



\*\*\* PUBLIC NOTICE \*\*\*

**NOTICE OF A CITY COUNCIL REGULAR SESSION IMMEDIATELY FOLLOWING  
A WORKSHOP SESSION  
OF THE CITY OF CORINTH  
Thursday, October 4, 2018, 5:30 P.M.  
CITY HALL - 3300 CORINTH PARKWAY**

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**CALL TO ORDER:**

**WORKSHOP BUSINESS AGENDA**

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

**ADJOURN WORKSHOP SESSION**

**\*NOTICE IS HEREBY GIVEN** of a Regular Session of the Corinth City Council to be held at Corinth City Hall located at 3300 Corinth Parkway, Corinth, Texas. The agenda is as follows:

**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:**

**"Honor the Texas Flag: I pledge allegiance to thee, Texas, one state under God, one and indivisible".**

**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 August 21, 2018 Workshop Session.
2. Consider and act on minutes from the August 21, 2018 Special Session.
3. Consider and act on minutes from the September 6, 2018 Workshop Session.
4. Consider and act on Minutes from the September 6, 2018 Regular Session.

**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.

**PUBLIC HEARING**

5. PUBLIC HEARING:

TO HEAR PUBLIC OPINION REGARDING AMENDING THE CITY OF CORINTH COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE ORDINANCE NO. 13-05-02-08, AS AMENDED, SECTION 2.06.03 PLANNED DEVELOPMENT, AND SECTION 2.10.09 PD, PLANNED DEVELOPMENT APPLICATION AND REVIEW.

BUSINESS:

Consider and act on an Ordinance amending the City of Corinth Comprehensive Zoning Ordinance, the same being a part of the Unified Development Code, to amend Section 2, Zoning Regulations, by amending Section 2.06.03, Planned Development, of Subsection 2.06, Special Zoning Districts, and by amending Section 2.10.09 PD, Planned Development Application and Review, of Subsection 2.10, Zoning Procedures; providing amendments, providing a penalty, and providing an effective date.

6. PUBLIC HEARING:

TO HEAR PUBLIC OPINION REGARDING AMENDING THE CITY OF CORINTH COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE ORDINANCE NO. 13-05-02-08, AS AMENDED, SECTION 2.09.05 RESIDENTIAL ADJACENCY STANDARDS.

BUSINESS:

Consider and act on an Ordinance amending the City of Corinth Comprehensive Zoning Ordinance, the same being a part of the Unified Development Code, to amend Section 2, Zoning Regulations, by amending Section 2.09.05, Residential Adjacency Standards, of Subsection 2.09, Zoning Development Regulations; providing amendments, providing a penalty, and providing an effective date.

**BUSINESS AGENDA**

- 7. Consider approval of an ordinance of the city of corinth, texas, amending chapter 33 of the corinth code of ordinances, establishing the finance audit committee, merging the duties, responsibilities, and membership of the investment committe with those of the audit committee; establishing its membership, procedures and terms of office; and providing an effective date.
- 8. Consider and act on an ordinance approving a rate increase for the collection of Solid Waste in the master fee schedule and providing an effective date.
- 9. Hold a discussion and receive council direction regarding resident utility billing concerns.

10. Consider acceptance of a SAFER Grant for Fire Department personnel.
11. Consider authorizing the city manager to execute a letter agreement (this "Letter Agreement") between City of Corinth, Texas (the "City"), and Community Waste Disposal, LP (the "Contractor"), regarding the second annual extension of the contract for Collection of Solid Waste executed December 10, 2012 (the "Contract")

#### **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.

#### **CLOSED SESSION**

The City Council will convene in such executive or (closed session) to consider any matters regarding any of the above agenda items as well as the following 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 of Texas clearly conflicts with chapter 551.

**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.

**a. Consider acquisition of Right-of-way at 1708 Post Oak Drive.**

**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.

**a. City Manager evaluation**

**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:**

Posted this 28th day of September, 2018 at 11:30 a.m. on the bulletin board at Corinth City Hall.

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Kimberly Pence, City Secretary  
City of Corinth, Texas

**CONSENT ITEM 1.**

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018

**Title:** August 21, 2018 Workshop Session

**Submitted For:** Kim Pence, City Secretary

**Submitted By:** Kim Pence, City Secretary

**City Manager Review: Approval:** Bob Hart, City Manager

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**AGENDA ITEM**

Consider and act on minutes from the August 21, 2018 Workshop Session.

**AGENDA ITEM SUMMARY/BACKGROUND**

Attached are minutes from the August 21, 2018 Workshop Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

**RECOMMENDATION**

Staff recommends approval of the August 21, 2018 Workshop Session minutes.

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**Attachments**

Minutes

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

On this the 21<sup>st</sup> day of August 2018 the City Council of the City of Corinth, Texas met in Workshop Session at the Corinth City Hall at 5:30 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:

**Members Present:**

Bill Heidemann, Mayor  
Sam Burke, Mayor Pro-Tem  
Lowell Johnson, Council Member  
Scott Garber, Council Member  
Don Glockel, Council Member  
Tina Henderson, Council Member

**Members Absent:**

None

**Staff Members Present:**

Bob Hart, City Manager  
Kimberly Pence, City Secretary  
Curtis Birt, Lake Cities Fire Chief  
Jimmie Gregg, Lieutenant of Police  
Cody Collier, Director of Public Works, Park Maintenance, Recreation, and Utility Operations  
Shea Rodgers, Technology Services Manager  
Helen-Eve Liebman, Planning and Development Director  
Jason Alexander, Economic Development Corporation Director  
Chris Rodriguez, Assistant Finance Director  
Guadalupe Ruiz, Director of Human Resources

**WORKSHOP BUSINESS AGENDA:**

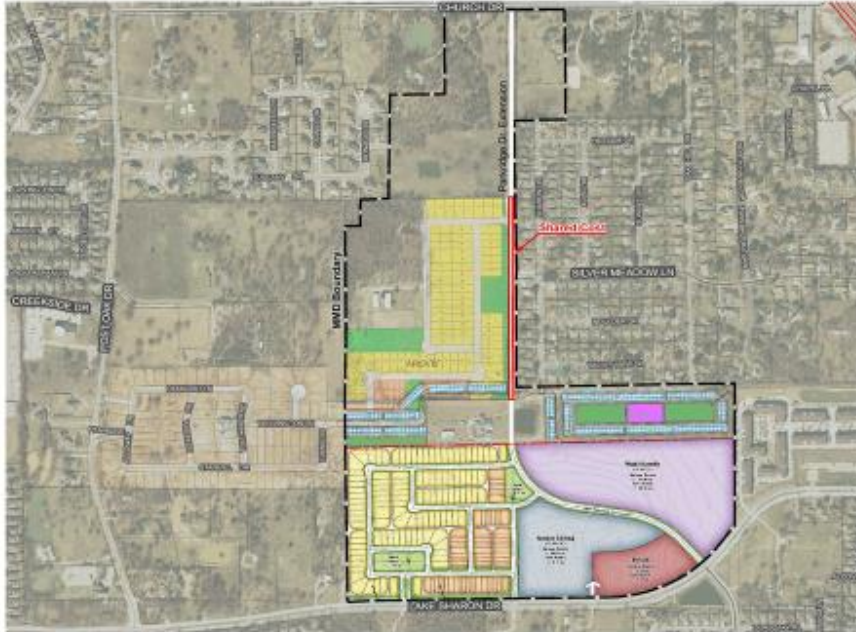
1. Discuss Regular Meeting Items on the Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.

No discussion on Regular Session Agenda items.

2. Receive a report, hold a discussion, and provide staff direction on the Fiscal Year 2018-2019 Annual Program of Services and Capital Improvement Program.

**Bob Hart, City Manager** - discussed Parkridge Drive development strategies.

## Parkridge Drive Development Strategy



- Total Capital Project Total-\$5.5M
- EDC Contribution - \$1.9M
  - Agreement instrument with Land owners to secure partial repayment of CIP
  - 7 landowners
  - Anticipated Impact Fee Assessment - \$5.1M
- Potential Financing instruments
  - Reimbursement Resolution
  - TIRZ
  - PID
  - MMD
  - 380
  - Developer's Participation Agreement
  - Street Assessment

## Parkridge/FM 2181 Wastewater Improvements



- Total Project Cost -\$2.6M
- Phase 1 - \$1.3M
- Phase 2 (dependent on future development) - \$1.3M
- EDC Contribution - \$1.0M
- Agreement with LCMUA for joint construction
- Reimbursement Resolution
- Anticipated impact fee assessment - \$1.6M

**Mayor Heidemann** - are there funds available for the TIF?

**Bob Hart, City Manager** - when we create the TIF (Tax Increment Financing), we will need to talk about what public improvements that are needed here. The way I have envisioned the TIF is to deal with the operational funding component and not any of the Capital Improvements and in that sense, there is more than enough money there.

## Tax Increment Financing District



- EDC Contribution - \$100,000
  - Reimbursement Resolution
- Potential Partners
  - NCTC
  - THR
  - DCTA
  - Millenium
  - CoServ
  - Various Landowners

**Bob Hart, City Manager** - presented Upper Trinity's projections.

**Councilmember Johnson** - is this all related to the dam and service to get the water to Ray Roberts?

**Bob Hart, City Manager** - yes, there is also a little bit of an expansion to one of the water plants.

**Mayor Heidemann** - at what stage are they with Ralph Hall?

**Bob Hart, City Manager** - they are still buying land and the pipe line is in design. We will take these numbers and make sure when we do our budget, we look at those projections over the next four years and build them into our model. Upper Trinity is working with the City of Dallas and the North Texas Water District and the Tarrant Regional Water Supply looking at what's the next source of water after Ralph Hall.

**Mayor Heidemann** - does this include the increase requirements for wastewater?

**Bob Hart, City Manager** - no, this is water only.



**UPPER TRINITY REGIONAL WATER DISTRICT**  
**Regional Treated Water System**  
**Five-Year Pro-Forma Forecast**  
**August 21, 2018**

	Proposed				
	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>Estimated Blended Rate Impact</b>	1.50%	3.00%	3.00%	3.00%	3.00%
<b>Operating Revenues</b>	\$ 48,935,755	\$ 51,082,300	\$ 54,493,990	\$ 57,196,700	\$ 61,762,910
<b>Operating Expenses</b>	\$ 23,959,750	\$ 23,326,080	\$ 24,698,300	\$ 25,693,570	\$ 28,135,550
<b>Debt Service</b>	22,386,025	23,711,370	26,083,765	27,108,825	28,447,660
<b>Net Revenues from Operations</b>	<u>\$ 2,589,980</u>	<u>\$ 4,044,850</u>	<u>\$ 3,711,925</u>	<u>\$ 4,394,305</u>	<u>\$ 5,179,700</u>
<b>Transfers to Reserves</b>					
Transfer to O&M Reserve	663,500	-	-	-	-
Transfer to Non-Bond Capital Reserve	-	1,000,000	1,000,000	1,000,000	1,000,000
Loan Payments	119,150	119,150	119,150	23,730	23,730
Transfer to Lake Ralph Hall Reserve	450,000	1,000,000	1,000,000	1,000,000	1,000,000
<b>Total Transfers to Reserves from Net Revenues</b>	<u>1,232,650</u>	<u>2,119,150</u>	<u>2,119,150</u>	<u>2,023,730</u>	<u>2,023,730</u>
<b>Budget Surplus</b>	<u>\$ 1,357,330</u>	<u>\$ 1,925,700</u>	<u>\$ 1,592,775</u>	<u>\$ 2,370,575</u>	<u>\$ 3,155,970</u>
% of Bdgt Surplus to Total Operating Exp (Including Debt Svc)	2.93%	4.09%	3.14%	4.49%	5.58%
<b>Bond Coverage Ratio (Cash Basis) (1.15 Minimum per District Policy)</b>	1.12	1.17	1.14	1.17	1.19
<b>Estimated Subscriptions (MGD) (3.76% Over the Period)</b>	77.56	80.72	84.07	86.64	89.89
% Change	3.70%	4.08%	4.15%	3.06%	3.75%
<b>Estimated Flows (MGD) (3.70% Over the Period)</b>	30.27	31.15	31.96	32.78	34.94
% Change	(5.56%)	2.91%	2.58%	2.58%	6.59%
<b>CIP Expenditures (As Presented @ August 2018 Board Meeting)</b>	\$ 49,826,090	\$ 102,378,365	\$ 129,515,620	\$ 66,750,060	\$ 68,746,120
<b>Bonds Issued</b>	\$ 20,008,100	\$ 28,055,500	\$ 30,045,200	-	\$ 40,029,400
<b>TWDB Financed (Board Participation and Subsidized Interest)</b>	\$ 7,590,000	\$ 78,640,000	\$ 105,840,000	\$ 125,443,956	-
<b>Non-Bond Capital Reserve Used for CIP</b>	\$ 3,277,930	\$ 482,520	\$ 1,102,520	\$ 1,102,520	\$ 1,102,520



