of 50% reduction of required replacement on Heavily Treed sites and the exemption granted to exclude ROW, easements, building pads, 5' around building pads and driveways.</p> <p>Note that the trees located to the south of the dam were not included in the survey on this site as this area was physically undevelopable.</p> <p>See Attached Case Study Sheet – The Lake Sharon Phase III example was discussed at the November 19, 2020, Workshop Meeting.</p>
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Key Observations

1. **Size.** Trees protected are typically 6" or greater in caliper inches (Diameter Measured at Breast Height (DBH)).

2. **Replacement Rates.** Most cities (except Rowlett and Corinth), use a sliding-scale method for calculating replacement rates based on the size of tree being removed. The sliding-scale creates a "carrot" encouraging tree preservation and context sensitive site design as the rate of replacement caliper inches required increases concurrent with increase in tree size removed.

3. **Species.** Most cities (including Corinth) either exclude or identify specific types of trees that qualify as a protected tree – Note that these lists vary in complexity and include both "quality and secondary" trees in protection – difficult for comparison purposes. See attached list for Corinth's Protected Tree exclusions/recommended plant material.

Table 16: Trees Excluded from the Protected Tree Definition

#	Common Name	Botanical Name
1	Bois d' Arc	Maclura pomifera
2	Chinaberry	Melia azedarach
3	Cottonwood	Populus deltoides
4	Hackberry, Texas Sugarberry	Celtis laevigata
5	Honey Locust	Gleditsia triacanthos
6	Mesquite	Populus deltoides
7	Mimosa	Mimosa sp.
8	Mulberry	Morus rubra
9	Silver Leaf Maple	Acer saccharinum
10	White Poplar	Populus alba
11	Willow	Willow sp.

Approved Plant Materials

CANOPY (SHADE) TREES—HARDINESS ZONE 8

Ash, Texas	Oak, Chinquapin
Cedar, Eastern Red	Oak, Lacey
Cherry, Escarpment Black	Oak, Monterey (Mexican White)
Cypress, Arizona	Oak, Escarpment Live*
Elm, American	Oak, Shumard Red*
Elm, Cedar	Oak, Southern Live*
Elm, Lacebark	Oak, Texas Red*
Locust, Honey (thornless)	Oak, Post
Maple, Big Tooth	Pecan
Mesquite, Honey	
Oak, Bur	
Pine, Italian Stone	
Sycamore, Mexican	
Walnut, Texas Little	

4. Replacement size. Most cities require a replacement tree to be a minimum of 3” inches in caliper as measured 12” above the root ball – Note that existing trees are measured differently; measured at DBH.

5. Preservation Credits. Most cities (except Corinth and Frisco) offer preservation credits as a reward for preserving trees (6”+) by offsetting the caliper inches required for replacement. Credits are typically offered on sliding-scale basis and value of credits increasing in relation to the size of the actual tree(s) being preserved. E.g., the larger the tree preserved, the greater the credit offered as an enticement to save older growth trees.

6. Administrative Approval. All cities (except Corinth) administratively review and approve Tree Removal Permits (which include survey and protection plan). Corinth City Council considers an Alternative Compliance Approval application for the removal, replacement, and fees-in-lieu-of options.

7. Exemptions. Only Frisco and Plano were found to exempt ROW and easements from Protected Tree replacement calculations. Plano also exempts buildable areas for single-family and building pads and fire lanes for multifamily and non-residential development. Note that Frisco/Plano have other provisions regulating required open space, floodplain, riparian buffers, site design standards, etc., may inadvertently result in tree preservation.

4. Discuss meeting items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.

Council Member Henderson inquired about Item 5 for the Amendment to the Denton County Elections Contract. Lana Wylie, City Secretary, stated the increased amount was approximately \$3,600 due to the additional week of

early voting, increased voters, and employees.

There was no closed session during the workshop session.

CLOSED SESSION

The City Council convened in closed session to consider any matters regarding matters pursuant to Chapter 551 of the Texas Government Code.

Section 551.071. (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 Bar of Texas clearly conflicts with the Texas Open Meetings Act.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Section 551.074. 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.

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 or near 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 City Council. 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.

ADJOURN:

Mayor Heidemann adjourned the workshop session at 6:58 P.M.

AYES:

Meeting adjourned.

Approved by Council on the 4th day of February 2021.



Lana Wylie, City Secretary
City of Corinth, Texas