## UTRWD Fixed Cost Analysis

	<u>FY2017-18</u>	<u>FY2018-19</u>	<u>Increase</u>	
Total Customer Count	7,134	7,228	94	1.32%
<b>FIXED CHARGES</b>				
Subscription payment for 7.5 mgd	\$3,211,500	\$3,297,375		
Administration Fee	5,855	6,085		
Minimum Daily Volume 1.35 mgd	546,953	593,528		
Total Water Fixed Charges	\$3,764,308	\$3,896,988	\$132,680	3.5%
<b>Fixed fee per Customer/per month</b>	<b>\$43.97</b>	<b>\$44.93</b>		
Individual Facilities (Pipeline)	\$50,220	\$50,530		
Individual Facilities (Booster Station)	32,120	33,340		
Joint facilities charge	669,885	672,165		
WWTP O&M Charge	630,660	648,830		
Total Wastewater Fixed Charges	\$1,382,885	\$1,404,865	\$21,980	1.59%
<b>Fixed fee per Customer/per month</b>	<b>\$16.15</b>	<b>\$16.19</b>		
<b>VOLUMETRIC CHARGES /1,000 GALLONS</b>				
Water volume charge	\$1.11	\$1.09		
Wastewater treatment volume charge	\$1.25	\$1.25		
Pipeline usage volume charge	\$0.055	\$0.055		

### There was no Closed Session

#### CLOSED SESSION

The City Council will convene in such executive or (closed session) to consider any matters regarding any of the above agenda items as well as the following 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 of Texas clearly conflicts with chapter 551.

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**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 meeting at 6:15 P.M.

**AYES:** All

Meeting adjourned.

Approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Kimberly Pence, City Secretary  
City of Corinth, Texas

**CONSENT ITEM 2.**

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018

**Title:** August 21, 2018 Special Session

**Submitted For:** Kim Pence, City Secretary

**Submitted By:** Kim Pence, City Secretary

**City Manager Review: Approval:** Bob Hart, City Manager

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**AGENDA ITEM**

Consider and act on minutes from the August 21, 2018 Special Session.

**AGENDA ITEM SUMMARY/BACKGROUND**

Attached are the minutes from the August 21, 2018 Special Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

**RECOMMENDATION**

Staff recommends approval of the August 21, 2018 Special Session minutes.

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**Attachments**

Minutes

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

On this the 21<sup>st</sup> day of August 2018 the City Council of the City of Corinth, Texas met in a Special Session at the Corinth City Hall at 7:00 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:

**Members Present:**

Bill Heidemann, Mayor  
Sam Burke, Mayor Pro-Tem  
Lowell Johnson, Council Member  
Scott Garber, Council Member  
Don Glockel, Council Member  
Tina Henderson, Council Member

**Members Absent:**

None

**Staff Members Present:**

Bob Hart, City Manager  
Kimberly Pence, City Secretary  
Curtis Birt, Lake Cities Fire Chief  
Jimmie Gregg, Lieutenant of Police  
Cody Collier, Director of Public Works, Park Maintenance, Recreation, and Utility Operations  
Shea Rodgers, Technology Services Manager  
Helen-Eve Liebman, Planning and Development Director  
Jason Alexander, Economic Development Corporation Director  
Chris Rodriguez, Assistant Finance Director  
Guadalupe Ruiz, Director of Human Resources

**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:**

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

**Mayor Heidemann called the meeting to order at 7:00 p.m. Councilmember Garber delivered the invocation and led in the Pledge of Allegiance and Texas Pledge.**

**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 the fiscal year 2018-2019 Proposed Budget for the City of Corinth Crime Control and Prevention District.

**MOTION** made by Councilmember Henderson to approve the Consent Agenda as presented. Seconded by Councilmember Glockel.

**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.

**No comments were made.**

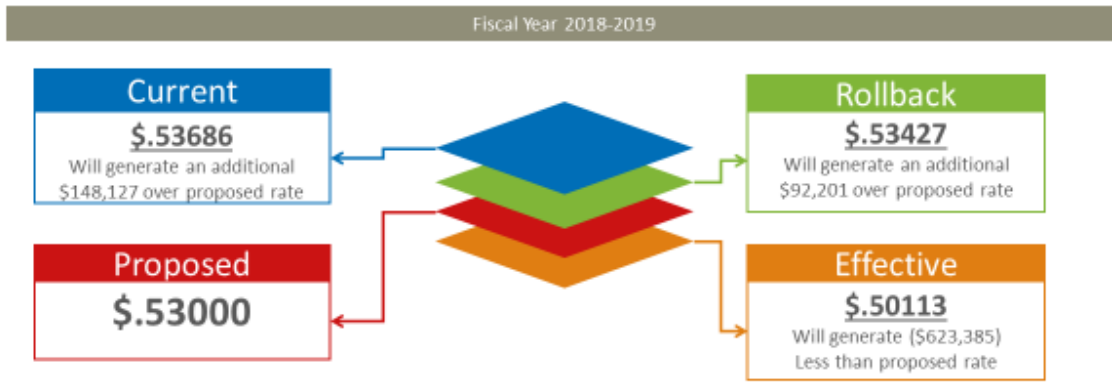
**PUBLIC HEARING:**

- 2. Hold a public hearing on a proposal to consider a tax rate, which will exceed the lower of the rollback rate or the effective tax rate and will increase total tax revenues from properties on the tax roll in the preceding tax year by 9.17 percent.

**Mayor Heidmann opened the Public Hearing at 7:10 p.m.**

**Bob Hart, City Manager**- The budget that has been presented is based on a tax rate of \$.53000. It is above the effective rate and below the rollback.

**Property Tax Rate Analysis**



**What is the Effective Tax Rate?**  
Tax Rate that provides about the same amount of revenue as the prior year

**What is the Rollback Tax Rate?**  
Maximum rate allowed without voter approval

## Average Home Value Comparison



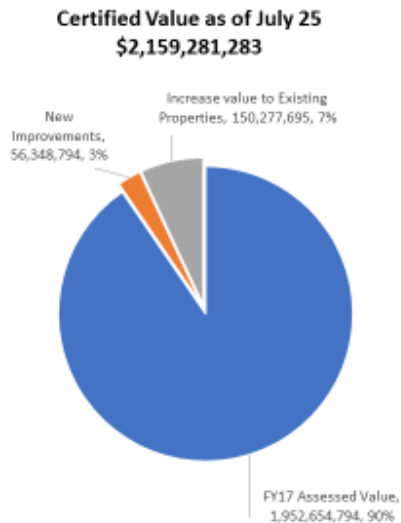
*Average Home Values increase:  
\$20,556 or 8.3% over the 2017 home  
values = \$92 increase in tax bill*

*\$71,420 or 36% since 2014 = \$249  
increase in tax bill*

	2014	2015	2016	2017	2018 Final (as of July 25, 2018)
Avg Home Value	\$198,248	\$211,926	\$229,765	\$249,112	\$269,668
Tax Rate	.59489	.58489	.58193	.53686	.53000
<b>Average Tax Bill:</b>					
General Fund	\$895	\$936	\$1,018	\$1,066	\$1,152
Debt Service Fund	284	304	319	271	277
<b>Total Taxes Due</b>	<b>\$1,179</b>	<b>\$1,240</b>	<b>\$1,337</b>	<b>\$1,337</b>	<b>\$1,429</b>

The average home value in Corinth is \$249,112. Going into the new tax year it is \$269,668, this increase is partly due to revaluation of property and partly due to new construction.

## Tax Revenue Analysis



Property Tax Revenue	General Fund	Debt Service Fund	Total
Tax Rate	.42711	.10289	.53000
FY17 Assessed Value	\$8,355,605	\$2,127,417	\$10,483,022
Increase in Existing Properties	626,230	36,291	662,521
New Improvements	240,671	57,977	298,648
<b>Total Property Tax Revenue</b>	<b>\$9,222,506</b>	<b>\$2,221,685</b>	<b>\$11,444,191</b>

**Total 2018 Tax Revenue Increase = \$961,169**

General Fund = \$662,521  
Debt Service Fund = \$298,648

## New Value Comparison

	2014	2015	2016	2017	2018 Final (as of July 25, 2018)
New Value Added	\$8,830,118	\$15,403,173	\$33,390,497	\$19,490,199	\$56,348,794
Tax Rate	.59489	.58489	.58913	.53686	.53000
<b>Tax Bill Allocation:</b>					
General Fund	\$39,862	\$67,994	\$147,913	\$83,400	\$240,671
Debt Service Fund	12,668	22,097	46,396	21,235	57,977
Total New Taxes	\$52,529	\$90,092	\$194,309	\$104,635	\$298,648

***Five Year Average Growth of \$26,692,556***

5 Year Average Annual Tax Revenue Increase on New Value Added = \$148,033

General Fund = \$115,958 and Debt Service Fund = \$32,075

Primary Cost Drivers for FY 2018-19 Budget:

- Open Fire Station #3
- Lynchburg Drainage

The primary cost drivers is the opening of the fire house #3. The building has been constructed and this is providing the staff to open that station to be able to have 3 fire stations operating to cover Corinth, Hickory Creek, Lake Dallas, and Shady Shores to help with the response time and provides a bit more buffer and backup for other two existing stations.

The other is the drainage improvements along Lynchburg Creek. FEMA has remapped floodplain and we are looking at ways to begin making drainage improvements and take some of that area out of the flood plain and prevent flooding potential for some of the residents that are near.

**Denise Degear, Corinth Texas** - we have some new apartments in the area, near fire house #3 will that generate any revenue for our taxes?

**Bob Hart, City Manager** - properties are valued based on the condition as of January 1<sup>st</sup> of the preceding year and those are still under construction and will provide a little bit of increase but the real value will be for next year.

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

### COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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**Councilmember Burke** - would like to tell the staff and Mr. Hart that I appreciate the work that has gone into the budget this year and has been a much better process. The budget document we received was excellent.

**Councilmember Garber** - I agree with Councilman Burke on the budget process and I really appreciate the opportunity for discussion and debate.

**Bob Hart, City Manager** - there will be a gathering on Thursday for the Chief of Police and I will be going to Austin tomorrow for the Legislative Policy workshop.

**Mayor Heidemann** - thanked the Council for going through the budget. I do appreciate their input and all the discussions that we had and I think that the citizens of Corinth are going to get a very good budget for this next year and will be looking forward to another great year in the City of Corinth.

### **There was no Closed Session**

#### **CLOSED SESSION**

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

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

#### **ADJOURN:**

Mayor Heidemann adjourned the meeting at 7:15 P.M.



**AYES:** All

Meeting adjourned.

Approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Kimberly Pence, City Secretary  
City of Corinth, Texas

**CONSENT ITEM 3.**

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018

**Title:** September 6, 2018 Workshop Session

**Submitted For:** Kim Pence, City Secretary

**Submitted By:** Kim Pence, City Secretary

**City Manager Review: Approval:** Bob Hart, City Manager

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**AGENDA ITEM**

Consider and act on minutes from the September 6, 2018 Workshop Session.

**AGENDA ITEM SUMMARY/BACKGROUND**

Attached are minutes from the September 6, 2018 Workshop Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

**RECOMMENDATION**

Staff recommends approval of the September 6, 2018 Workshop Session minutes.

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**Attachments**

Minutes

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

On this the 6<sup>th</sup> day of September 2018 the City Council of the City of Corinth, Texas met in Workshop Session at the Corinth City Hall at 5:30 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:

**Members Present:**

Bill Heidemann, Mayor  
Sam Burke, Mayor Pro-Tem  
Lowell Johnson, Council Member  
Scott Garber, Council Member  
Tina Henderson, Council Member  
Don Glockel, Council Member

**Members Absent:**

None

**Staff Members Present:**

Bob Hart, City Manager  
Kimberly Pence, City Secretary  
Curtis Birt, Fire Chief  
Kevin Tyson, Lieutenant of Police  
Brenton Copeland, Technology Services Assistant Manager  
Ben Rodriguez, Planning and Development Manager  
George Marshall, City Engineer  
Helen-Eve Liebman, Planning and Development Director  
Jason Alexander, Economic Development Corporation Director  
Chris Rodriguez, Assistant Finance Director  
Lee Ann Bunselmeyer, Director of Finance and Administrative Services  
Lori Levy, Senior Planner  
Patricia Adams, Messer, Rockefeller, & Fort

**WORKSHOP BUSINESS AGENDA:**

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

Business item #8 discussion:

8. Hold a public hearing to receive community input on the FY 2018-2019 Annual Program of Services (Budget).

**Bob Hart, City Manager** - about 6 weeks ago we amended the budget to buy ticket writers for the officers. We are not going to be able to get those until after October 1<sup>st</sup> so I have taken that amendment we did and put it into the budget for next year. It is the same money that we have already authorized but it will show up as an addition to the budget. It has already been approved, the problem is we won't be able to access them until after October 1<sup>st</sup>.

2. Hold a discussion on the Texas Municipal League Legislative update.

Bob Hart, City Manager gave an update on the Texas Municipal League Legislative position process and summary actions.

The Texas Municipal League changed the legislative position process in anticipation of the 2019 session by consolidating the three committees (personnel, land use and utilities). The committee met on August 23 & 24. Following are the recommended positions.

### **Harmful Legislation in General/Preemption**

The Summit delegates voted to recommend that the League:

1. oppose legislation that would erode municipal authority in any way, would impose an unfunded mandate, or would otherwise be detrimental to cities.
2. oppose legislation that would provide for state preemption of municipal authority in general

### **Revenue and Finance**

The Summit delegates voted to recommend that the League:

1. oppose legislation that would impose a revenue and/or tax cap of any type, including a reduced rollback rate, mandatory tax rate ratification elections, lowered rollback petition requirements, limitations on overall city expenditures, exclusion of the new property adjustment in effective rate and rollback rate calculations, or legislation that lowers the rollback rate and gives a city council the option to re-raise the rollback rate.
2. oppose legislation that would negatively expand appraisal caps but take no position on legislation that would authorize a council-option reduction in the current ten-percent cap on annual appraisal growth.
3. support legislation that would simplify the effective tax rate calculation for notice purposes only, provided the legislation would have no effect on either the underlying effective tax rate and rollback tax rate calculations themselves, or upon the hold harmless exemptions to those rates.
4. support legislation extending the sunset date for Chapter 312 tax abatement authority only if the business lobby groups whose members benefit from tax abatement agreements refrain from any support for harmful revenue and expenditure caps.
5. oppose legislation that would impose new property tax or sales tax exemptions that substantially erode the tax base.
6. support: (1) legislation that would make beneficial amendments to the equity appraisal statute; (2) legislation that would close the “dark store” theory of appraisal loophole; and (3) legislation that would require mandatory disclosure of real estate sales prices.
7. support: (1) legislation that would authorize a council-option property tax exemption of a portion of the appraised value of property damaged by a disaster, and (2) legislation that would

authorize a council-option city homestead exemption expressed as a percentage or flat-dollar amount.

8. support legislation that would convert the sales tax reallocation process from a ministerial process into a more formalized administrative process.
9. with regard to economic development: (1) take no position on legislation that would broaden the authority of Type A or Type B economic development corporations; and (2) oppose legislation that would limit the authority of Type A or Type B economic development corporations statewide, but take no position on legislation that is regional in scope and that is supported by some cities in that region.
10. oppose legislation that would erode the ability of a city to issue debt.
11. oppose legislation that would limit or eliminate the current flexibility of the Major Events Reimbursement Program as a tool for cities to attract or host major events and conventions.

### **Regulation of Development**

The Summit delegates voted to recommend that the League:

1. oppose legislation that would erode municipal authority related to development matters, including with respect to the following issues: (1) annexation, (2) eminent domain, (3) zoning, (4) regulatory takings; (5) building codes, (6) tree preservation, and (7) short-term rentals.
2. support legislation that would expand municipal annexation authority.
3. support legislation that would authorize a city council to opt-in to requiring residential fire sprinklers in newly constructed single-family dwellings.

### **Utilities and Transportation**

The Summit delegates voted to recommend that the League:

1. oppose state or federal legislation or rules that would erode the authority of a city to be adequately compensated for the use of its rights-of-way and/or erode municipal authority over the management and control of rights-of-way.
2. support legislation that would: (1) allow for greater flexibility by cities to fund local transportation projects; (2) amend or otherwise modify state law to help cities fund transportation projects; or (3) provide cities with additional funding options and resources to address transportation needs that the state and federal governments are unable or unwilling to address.
3. support legislation that would: (1) provide additional funding to the Texas Department of Transportation for transportation projects that would benefit cities; and (2) provide local, state, and federal transportation funding for rail as one component of transportation infrastructure.
4. oppose legislation that would erode municipal authority over billboards or place any

unfunded mandate on cities relating to billboards.

**Miscellaneous (Public Safety, Personnel, Elections, Municipal Court, Member-Submitted Items):**

The Summit delegates voted to recommend that the League:

1. take no position on legislation that would standardize red light photo enforcement systems, so long as the underlying authority is not eliminated. (Further, the committee recommends that TML defer to the Texas Red Light Coalition on more detailed matters relating to revisions to red light camera policy.)
2. take no position on legislation that would amend the affected provisions of the Texas Government Code relating to the Texas Municipal Retirement System to allow for greater flexibility in retiree pension increases and provide for a forgiveness provision for cities that stopped the regular repeating COLA payments without reference to a cost of living index.
3. oppose legislation that would further erode local control as it pertains to retirement issues.
4. oppose legislation that would substantively change or expand the scope of the current disease presumption law, unless doing so is supported by reputable, independent scientific research.
5. oppose legislation that would require candidates for city office to declare party affiliation in order to run for office.
6. oppose legislation that would eliminate any of the current uniform election dates.
7. in relation to municipal courts: (1) oppose legislation that would impose additional state fees or costs on municipal court convictions or require municipal courts to collect fine revenue for the state; and (2) support legislation that would allow a more equitable way of distributing court fines that would result a higher percentage of fines being kept local, where the laws are enforced, the court is held, and the fines collected.
8. oppose legislation that would: (1) require the reporting of lobbying activities beyond the requirements in current law; (2) limit or prohibit the authority of city officials to use municipal funds to communicate with legislators; and (3) limit or prohibit the authority of the Texas Municipal League to use any revenue, however derived, to communicate with legislators.
9. support additional appropriations for the Texas Veterans Commission and the Texas Workforce Commission skills for veterans initiative that dedicates state funding to address the training needs of veterans returning home and entering the Texas workforce.
10. support legislation that: (1) clarifies federal congressional intent of federal transit law to protect cities across the United States from being penalized due a to a population drop suffered as a direct result of a natural disaster, retroactive to 2000; (2) explicitly states that only presidentially declared major disasters are covered, in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 100-707); and (3) protects federal transit funding streams for urbanized areas until the execution of the next decennial census.

11. support legislation that would request that the legislature increase funding for the Texas Intrastate Fire Mutual Aid System to \$3 million annually.
12. support legislation that would allow cities the option of using either an official newspaper or a website for the publication of legal notices.
13. support legislation that would allow a city to lower the prima facie speed limit from 30 to 25 miles per hour without the need for a traffic study.

## **Other**

The Summit delegates directed League staff to seek the guidance of the TML executive committee in relation to tax abatement agreements should the “support” position included elsewhere in this program no longer encompass evolving scenarios.

The Summit delegates directed League staff to seek the guidance of the TML board of directors on issues related to sales taxes on remote sales.

The Summit delegates requested that, after the 2019 legislative session, the TML President appoint a committee to study seeking additional local option transportation funding mechanisms.

The Summit delegates requested that the TML President appoint a committee to study and make recommendations to the TML board of directors on issues related to initiative and referendum.

The Summit delegates concurred with the [legislative program](#) of the Texas Recreation and Park Society, but disapproved the provision in that program relating to prohibiting firearms at certain types of city events.

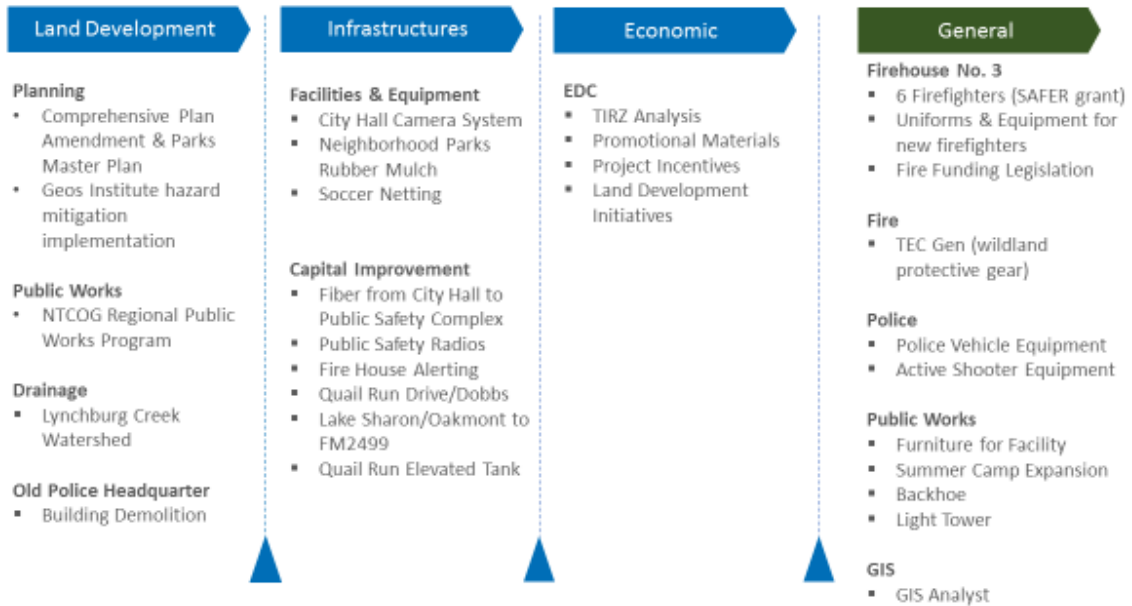
The Summit delegates directed League staff to work with the City of Leary on legislation that would reduce cost drivers for small city audits, so long as appropriate statutory safeguards remain in place.

3. Receive a report, hold a discussion, and provide staff direction on the Fiscal Year 2018-2019 Annual Program of Services and Capital Improvement Program.

**Bob Hart, City Manager** - below is the summary of what is in the budget. They are starting to make announcements for the Safer Grant and we appear to be in great shape for that.

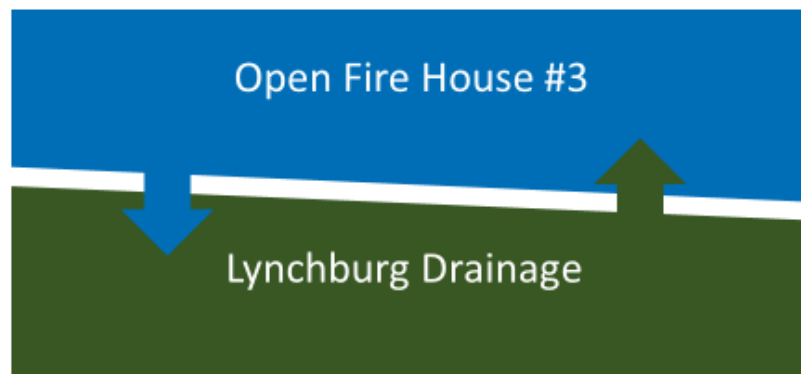
The TIRZ Analysis has two components, One is, there is \$12,000 in there just to do a lot of the analysis, get it through the County and the other is that place holder where they might need to be some funding to help kick start some of that and cash flow it until we can repay the Economic Development Corporation for that.

# Summary of New Budget Packages



**Bob Hart, City Manager** - the biggest numbers you are going to see in the budget is the opening of fire house #3 and Lynchburg Drainage.

## Primary Cost Drivers for FY2018-19 Budget



**Bob Hart, City Manager** - below is the proposed budget changes that we have been discussing over the last few weeks.



FY 2018-19 Proposed Budget Changes		
General Fund	City Hall Lighting	\$ 100,000
Economic Development Fund	Parkridge Drive Development	\$ 1,900,000
	Tax Increment Financing District	\$ 100,000
	Parkridge/FM 2181 Wastewater Impr.	\$ 1,000,000
Court Technology Fund	Ticket Writers	\$ 25,000
Capital Improvement	Fire House 3/Sally Port Epoxy Floor	\$ 129,000

**Mayor Heidemann recessed the Workshop at 6:15 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 agenda items as well as the following 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 of Texas clearly conflicts with chapter 551.

**Council met in Closed Session from 6:20 p.m. until 7:00 p.m.**

- a. MCM Contract for the Lake Sharon Roadway Extension

**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.

**Council met in Closed Session from 6:20 p.m. until 7:00 p.m.**

- a. Consider acquisition of Right-of-way at 1708 Post Oak Drive.
- b. Consider acquisition of Right-of-way at 2101 Lake Sharon Blvd.

**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.

a. City Manager evaluation.

**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.

Mayor Heidemann reconvened into Workshop Session at 7:00 p.m.

**ADJOURN:**

Mayor Heidemann adjourned the meeting at 7:01 P.M.

**AYES:** All

Meeting adjourned.

Approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Kimberly Pence, City Secretary  
City of Corinth, Texas

**CONSENT ITEM 4.**

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018

**Title:** September 6, 2018 Regular Session

**Submitted For:** Kim Pence, City Secretary

**Submitted By:** Kim Pence, City Secretary

**City Manager Review: Approval:** Bob Hart, City Manager

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**AGENDA ITEM**

Consider and act on Minutes from the September 6, 2018 Regular Session.

**AGENDA ITEM SUMMARY/BACKGROUND**

Attached are minutes from the September 6, 2018 Regular Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

**RECOMMENDATION**

Staff recommends approval of the September 6, 2018 Regular Session minutes.

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**Attachments**

Minutes

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

On this the 6<sup>th</sup> day of September 2018 the City Council of the City of Corinth, Texas met in Regular Session at the Corinth City Hall at 7:00 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:

**Members Present:**

Bill Heidemann, Mayor  
Sam Burke, Mayor Pro-Tem  
Lowell Johnson, Council Member  
Scott Garber, Council Member  
Tina Henderson, Council Member  
Don Glockel, Council Member

**Members Absent:**

None

**Staff Members Present:**

Bob Hart, City Manager  
Kimberly Pence, City Secretary  
Curtis Birt, Fire Chief  
Kevin Tyson, Lieutenant of Police  
Brenton Copeland, Technology Services Assistant Manager  
Ben Rodriguez, Planning and Development Manager  
George Marshall, City Engineer  
Helen-Eve Liebman, Planning and Development Director  
Jason Alexander, Economic Development Corporation Director  
Chris Rodriguez, Assistant Finance Director  
Lee Ann Bunselmeyer, Director of Finance and Administrative Services  
Lori Levy, Senior Planner  
Cleve Joiner, Building Inspector, Supervisor  
Patricia Adams, Messer, Rockefeller, & Fort

**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:**

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

**Mayor Heidemann called the meeting to order at 7:00 p.m. Councilmember Garber delivered the invocation and led in the Pledge of Allegiance and Texas Pledge.**

**PRESENTATION:**

**Receive a Presentation on the STAR Communities Certification.**

Effective August 27, 2018 the City of Corinth is formally certified in the STAR Community Rating System, having achieved a 3-STAR Community Rating®. Obtaining a 3-STAR Community certification designates Corinth as a community recognized for sustainability leadership. The STAR Community Rating System (STAR) is the nation's leading framework and certification program for local sustainability. Corinth was accepted in the fall 2017 Leadership STAR Communities Program. This program is designed to help

communities to baseline their current sustainability status by achieving STAR certification. Currently, only 5 other Texas cities (Austin, Denton, Houston, Plano and San Antonio) have obtained STAR Certification. This makes Corinth the smallest community in Texas to have obtained this certification.

STAR certification provides a clear, data-driven approach to assessing communities' sustainability efforts. Certification allows communities to credibly and transparently track progress toward overall sustainability objectives. The STAR Community Rating System encompasses economic, environmental and social performance measures for both local governments and the broader community. The rating system includes 7 goal areas and 45 sustainability objectives, with over 500 different measurable indicators, including both quantitative and qualitative measures.

The STAR Community Rating System supports three leadership certifications: 3-STAR Community, 4-STAR Community and 5-STAR Community. Hundreds of cities, towns, and counties are actively using the STAR Community Rating System to set goals, measure progress, and improve their communities. At the time of writing, STAR Communities lists 73 other certified communities nationwide, with only 4 cities (Baltimore, MD; Cambridge, MA; Northampton, MA; Seattle WA) achieving a 5-STAR Community Rating.

The STAR Community Rating System was initiated and supported by founding partners ICLEI-Local Governments for Sustainability USA, the U.S. Green Building Council, National League of Cities and the Center for American Progress. A STAR Community Rating lasts for four years after the award date, at which point the community is expected to measure and report progress through recertification.

### **Receive a Presentation on the SolSmart Designation.**

The City of Corinth received a Gold designation from the national SolSmart program for making it faster, easier, and more affordable for homes and businesses to go solar. This designation recognizes Corinth for taking bold steps to encourage solar energy growth and remove obstacles to solar development. For companies looking to expand, a SolSmart Gold designation is a signal that Corinth is "open for solar business."

SolSmart is led by The Solar Foundation and the International City/County Management Association (ICMA) and funded by the U.S. Department of Energy Solar Energy Technologies Office. More than 180 cities, counties, and small towns have achieved SolSmart designation since the program launched in 2016. The Planning & Development Department submitted an application to become a SolSmart designated city in March 2018. SolSmart uses objective criteria to award communities points based on the actions they take to reduce barriers to solar energy development. Communities that take sufficient action are designated either gold, silver, or bronze.

As a SolSmart designee, Corinth is helping solar companies greatly reduce the cost of installations and pass those savings on to consumers. This allows even more local homes and businesses to obtain affordable, clean, and reliable electricity through solar. The actions Corinth has taken will help encourage solar companies to do business in the area, driving economic development and creating local jobs.

To receive designation, cities and counties make changes to their local processes to reduce the time and money it takes to install a solar energy system. This includes evaluating local permitting processes, as well as planning and zoning procedures. SolSmart designees also develop innovations in areas such as market development and finance. The City is currently implementing improvements to local processes including solar applications as well as integrating the SolSmart designation goals within the permit process. In connection with this application, the City Council approved an update to the Unified Development Code to permit the installation of attached and detached photovoltaic systems in all districts in the city and to provide

zoning standards for the installation of detached photovoltaic arrays.

As part of the SolSmart program, a team of national experts provides no-cost technical assistance to help communities achieve designation. All cities and counties are eligible to join the SolSmart program and receive this technical assistance. Interested communities can learn more at SolSmart.org.

**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 August 2, 2018 Workshop Session.
2. Consider and act on minutes from the August 2, 2018 Regular Session.
3. Consider and act on minutes from the August 9, 2018 Workshop Session.
4. Consider and act on minutes from the August 9, 2018 Special Session.
5. Consider and act on minutes from the August 16, 2018 Workshop Session.
6. Consider and act on minutes from the August 16, 2018 Regular Session.
7. Consider and act on a Resolution approving a negotiated settlement between the Atmos Steering Committee and Atmos Energy Corp, Mid-Tex Division regarding the company's 2018 Rate Review Mechanism filings.

**MOTION** made by Councilmember Garber to approve the Consent Agenda as presented. Seconded by Councilmember Glockel.

**AYES:** Burke, Garber, Johnson, Henderson, Glockel  
**NOES:** None  
**ABSENT:** 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.

**No comments were made.**

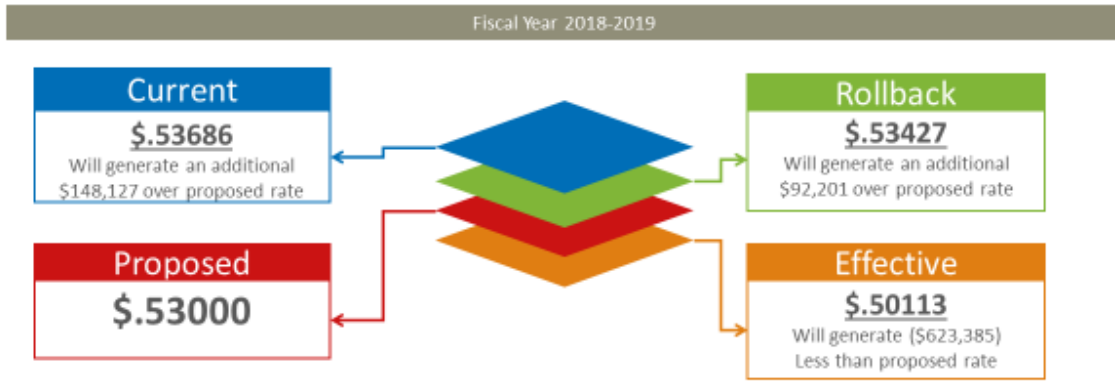
**PUBLIC HEARING:**

8. Hold a public hearing to receive community input on the FY 2018-2019 Annual Program of Services (Budget).

**Bob Hart, City Manager - presented the budget and tax rate.**

The budget that has been presented is based on a tax rate of \$.53000. It is above the effective rate and below the rollback.

## Property Tax Rate Analysis



**What is the Effective Tax Rate?**

Tax Rate that provides about the same amount of revenue as the prior year

**What is the Rollback Tax Rate?**

Maximum rate allowed without voter approval

## Average Home Value Comparison



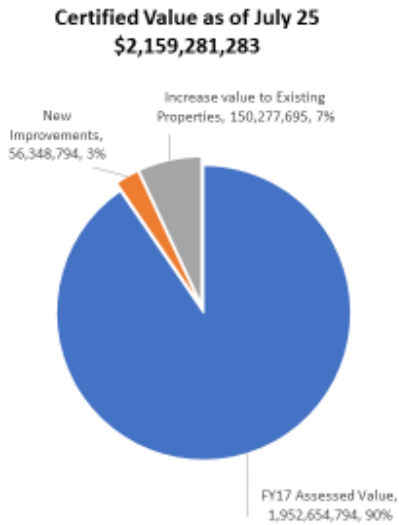
*Average Home Values increase: \$20,556 or 8.3% over the 2017 home values = \$92 increase in tax bill*

*\$71,420 or 36% since 2014 = \$249 increase in tax bill*

	2014	2015	2016	2017	2018 Final <small>(as of July 25, 2018)</small>
Avg Home Value	\$198,248	\$211,926	\$229,765	\$249,112	\$269,668
Tax Rate	.59489	.58489	.58193	.53686	.53000
<b>Average Tax Bill:</b>					
General Fund	\$895	\$936	\$1,018	\$1,066	\$1,152
Debt Service Fund	284	304	319	271	277
<b>Total Taxes Due</b>	<b>\$1,179</b>	<b>\$1,240</b>	<b>\$1,337</b>	<b>\$1,337</b>	<b>\$1,429</b>

The average home value in Corinth is \$249,112. Going into the new tax year it is \$269,668, this increase is partly due to revaluation of property and partly due to new construction.

### Tax Revenue Analysis



Property Tax Revenue	General Fund	Debt Service Fund	Total
<b>Tax Rate</b>	.42711	.10289	.53000
FY17 Assessed Value	\$8,355,605	\$2,127,417	\$10,483,022
Increase in Existing Properties	626,230	36,291	662,521
New Improvements	240,671	57,977	298,648
<b>Total Property Tax Revenue</b>	<b>\$9,222,506</b>	<b>\$2,221,685</b>	<b>\$11,444,191</b>

**Total 2018 Tax Revenue Increase = \$961,169**

General Fund = \$662,521  
Debt Service Fund = \$298,648

### New Value Comparison

	2014	2015	2016	2017	2018 Final (as of July 25, 2018)
New Value Added	\$8,830,118	\$15,403,173	\$33,390,497	\$19,490,199	\$56,348,794
Tax Rate	.59489	.58489	.58913	.53686	.53000
<b>Tax Bill Allocation:</b>					
General Fund	\$39,862	\$67,994	\$147,913	\$83,400	\$240,671
Debt Service Fund	12,668	22,097	46,396	21,235	57,977
<b>Total New Taxes</b>	<b>\$52,529</b>	<b>\$90,092</b>	<b>\$194,309</b>	<b>\$104,635</b>	<b>\$298,648</b>

**Five Year Average Growth of \$26,692,556**

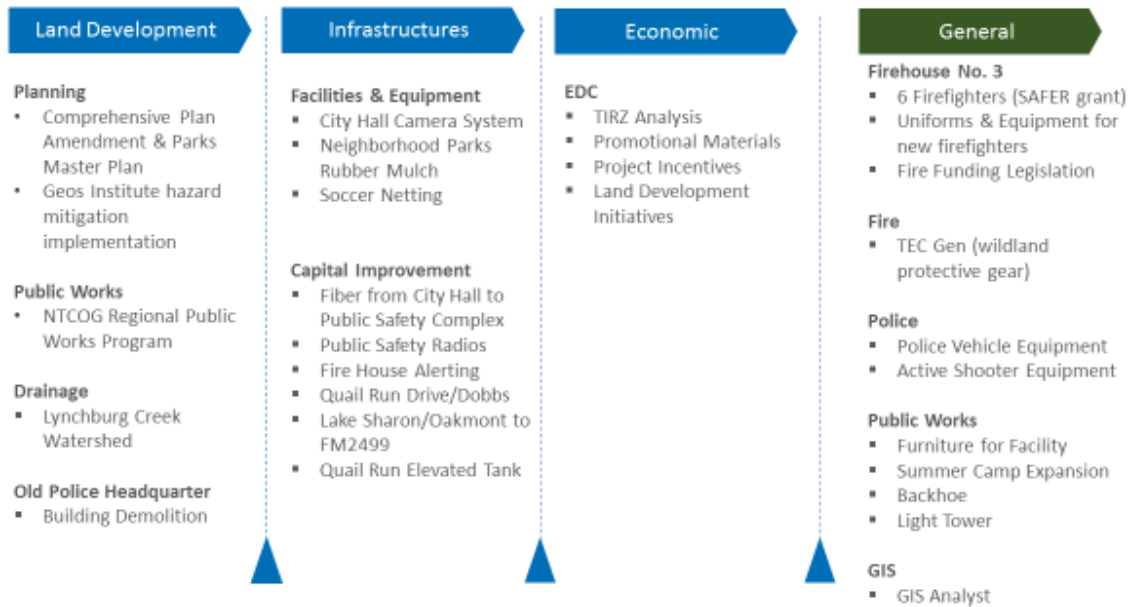
5 Year Average Annual Tax Revenue Increase on New Value Added = \$148,033  
General Fund = \$115,958 and Debt Service Fund = \$32,075

Primary Cost Drivers for FY 2018-19 Budget:



- Open Fire Station #3
- Lynchburg Drainage

## Summary of New Budget Packages



The primary cost drivers is the opening of the fire house #3 plus uniforms and equipment and that totals about \$800,000.

The second major item is the Lynchburg Creek watershed improvements and that totals about \$600,000 in the general fund and another \$400,000 out of the storm water fund for a total of \$1 million dollars. There are updates to the Comprehensive Plan which is important for Economic Development and that totals about \$300,000. When we looked at the \$2.2 million dollar increase in the budget, those three items together account for about \$1.7 million.

**Terry Smith, 3804 Red Oak Drive** - I am sitting right on top of that Lynchburg drainage and I want to know what you are going to do with it?

**Bob Hart, City Manager** - we are currently working on a drainage study and should be completed in November. We are looking at three different areas, one is where you are located, and another area is around Amity Village, and along Lynchburg Creek near Interstate 35E. The engineers are working on a study now to make recommendations for us to address. At this point we don't know what those recommendations are but we will have some answers for you in the later part of November. We will be contacting the property owners in the areas on what the recommended improvements will be.

**Mayor Heidemann opened the Public Hearing at 7:35 p.m. Mayor Heidemann closed the Public Hearing at 7:36 p.m.**

9. Hold a public hearing on a proposal to consider a tax rate, which will exceed the lower of the rollback rate or the effective tax rate and will increase total tax revenues from properties on the tax roll in the preceding tax year by 9.17 percent.

**Bob Hart, City Manager** - the presentation I did earlier covers this item as well. You can open it up for

the Public Hearing.

**Mayor Heidemann opened the Public Hearing at 7:37 p.m. No one spoke during the public hearing. Mayor Heidemann closed the Public Hearing at 7:37 p.m.**

#### **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 Henderson** - I would like to thank Lee Ann Bunselmeyer and her staff for putting on a good Appreciation Dinner last Thursday night. It was a great job.

**Mayor Heidemann** - we have volunteered for a lip sing contest on November 24<sup>th</sup> for a good cause that is being put on by the Lake Cities Chambers. Come out and have a good laugh at your Council.

**Mayor Heidemann recessed the Regular Session at 7:38 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 agenda items as well as the following 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 of Texas clearly conflicts with chapter 551.

a. MCM Contract for the Lake Sharon Roadway Extension

**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.

a. Consider acquisition of Right-of-way at 1708 Post Oak Drive.

b. Consider acquisition of Right-of-way at 2101 Lake Sharon Blvd.

**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.

**Council met in Closed Session from 7:45 p.m. until 8:20 p.m.**

a. City Manager evaluation

**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.

There was no action from Closed Session.

**ADJOURN:**

Mayor Heidemann adjourned the meeting at 8:21 P.M.

**AYES:** All

Meeting adjourned.

Approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Kimberly Pence, City Secretary  
City of Corinth, Texas

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018  
**Title:** Planned Development Amendments  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** Ben Rodriguez, Manager  
**Finance Review:** N/A **Legal Review:** Yes  
**City Manager Review:** **Approval:** Bob Hart, City Manager

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**AGENDA ITEM**

**PUBLIC HEARING:**

TO HEAR PUBLIC OPINION REGARDING AMENDING THE CITY OF CORINTH COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE ORDINANCE NO. 13-05-02-08, AS AMENDED, SECTION 2.06.03 PLANNED DEVELOPMENT, AND SECTION 2.10.09 PD, PLANNED DEVELOPMENT APPLICATION AND REVIEW.

**BUSINESS:**

Consider and act on an Ordinance amending the City of Corinth Comprehensive Zoning Ordinance, the same being a part of the Unified Development Code, to amend Section 2, Zoning Regulations, by amending Section 2.06.03, Planned Development, of Subsection 2.06, Special Zoning Districts, and by amending Section 2.10.09 PD, Planned Development Application and Review, of Subsection 2.10, Zoning Procedures; providing amendments, providing a penalty, and providing an effective date.

**AGENDA ITEM SUMMARY/BACKGROUND**

Staff is proposing amendments to the Planned Development process. The intent of the proposed amendments are to streamline the application and review process as well as remove redundancies contained within the Code with the goal to make the process easier for applicants to navigate.

Notable changes include the following:

**Removal of minimum lot size for Planned Development requests.**

- Staff is proposing the removal of minimum lot size requirements for Planned Developments. Staff believes that a minimum lot size requirement of two acres for a Planned Development is unnecessary and arbitrary. The intent of a Planned Development district is to allow flexibility and creativity to the applicant with the goal of creating a better development within the City. A minimum lot size requirement stifles the ability for smaller properties to propose innovative and or creative opportunities for development. The property would still be required to meet the minimum lot size requirements of the base zoning district.

**Neighborhood meetings**

- Staff is proposing the addition of language advising applicants that conducting a neighborhood meeting with homeowners within the vicinity of a Planned Development request is strongly encouraged. This allows the applicant the opportunity to present their proposal to those most likely to be impacted in a more focused environment, while also allowing residents and opportunity to provide input on the proposal in the hopes that accommodations may be made prior to actions by the Planning and Zoning Commission and the City Council.

**Codifying Requirements**

- Staff is proposing adding the items required for a Planned Development request to the Code of Ordinances. Currently these requirements are only contained within the application packet for a zoning change. This

creates confusion for applicants as they are required to go to multiple locations to determine what is required. The proposed amendment will simplify this process and provide applicants with a single location to obtain this information.

**Removal of redundant language**

- Staff is proposing the removal of language that is already outlined in other sections of our Code. As currently written the regulations for the Planned Development district also lists all of the requirements to develop a property including platting, and site plans. The intent of a Planned Development district is to facilitate the zoning and/or rezoning of a property. Staff feels that the removal of this additional language will simplify things for applicants.

**Terminology changes**

- Staff is proposing changes to some of the terminology within the Planned Development sections to reflect more commonly used terms within the development community as well as other municipalities within the DFW Metroplex. Examples include renaming “Concept Design Map” to “Concept Plan” and Planned Development “Master Plan” to “Proposal” and “Ordinance”.

**Removal of PD expiration**

- Staff is proposing the removal of the automatic expiration of Planned Developments which have not developed within two years. Staff feels that an automatic removal of approved zoning is not in compliance with state law as it does not follow the legal process for zoning changes. This will not remove the City’s ability to unilaterally rezone an existing Planned Development if the City feels that is in the best interest of the public’s health, safety or welfare, following adequate noticing and public hearing requirements.

**RECOMMENDATION**

Staff recommends Approval of the proposed amendments to the various sections of the City of Corinth Comprehensive Zoning Ordinance being a part of the Unified Development Code Ordinance No. 13-05-02-08, as amended. The Planning and Zoning Commission considered these changes on September 24 and recommended approval on a 5-0 vote.

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**Attachments**

PD Amendment Ordinance

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**ORDINANCE NO. 18-10-04-\_\_**

**PLANNED DEVELOPMENT STANDARDS AND APPLICATION PROCEDURE  
AMENDMENT**

**AN ORDINANCE AMENDING THE CITY OF CORINTH UNIFIED DEVELOPMENT CODE, SUBSECTION 2.06 “SPECIAL ZONING DISTRICTS”, SECTION 2.06.03, “PD, PLANNED DEVELOPMENT” AND SUBSECTION 2.10 “ZONING PROCEDURES”, SECTION 2.10.09 PD, PLANNED DEVELOPMENT APPLICATION AND REVIEW; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR VIOLATIONS THEREOF AS MORE SPECIFICALLY SET FORTH HEREIN; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City is authorized to adopt regulations governing the development of land within the City and its extraterritorial jurisdiction in the interest of the public health, safety and welfare of its citizens; and

**WHEREAS**, the City adopted the Unified Development Code which specifies types of zoning districts as part of the development process; and

**WHEREAS**, the City has reviewed its regulations and procedures regarding the Planned Development Zoning District standards and application procedures and has determined that the incorporated amendments are appropriate to aid with the orderly development and use of land; and

**WHEREAS**, the City has determined that the amendments proposed relating to Planned Development Zoning District standards and application procedures will be beneficial to the public safety and welfare; and

**WHEREAS**, upon review and consideration of the foregoing factors, the City Council has determined that the City’s Planned Development Zoning District standards and application procedures should be amended as set forth below;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2.  
AMENDMENTS**

**2.01.** That The City of Corinth Unified Development Code Subsection 2.06 “Special Zoning Districts”, Section 2.06.03 “PD, Planned Development” is hereby amended to be read in its entirety as follows with all other sections not specifically amended hereby remaining in full force and effect:

“2.06.03. - PD, Planned Development.

The purpose of this district is to encourage quality and better development in the City by allowing flexibility in the planning and development of projects. A PD, Planned Development District may be used to permit new or innovative concepts in land utilization or diversification that could not be achieved through traditional zoning districts. Any combination of residential, commercial, light industrial, public or recreational uses as approved by the City Council may be permitted.

A. General Description and Purpose

1. The PD designation shall be used for the following purpose(s):
  - a. Master planning;
  - b. To carry out specific goals of the Comprehensive Plan, City or public/private partnered special projects;
  - c. Development of mixed use, transit-oriented, or traditional neighborhoods with a variety of uses and housing types; and/or
  - d. To preserve natural features, open space, and other topographical features of the land.

B. Base Zoning District

1. A PD shall contain at least one base zoning district to regulate all uses and development regulations not identified as being modified.
2. If the standards of the base zoning district are amended, then the most recently amended standards shall apply to a PD district unless the standards have been individually listed within the PD adoption ordinance as being different from the base zoning district.
3. Base zoning district amendments are applicable to PD districts unless otherwise amended in an approved Planned Development District.

D. Permitted Uses and Use Regulations

1. See the Use Chart and all applicable regulations within Subsection 2.07.
2. See Section 2.10.09. PD, Planned Development Application and Review.

E. Dimensional Regulations

1. See Subsection 2.08 Zoning Dimensional Regulations.
2. See Section 2.10.09. PD, Planned Development Application and Review.

F. Development Standards

1. See the Zoning Development Regulations in Subsection 2.09 for all applicable regulations.
2. See Section 2.10.09. PD, Planned Development Application and Review.”

**2.02.** That The City of Corinth Unified Development Code Subsection 2.10 “Zoning Procedures”, Section 2.10.09 “PD, Planned Development Application and Review” is hereby amended to be read in its entirety as follows with all other sections not specifically amended hereby remaining in full force and effect:

“2.10.09. - PD, Planned Development Application and Review

A. General

1. PD, Planned Development Zoning District Establishment. An Application for a PD, Planned Development Zoning District shall be made to the Planning and Zoning Commission and City Council in the same manner that an Application for any Zoning Map Amendment (Rezoning) is made.
2. Submission of PD Related Plats and Site Plans Shall Occur After PD Establishment. The subsequent Applications for Plats and Site Plans within an established PD, Planned Development Zoning District shall be reviewed and approved separately and independently in accordance with established procedures.
3. Upon a written request from the applicant the Director at their discretion may allow for review of submitted development items (Site Plan, Plat, Landscape Plan etc.) concurrently with a completed PD application.

B. Planned Development (PD) Submission Requirements

1. The Developer and/or builder of a PD shall follow the following procedures:
  - a. Pre-Application Conference, as outlined in Section 1.03.02. Pre-Application Conference.
  - b. Zoning Map Amendment (Rezoning) Application with the submission of Planned Development Proposal, which includes the:
    - i. PD Design Statement;
    - ii. PD Concept Plan; and
    - iii. Proposed Building Elevations identifying materials, colors and general percentages of materials used if varying from City design guidelines as outlined in 2.09.04

C. Planned Development (PD) Steps for Creation and Development

1. Step 1. Pre-Application Conference Review.
  - a. At least ten (10) business days prior to submission of an Application for Zoning Map Amendment (Rezoning) to a PD, Planned Development, the Applicant shall submit to the Director of Planning a Sketch Plan drawn to approximate scale showing streets, lots, public areas, and other significant features. The Applicant shall execute an acknowledgement that the Pre-Application Conference does not initiate a vested right.
  - b. The Applicant should discuss with the Director of Planning and Development the procedure for adopting a PD, Planned Development and the requirements for the general layout of streets and utilities, access to arterials, or general design, the availability of existing services, and similar matters.
  - c. The Director of Planning and Development shall also advise the Applicant, where appropriate, to discuss the proposed PD, Planned Development with those officials charged with responsibility to review the various aspects of the proposal coming within their jurisdiction.
  - d. The intent of Step 1. Pre-Application Conference Review is to expedite and facilitate the approval of a Planned Development Proposal.
2. Step 2. PD Application for Rezoning and Planned Development Proposal.
  - a. Procedures and Requirements.
    - i. The PD Zoning Map Amendment (Rezoning) Application shall be filed in accordance with regular procedures and on Application Forms of the City.



- ii. The Planned Development Proposal, which is submitted with the Application for rezoning, shall consist of a PD Design Statement and a PD Concept Plan.
  - iii. The Applicant shall also provide other supporting maps as necessary to meet the submission requirements of this UDC.
  - iv. The Applicant is strongly encouraged to conduct a neighborhood meeting with the area homeowners within the vicinity of the request prior to appearing before the Planning and Zoning Commission. The Applicant shall notify the Director of Planning and Development of any scheduled neighborhood meetings at least seven (7) days prior to the P&Z commission meeting.
- b. PD Design Statement. The PD Design Statement shall be a written report submitted as a part of the Planned Development Proposal containing a minimum of the following elements, (Narrative components of the PD Design Statement are supporting information for staff and elected or appointed officials and will not be included in the adopted PD ordinance):
- i. Title of PD;
  - ii. List of the owners and/or Developers;
  - iii. Statement of the general location and relationship to adjoining land uses, both existing and proposed;
  - iv. Description of the PD concept, including an acreage or square foot breakdown of land use areas and densities proposed, a general description proposed, a general description of building use types, proposed restrictions, and typical site layouts;
  - v. The existing PD zoning districts in the development area and surrounding it;
  - vi. Selection of one conventional zoning district as a base zoning district to regulate all uses and development regulations not identified as being modified (Multiple base zoning districts may be selected to accommodate a mixture of land uses in different geographic areas, if multiple base districts are being utilized in a PD proposal a separate metes and bounds exhibit will need to be provided for the area of each base district.);
  - vii. A list of all applicable special development regulations or modified regulations to the base zoning district; plus a list of requested Subdivision Waivers to the Subdivision Regulations or other applicable development regulations;
  - viii. A statement identifying the existing and proposed streets, including Right-of-Way standards and street design concepts;
  - ix. The following physical characteristics: elevation, slope analysis, soil characteristics, tree cover, and drainage information;
  - x. A statement of utility lines and services to be installed, including lines to be dedicated to the City and which will remain private;
  - xi. The proposed densities, and the use types and sizes of structures; and
  - xii. A description of the proposed sequence and time frames of development.
- c. PD Concept Plan.
- i. The PD Concept Plan shall be a graphic representation of the development plan for the area of a PD, Planned Development.
  - ii. a.) Residential Concept Plan. A proposed concept plan for residential land uses shall show the following items:
    - 1. Lot Layout, including street patterns and product locations;
    - 2. Topography (5ft contours, or smaller if needed to understand natural features) and boundary of PD area;

3. Thoroughfares;
4. Size, type, height and location of buildings and building sites (attached residential ie: apartments and townhomes);
5. Access;
6. Density;
7. Fire lanes, attached townhomes & multifamily only;
8. Screening;
9. Landscaped areas and concepts;
10. Project phasing;
11. Existing and Proposed (FEMA approval required) 100yr Floodplain;
12. Existing tree cover; and
13. Any other pertinent development data as identified by the Director of Planning and Development.

b.) Non-Residential Concept Plan. A proposed concept plan for non-residential land uses shall show the following items:

1. Types of uses;
2. Topography (5ft contours or smaller if needed to understand natural features) and boundary of PD area;
3. Physical features of the site;
4. Existing streets, alleys, and easements;
5. Location of current/future public facilities;
6. Building height, locations and elevations;
7. Parking areas and ratios;
8. Proposed driveway locations;
9. Project scheduling and phasing;
10. Landscaped areas and concepts;
11. Screening;
12. Existing and Proposed (FEMA approval required) 100yr Floodplain;
13. Existing tree cover; and
14. Any other pertinent development data as identified by the Director of Planning and Development..

d. Approval of the Planned Development Proposal.

- i. Upon final approval by the City Council of the Planned Development Proposal and the appropriate ordinance of rezoning, these elements shall become a part of the 2.01.02. Official Zoning District Map.
- ii. The ordinance of rezoning shall adopt the Planned Development Proposal by reference, and it shall be attached to said ordinance and become a part of the official records of the City.

f. Use and Development of the Property.

- i. The Planned Development Ordinance shall control the use and development of the property, and all building permits and development requests shall be in accordance with the plan until it is amended by the City Council.
- ii. iii. The Planned Development Ordinance shall be made a part of the permanent file and maintained by the City Secretary. -

#### D. Planned Development (PD) Modifications and Amendments

1. Minor PD Amendment and Adjustment. The Director of Planning may approve or defer to City Council consideration a Minor PD Amendment and Adjustment to the Planned Development Ordinance provided all of the following conditions are satisfied:

- a. The project boundaries are not altered.
  - b. Uses other than those specifically approved in the Planned Development Ordinance are not added. Uses may be deleted but not to the extent that the character of the project is substantially altered from the character described within the PD Ordinance.
  - c. The allocation of land to particular uses or the relationship of uses within the project are not substantially altered.
  - d. The density of housing is not increased more than ten (10) percent or decreased by more than thirty (30) percent. Ex. "300 lots to 330 lots."
  - e. The land area allocated to non-residential uses is not increased or decreased by more than ten (10) percent provided that increases in land area are directly adjacent to non-residential uses.
  - f. Floor Area, if prescribed, is not increased or decreased by more than ten (10) percent.
  - g. Floor Area ratios, if prescribed, are not increased.
  - h. Open space ratios, if prescribed, are not decreased.
  - i. Building material percentages may be amended up to 10% upon the submission of an engineering report prepared by a structural engineer stating that the use of a particular material will result in a structural deficiency, or if the Director of Planning and Development feels strict application of prescribed percentages will detract from the overall design of the structure.
2. Partial Amendments
- a. In situations where only a portion of an existing PD Ordinance is proposed to be amended the Director of Planning and Development shall review the amendment request to verify its compatibility with the area of the existing PD Ordinance to remain. In the event that the proposed amendment is not compatible with the remaining area the Director may require that the existing PD ordinance be amended in its entirety.
3. Director of Planning Approval.
- a. The Director of Planning and Development shall determine if proposed amendments to an approved Planned Development Ordinance satisfy the above criteria.
  - b. If the Director of Planning and Development finds that these criteria are not satisfied, an amended Planned Development Proposal shall be submitted for full review and approval according to the procedures set forth in these regulations.
- E. Existing planned development ordinances. The Planned Development District Ordinances previously adopted by the City Council prior to October 4, 2018, that do not include Concept Plans that meet the requirements of this Section shall be required to follow procedures for amendment(s) as outlined in this Section."

#### **SECTION 4. PENALTY**

Any person, firm or corporation who intentionally, knowingly or recklessly violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving violation of any provision of this Ordinance or Code of Ordinances, as amended hereby, governing the fire safety, zoning, or public health and sanitation shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

**SECTION 5.  
CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 6.  
SAVINGS**

All rights and remedies of the City of Corinth, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 7.  
SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

**SECTION 8.  
EFFECTIVE DATE**

This ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this ordinance two times.

**PASSED AND APPROVED THIS 19th DAY OF JULY, 2018.**

APPROVED:

\_\_\_\_\_  
Bill Heidemann, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Pence, City Secretary

APPROVED AS TO FORM:

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Andy Messer, City Attorney

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018  
**Title:** Residential Adjacency Amendments  
**Submitted For:** Helen-Eve Liebman, Director **Submitted By:** Ben Rodriguez, Manager  
**Finance Review:** N/A **Legal Review:** Yes  
**City Manager Review: Approval:** Bob Hart, City Manager

**AGENDA ITEM**

**PUBLIC HEARING:**

TO HEAR PUBLIC OPINION REGARDING AMENDING THE CITY OF CORINTH COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE ORDINANCE NO. 13-05-02-08, AS AMENDED, SECTION 2.09.05 RESIDENTIAL ADJACENCY STANDARDS.

**BUSINESS:**

Consider and act on an Ordinance amending the City of Corinth Comprehensive Zoning Ordinance, the same being a part of the Unified Development Code, to amend Section 2, Zoning Regulations, by amending Section 2.09.05, Residential Adjacency Standards, of Subsection 2.09, Zoning Development Regulations; providing amendments, providing a penalty, and providing an effective date.

**AGENDA ITEM SUMMARY/BACKGROUND**

Staff is proposing amendments to the City’s Residential Adjacency Standards. As currently written the adjacency standards must be followed whenever a property being developed is within 400 feet of an existing residential use.

Staff is proposing an amendment that would require developments to adhere to enhanced development standards when developing directly adjacent to residentially zoned properties rather than the current 400 feet of existing residential uses. Staff feels that the 400 foot rule is arbitrarily defined and even exceeds the State’s noticing requirements of 200 feet for zoning changes. It creates a situation where a property is unduly burdened with increased setbacks and development costs when there is no direct impact on a home that is 400 feet away.

Staff is also proposing amending the wording requiring adjacency standards when next to a residential “use” to property zoned for detached single family. This is being proposed to avoid situations where a non-conforming home creates an undue impact on a development as the home is anticipated to either convert to a new use or be removed in its entirety in the future.

**RECOMMENDATION**

Staff recommends Approval of the proposed amendments to the Residential Adjacency Standards of the City of Corinth Comprehensive Zoning Ordinance being a part of the Unified Development Code Ordinance No. 13-05-02-08, as amended.

**Attachments**

Residential Adjacency Ordinance

**ORDINANCE NO. 18-10-04-\_\_**

**RESIDENTIAL ADJACENCY AMENDMENT**

**AN ORDINANCE AMENDING THE CITY OF CORINTH UNIFIED DEVELOPMENT CODE, SUBSECTION 2.09 “ZONING DEVELOPMENT REGULATIONS”, SECTION 2.09.05, “RESIDENTIAL ADJACENCY STANDARDS”; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR VIOLATIONS THEREOF AS MORE SPECIFICALLY SET FORTH HEREIN; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City is authorized to adopt regulations governing the development of land within the City and its extraterritorial jurisdiction in the interest of the public health, safety and welfare of its citizens; and

**WHEREAS**, the City adopted the Unified Development Code which specifies development procedures as part of the development process; and

**WHEREAS**, the City has reviewed its regulations and procedures regarding its Residential Adjacency Development Regulations and has determined that the incorporated amendments are appropriate to aid with the orderly development and use of land; and

**WHEREAS**, the City has determined that the amendments proposed relating to Residential Adjacency Development Regulations will be beneficial to the public safety and welfare; and

**WHEREAS**, upon review and consideration of the foregoing factors, the City Council has determined that the City’s Residential Adjacency Development Regulations should be amended as set forth below;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2.  
AMENDMENTS**

**2.01.** That The City of Corinth Unified Development Code Subsection 2.09 “Zoning Development Regulations”, Section 2.09.05 “Residential Adjacency Standards” is hereby amended to be read in its entirety as follows with all other sections not specifically amended hereby remaining in full force and effect:

“2.09.05. - Residential Adjacency Standards

A. Purpose and Intent In order to preserve and protect the integrity of single family residential neighborhoods and in an effort to protect the quiet enjoyment of single family residential properties and to maintain property values, the City has determined that it is necessary and appropriate to adopt specialized regulations for non-single family residential uses and buildings that are constructed adjacent to properties zoned for Detached single family residences.

B. Applicability

1. The following residential adjacency standards shall apply to all non-single family residential buildings or uses that are immediately adjacent to ~~of~~ properties ~~used~~ zoned for single family residences.
3. Non-residential uses separated from single family residential zoning districts by a public right-of-way of at least sixty (60) feet in width shall be exempt from the residential adjacency standards.
4. Non-residential uses adjacent to Interstate 35 shall be exempt from the residential adjacency standards.

C. Development Regulations

1. Landscaping Requirements:

- A. A double row of trees on offset fifty (50) foot centers is planted in a fifteen (15) foot landscape edge, where 50% of the trees are Large Evergreen Trees shall be planted to provide a buffer between the non-residential use and adjacent detached single family zoned properties. Trees shall be three (3) caliper inches diameter at breast height “DBH” and shall be at least ten (10) feet in height.
  - ii. This exception does not apply to buildings on pad sites (i.e., "out" buildings).

2. Roof Design Standards.

- a. To screen rooftop mechanical equipment, other appurtenances, and flat or built-up roofs, all structures, including convenience store pumping/charging canopies, having a footprint of 6,000 square feet or less shall be constructed with a pitched roof.
- b. Those structures having a footprint greater than 6,000 square feet shall be constructed with either a pitched, parapet, or mansard roof system (enclosed on all sides).
- c. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish.
- d. Metal roofs with lapped seamed construction, bituminous built-up roofs, and flat, membrane-type roofs that are visible from a public right of way or adjacent single family zoning district are not permitted.

3. Mechanical Equipment Screening:

- a. This subsection shall apply to equipment on the roof, on the ground or otherwise attached to the building or located on the site.
- b. All buildings must be designed such that no mechanical equipment (HVAC, etc.) or satellite dishes shall be visible from adjacent residential zoning districts or adjacent right of ways.
- c. Rooftop mechanical equipment and/or other rooftop appurtenance screening shall be accomplished by either the construction of:



- i. The roof systems described in 2.09.05. C.2 Roof Design Standards; or,
  - ii. An architectural feature which is integral to the building's design and ensures that such equipment is not visible from a public Right of Way.
  - d. The fencing or enclosure of individual rooftop mechanical units shall not be permitted, except as described above.
  - e. All rooftop mechanical equipment or architectural features described herein shall be shown on the required building elevations on the Site Plan.
4. Loading and Service Areas:
- a. Loading and service areas shall be located at the side or rear of buildings.
  - b. Where visible from the property line, a solid masonry screening wall at least ten feet (10') in height shall be required to screen views of loading docks and loading spaces intended for tractor/semi-trailer delivery.
  - c. This ten (10)-foot wall must screen the entire loading dock or space, and any accessory storage containers including but not limited to shipping containers or semi-trailers utilized for the on-site storage of goods.
  - d. Screening materials shall utilize similar masonry materials to the building's facades.
  - e. The accommodation of adequate access for service delivery trucks may be evaluated to determine the extent of screening required.
5. Trash Receptacles and Recycling Receptacles:
- a. No trash receptacles or recycling receptacles shall be located within fifty feet (50') of properties zoned for single family residences.
  - b. Trash and recycling receptacles shall be four sided with a solid metal gate and shall be located to the side or rear of the principal building.
  - c. Trash and recycling receptacles shall be screened by a solid masonry screen at least eight feet (8') in height or equal to the height of the trash or recycling receptacles, whichever is greater, and shall utilize similar masonry materials to the building's facades.
6. Setbacks/Yards:
- a. A structure may not be built within 40 feet of the detached single-family residentially zoned property line."

**SECTION 4.  
PENALTY**

Any person, firm or corporation who intentionally, knowingly or recklessly violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving violation of any provision of this Ordinance or Code of Ordinances, as amended hereby, governing the fire safety, zoning, or public health and sanitation shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

**SECTION 5.  
CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 6.  
SAVINGS**

All rights and remedies of the City of Corinth, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 7.  
SEVERABILITY**

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

**SECTION 8.  
EFFECTIVE DATE**

This ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this ordinance two times.

**PASSED AND APPROVED THIS 19th DAY OF JULY, 2018.**

APPROVED:

\_\_\_\_\_  
Bill Heidemann, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Pence, City Secretary

APPROVED AS TO FORM:

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Andy Messer, City Attorney

**BUSINESS ITEM 7.**

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018  
**Title:** Finance Audit Committee  
**Submitted For:** Bob Hart, City Manager

**Submitted By:** Lee Ann Bunselmeyer,  
Director

**City Manager Review: Approval:** Bob Hart, City Manager

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**AGENDA ITEM**

Consider approval of an ordinance of the city of corinth, texas, amending chapter 33 of the corinth code of ordinances, establishing the finance audit committee, merging the duties, responsibilities, and membership of the investment committee with those of the audit committee; establishing its membership, procedures and terms of office; and providing an effective date.

**AGENDA ITEM SUMMARY/BACKGROUND**

On April 16, 2015, the Council established a citizen Finance Audit Committee. The new committee merged the duties, responsibilities, and membership of the Investment Committee with the Audit Committee and added representation from the community. The committee consisted of six members: Two Councilmembers, City Manager, Director of Finance, and Two community representatives.

Based on governance principles and recommendations from the Government Finance Officers Association, it is recommended to modify the structure of the committee to replace the City Manager and Director of Finance as permanent members with the Mayor. This would allow the audit committee to fulfill its responsibilities of providing an independent review and oversight of the government's financial reporting processes, internal controls, and financial statements.

**RECOMMENDATION**

Staff recommends approval of the Ordinance amending Chapter 33 of the Corinth Code of Ordinances.

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**Attachments**

Ordinance

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING CHAPTER 33 OF THE CORINTH CODE OF ORDINANCES, ESTABLISHING THE FINANCE AUDIT COMMITTEE, MERGING THE DUTIES, RESPONSIBILITIES, AND MEMBERSHIP OF THE INVESTMENT COMMITTEE WITH THOSE OF THE AUDIT COMMITTEE; ESTABLISHING ITS MEMBERSHIP, PROCEDURES AND TERMS OF OFFICE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council has determined it is in the best interest of the citizens of Corinth to merge the Investment Committee and the Audit Committee and to include members of the community in furtherance of its goal of providing transparency;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH:**

**SECTION I.**

That Title III of Chapter 33 of the Code of Ordinances of the City of Corinth, Texas, is amended to add a new article, to be entitled "Finance Audit Committee", which article shall hereafter be and read as follows:

***"FINANCE AUDIT COMMITTEE"***

**§ 33.100 CREATION**

There is hereby created the Finance Audit Committee as an advisory committee of the City.

**"§ 33.101 PURPOSE AND DUTIES**

The purpose of the Committee is to assist the City Council in fulfilling its oversight responsibilities for the annual audit process, the development of financial policies and procedures, Investment transactions and reports, and the system of internal controls. The Committee shall have the following responsibilities:

- 1) Advise the City Council and management on the selection of the independent auditor.
- 2) Serve as an independent and objective party to monitor the City's financial and compliance reporting process and internal control system.
- 3) Review and appraise the audit efforts of the City's independent auditor.
- 4) Provide an avenue of communication among the independent auditor, financial and senior management, and the City Council.

- 5) Review and provide recommendations on the City's financial, investment, and budgetary policies, reports, and procedures.
- 6) Recommend general investment strategies and monitor results.
- 7) Review investment economic outlook, portfolio diversification, maturity structure, potential risk to the City's funds, authorized brokers and dealers, and the target rate of return on the investment portfolio.
- 8) Adopt the list of authorized brokers and dealers of government securities.

### **§ 33.102 MEMBERSHIP; TERM OF OFFICE**

(A) The Committee shall be comprised of five members. The Mayor shall serve on the Committee as a permanent member. The other four members shall be nominated and approved by the City Council. Two members shall be members of the City Council and two members shall be representatives from the community. The committee members from the community must be registered voters of the City, who, to the extent possible, shall be finance professionals such as accountants, Certified Public Accountants, auditors or shall have equivalent experience.

(B) The term of each Committee member shall be two (2) years. The Committee members from the community shall serve no more than two (2) successive terms, provided, however, that a Committee member appointed to complete the term of another Committee member shall, at the completion of such term, be eligible for appointment for another full term.

### **§ 33.103 MEETINGS; OFFICERS**

The Committee shall hold an organizational meeting in June of each year and shall elect a Chairman and Vice-Chairman from among its members before proceeding to any other matters of business. The officers shall serve for one year. The Committee shall meet not less than once per calendar quarter and shall designate the time and place of its meetings.

### **§ 33.104 QUORUM; RULES**

(A) A majority of the members of the Committee shall constitute a quorum for the conduct of business. The members of the Committee shall regularly attend meetings and shall serve without compensation except for reimbursement of authorized expenses attendant to the performance of their duties.

(B) The Committee shall utilize and abide by the Rules of Procedure and Policies as set forth in Resolution 09-05-01-11, as amended, and the Charter of the City of Corinth. Newly appointed members shall be installed at the first meeting after their appointments. Minutes shall be kept of the Committee's meetings.

(C) The City Councilmembers and the Mayor shall be voting members of the Committee.

The Community Representative members shall be non-voting members of the Committee.

**SECTION II.**

Section V of the City of Corinth Investment Policy, is amended to read as follows:

**V. INVESTMENT COMMITTEE**

There shall be an Investment Committee appointed by the City Council with the duties and responsibilities as set forth in Chapter 30 of the City of Corinth Code of Ordinances.

**SECTION III.**

This Ordinance shall be cumulative of all provisions of all existing ordinances and resolutions and of the Code of Ordinances of the City of Corinth, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such existing ordinances, resolutions, and code, in which event the conflicting provisions of such ordinances and Code are hereby repealed.

**SECTION IV.**

This Ordinance shall take effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Bill Heidemann, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Pence, City Secretary

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Attorney

**BUSINESS ITEM 8.**

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018

**Title:** Solid Waste Rate

**Submitted For:** Bob Hart, City Manager

**Submitted By:** Kim Pence, City Secretary

**City Manager Review:** Bob Hart, City Manager

**AGENDA ITEM**

Consider and act on an ordinance approving a rate increase for the collection of Solid Waste in the master fee schedule and providing an effective date.

**AGENDA ITEM SUMMARY/BACKGROUND**

On December 6, 2012 the City Council approved a five year contract with an option for three one-year renewals with Community Waste Disposal for solid waste collections. The contract included provisions that on April 1, 2014 or on April 1 of any year thereafter, Community Waste Disposal could request an annual market adjustment. The contract stipulates that the rate request be based upon the change in the Consumer Price Index (CPI) each March (U.S. City Average, All Urban Consumers, Not Seasonally Adjusted, All Items Less Food and Energy) from March 1 of the previous year.

On May 9, 2018 Community Waste Disposal submitted a request for a 8.06% market adjustment effective October 1, 2018. The table below reflects a sample of the adjustment for Corinth's customer base. The rates below include the City's franchise fee of 7.5%, which equates to \$0.77 for residential and \$0.67 for Senior Residential. A comprehensive list of solid waste collection rates is included in the ordinance attached.

Rate Description	Current Rate	Proposed Rate	Increase
Residential Rate	\$9.55	\$10.32	0.77
Senior Residential Rate	\$8.41	\$9.08	0.67

**RECOMMENDATION**

No recommendation at this time. Staff is working with CWD to finalize a recommended rate.

**Attachments**

Ordinance



**ORDINANCE NO. 18-10-04-**

**AN ORDINANCE OF THE CITY OF CORINTH AMENDING SECTION 52.07 OF THE CORINTH CODE OF ORDINANCES RELATING TO CHARGES FOR CERTAIN REFUSE AND RECYCLING SERVICES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, on May 9, 2018, Community Waste Disposal requested that certain rates be increased; and

**WHEREAS**, the City Council of the City of Corinth deems it necessary to amend Section 52.07 of the Corinth Code of Ordinances to amend the rates for collection and disposition of certain garbage and refuse within the City; **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:**

**SECTION 1.**

That subsection (A) of Section 52.07 of the Code of Ordinances of the City of Corinth, Texas is hereby amended to read as follows:

**“§ 52.07 GARBAGE COLLECTION FEES.**

(A) Fees for the collection of garbage and recycling from a residential unit are as follows:

<b>Collection</b>	<b>Fee</b>
Weekly pickup/recycling/on demand household hazardous waste pickup.	\$10.32
Weekly pickup/recycling (Senior Citizens - 65 years)	\$9.08

**SECTION 2.**

That subsections (D)(3) and (D)(5) of Section 52.07 of the Code of Ordinances of the City of Corinth, Texas are hereby amended to read as follows:

**“§ 52.07 GARBAGE COLLECTION FEES.**

...

(D)

...

(3) Front load container rates:

A fee of \$6.93 per pickup will be charged for gates, locks and casters:

Size/Pickup	1xWeek	2xWeek	3xWeek	4xWeek	5xWeek	6xWeek	Extra
2 Cu Yd	60.11	115.67	157.03	188.55	237.16	316.68	45.09
3 Cu Yd	66.43	127.36	170.67	203.20	266.31	341.33	46.41
4 Cu Yd	96.55	187.73	258.76	333.77	405.12	483.11	47.74
6 Cu Yd	121.60	196.35	275.43	362.75	428.72	533.72	50.40
8 Cu Yd	136.68	248.21	342.93	447.09	554.02	660.86	51.73

. ..

(5)

Compactors: \*

6 Cubic Yard Per Haul (Including Disposal)	78.71
8 Cubic Yard Per Haul (Including Disposal)	94.95
30 Cubic Yard Per Haul (Including Disposal)	335.96
35 Cubic Yard Per Haul (Including Disposal)	335.96
42 Cubic Yard Per Haul (Including Disposal)	335.96

\* These rates include disposal fees for a haul of four tons. There is an additional fee of \$37.88 per ton for loads exceeding four tons. Loads that exceed 54,000 lbs. will be charged an additional \$94.73 for each ton in excess of 54,000 pounds.”

**SECTION 3.**

**CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of ordinances of the City of Corinth, Texas, relating to garbage except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 4.  
SAVINGS CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the inclusion in this ordinance of any such unconstitutional phrase, clause, sentence paragraph or section.

**SECTION 5.  
EFFECTIVE DATE**

This ordinance shall become effective October 1, 2018.

**PASSED AND APPROVED ON THIS 4<sup>th</sup> DAY OF OCTOBER, 2018.**

\_\_\_\_\_  
Bill Heidemann, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Pence, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Wm. Andrew Messer, City Attorney

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018

**Title:** Lake Sharon Utility Billing

**Submitted For:** Bob Hart, City Manager

**Submitted By:** Lee Ann Bunselmeyer,  
Director

**City Manager Review: Approval:** Bob Hart, City Manager

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**AGENDA ITEM**

Hold a discussion and receive council direction regarding resident utility billing concerns.

**AGENDA ITEM SUMMARY/BACKGROUND**

Staff has received notification of a resident disputing the correctness of his bill at 2807 Pottery Trail. The resident submitted the dispute in writing and has spoken to the Utility Billing Supervisor and the City Manager. The resident had a leak and is questioning the validity of the water consumption. Below are excerpts from the city code of ordinances relating to customer disputes and ability of staff to make adjustments.

**Title V: Public Works**

Section 50.02 (A)(3): "That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint."

Section 50.02(B) : "**Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered.** In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified."

The water meter does not have the new tomahawk transponder. Rather it is the meter that has been in place for a number of years. The meter was tested and found to be 100% accurate. The customer did have a toilet in which the flapper was stuck in an open position for a period of time. Once the flapper was "unstuck" the meter has read the lower consumption. Consequently the staff has denied an adjustment based upon the ordinance provisions.

**RECOMMENDATION**

N/A

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**BUSINESS ITEM 10.**

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018

**Title:** Safer Grant

**Submitted For:** Bob Hart, City Manager

**Submitted By:** Kim Pence, City Secretary

**City Manager Review: Approval:** Bob Hart, City Manager

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**AGENDA ITEM**

Consider acceptance of a SAFER Grant for Fire Department personnel.

**AGENDA ITEM SUMMARY/BACKGROUND**

The City's application for a SAFER grant for firefighters has been approved. The grant program stipulates that the council must accept the grant within 30 days of the award notification. The 30th day is October 5th.

**RECOMMENDATION**

The city council accept the SAFER grant award.

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**Attachments**

Award Letter

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FEMA

Mr. Brandon Shepard  
City of Corinth  
3300 Corinth Parkway  
Corinth, Texas 76208-5379

Re: Award No. EMW-2017-FH-00306

Dear Mr. Shepard:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2017 Staffing for Adequate Fire and Emergency Response (SAFER) Grant has been approved in the amount of \$2,280,933.00. As a condition of this award, you are required to contribute a cost match in the amount of \$874,356.00 of non-Federal funds. The Federal share is \$1,406,577.00 of the approved total project cost of \$2,280,933.00.

**Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system.** By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2017 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Notice of Funding Opportunity

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

**Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov).** As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

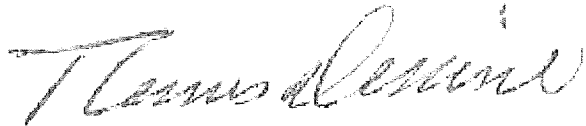
**Step 1:** Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your recruitment period has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

**Step 2:** If you accept your award, you will see a link on the left side of the screen that says "Update 1199A" in the Action column. Click this link. This link will take you to the SF-1199A, Direct Deposit Sign-up Form. Please

complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and keep the original form in your grant files. Once approved you will be able to request payments online. If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

Sincerely,

A handwritten signature in cursive script, reading "Thomas DiNanno".

Thomas George DiNanno  
GPD Assistant Administrator

**BUSINESS ITEM 11.**

**City Council Regular and Workshop Session**

**Meeting Date:** 10/04/2018

**Title:** CWD Letter Agreement

**Submitted For:** Bob Hart, City Manager

**Submitted By:** Kim Pence, City Secretary

**City Manager Review: Approval:** Bob Hart, City Manager

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**AGENDA ITEM**

Consider authorizing the city manager to execute a letter agreement (this "Letter Agreement") between City of Corinth, Texas (the "City"), and Community Waste Disposal, LP (the "Contractor"), regarding the second annual extension of the contract for Collection of Solid Waste executed December 10, 2012 (the "Contract")

**AGENDA ITEM SUMMARY/BACKGROUND**

CWD desires to increase solid waste collection rates in excess of the 3% contract provision. Staff is continuing to work with CWD on a rate formula and will present options at the meeting.

**RECOMMENDATION**

N/A

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**Attachments**

CWD Letter Agreement

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940-498-3200  
www.cityofcorinth.com

City of Corinth  
3300 Corinth Parkway

Fax: 940-498-7574  
Corinth, TX 76208

*Community Waste Disposal, LP  
2010 California Crossing Road  
Dallas, TX 75220  
ATTN: Greg Roemer, President, CWD*

*Re: Letter agreement (this "Letter Agreement") between City of Corinth, Texas (the "City"), and Community Waste Disposal, LP (the "Contractor"), regarding the second annual extension of the Contract For Collection of Solid Waste executed December 10, 2012 (the "Contract")*

*Dear Mr. Roemer*

*This Letter Agreement binds the signatories to the terms herein.*

*In accordance with Section I (B) of the Contract, the City and Contractor hereby renew and extend the Contract for a one-year period. The City and Contractor agree that the five (5) year initial term of the Contract was January 1, 2013 through December 31, 2017, and that this Letter Agreement is the second of up to three (3) renewal terms of one year. This Letter Agreement constitutes the written agreement of both the City and Contractor to extend the term of the Contract until midnight, December 31, 2019. For this first annual renewal of the Contract only, the City and Contractor waive all written notice of renewal or acceptance to the other party prior to the expiration of the term of the Contract. The City and Contractor agree that after December 31, 2019, and (1) additional renewal term of one year is authorized by written agreement of both parties in accordance with the terms of the Contract.*

*Other than the terms provided herein, nothing in this Letter Agreement shall amend the rights and obligations of the City and Contractor pursuant to the Contract.*

*This Letter Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. A signature of a party transmitted by facsimile or by other electronic means shall be binding on such party to the same extent as an original signature. If this Letter Agreement is signed by the parties or party and delivered by means of facsimile or other electronic transmission, the CORINTH/CWD LETTER AGREEMENT — 2nd ANNUAL EXTENSION*

*Parties agree promptly to thereafter exchange original, executed counterparts thereof, but failure to do so shall not affect the validity, enforceability or binding effect thereof.*

*Agreed and accepted on the \_\_\_\_\_ day of \_\_\_\_\_, 2018*

*ON BEHALF OF CITY:*

*CITY OF CORINTH, TEXAS*

*BY: \_\_\_\_\_*

*Bob Hart, City Manager*

*ON BEHALF OF THE CONTRACTOR:*

*COMMUNITY WASTE DISPOSAL, L.P*

*BY: \_\_\_\_\_*

*Greg Roemer, President*