



***** PUBLIC NOTICE *****

**NOTICE OF A CITY COUNCIL REGULAR SESSION IMMEDIATELY FOLLOWING
A WORKSHOP SESSION
OF THE CITY OF CORINTH
Thursday, June 7, 2018, 5:30 P.M.
CITY HALL - 3300 CORINTH PARKWAY**

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.
2. Discuss and review the proposed Code of Ethics Ordinance.

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".

PROCLAMATION:

Proclaiming June 12, 2018 as Women Veterans Day in Corinth.

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 April 19, 2018 Workshop Session.
2. Consider and act on minutes from the April 19, 2018 Regular Session.
3. Considered an act on minutes from the May 3, 2018 Workshop Session.

4. Consider and act on minutes from the May 3, 2018 Regular Session.
5. Consider and act on minutes from the May 15, 2018 Special Session.
6. Consider approval for repairs to Corinth Lift Station 3A to be performed by Insituform technologies, LLC

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

7. TO HEAR PUBLIC OPINION ON THE RENEWAL OF AN AREA DESIGNATED AS THE CITY OF CORINTH TAX ABATEMENT REINVESTMENT ZONE NUMBER 14-1 PURSUANT TO AND IN ACCORDANCE WITH TEXAS TAX CODE SECTIONS 312.201 THROUGH 312.209, AS AMENDED.

Consider and act on Ordinance renewing the City of Corinth Reinvestment Zone No. 14-1; providing for effective and expiration dates of said zone; repealing conflicting ordinances and resolutions; and providing an effective date.

BUSINESS AGENDA

8. Consider and act on a Resolution adopting the Water Conservation Incentive Program providing incentives for reduced lawn irrigation and landscape consumption.

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.

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.

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

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

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

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

ADJOURN:

Posted this 1st day of June, 2018 at 11:30 a.m. on the bulletin board at Corinth City Hall.

Kimberly Pence, City Secretary
City of Corinth, Texas

WORKSHOP BUSINESS ITEM 2.

City Council Regular and Workshop Session

Meeting Date: 06/07/2018
Title: Code of Ethics Ordinance
Submitted For: Bob Hart, City Manager **Submitted By:** Kim Pence, City Secretary
City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Discuss and review the proposed Code of Ethics Ordinance.

AGENDA ITEM SUMMARY/BACKGROUND

The Ethics Commission Board has had several meetings since January along with the UTA graduate Capstone students to assist in updating the existing Code of Ethics Ordinance. The City's Code of Ethics Ordinance has not been updated since 2005. The City of Denton is in the process of revising their Code as well and was determined their template would best serve as Corinth's.

The Ethics Commission Board along with the students established procedures, recommended areas for improvement and incorporated a training/education component.

They also looked at an independent ethics and compliance hotline. A company that was discussed was Red Flag Reporting. Red Flag Reporting is a systematic program that promotes safe and ethical behavior in the workplace through on-going communications, telephone hotline and web portal that allows individuals to speak up anonymously or not when unsafe or unethical activity is noted.

RECOMMENDATION

Discuss revisions to the Code of Ethics Ordinance.

Attachments

- Code of Ethics Ordinance 05-04-07-10
 - Ethics Training Powerpoint
 - Travel Policy
 - Proposed Ethics Ordinance
 - Complaint Form
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ORDINANCE NO. 05-04-07-10

CODE OF ETHICS

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS ADOPTING A CODE OF ETHICS APPLICABLE TO OFFICERS AND ADVISORY BOARD MEMBERS WITHIN THE CITY; PROVIDING STANDARDS OF CONDUCT FOR SUCH OFFICERS, AND ADVISORY BOARD MEMBERS; REQUIRING THE DISCLOSURE OF CONFLICTS OF INTEREST; PROVIDING FOR THE RENDERING OF ADVISORY OPINIONS BY THE CITY ATTORNEY; PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS HEREOF; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas, 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 of the City of Corinth deems it necessary and advisable to adopt a Code of Ethics applicable to the conduct of officers and advisory board members while acting in their official capacities in representing the City of Corinth.

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

SECTION 1

DECLARATION OF POLICY

It is hereby declared to be the policy of the City of Corinth that the proper operation of democratic government requires that public officials and employees be independent, impartial and responsible only to the people of the city; that governmental decisions and policy should be made in the proper channels of the governmental structure; that no officer or member of any advisory board, commission or committee should have any interest, financial or otherwise, direct or indirect, or engage in any business, transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of his or her duties in the public interest; that the public office and public employment are positions of public trust imposing the duty of a fiduciary upon all officeholders, who are not to use their public position for personal gain, and that the public should have confidence in the integrity of its government. To implement such a policy, the city council deems it advisable to enact this code of ethics for all officers and advisory board members, whether elected or appointed, paid or unpaid, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse to abide by its terms. This code of ethics is cumulative of other ordinances, city charter provisions and state statutes defining and prohibiting conflicts of interest.

SECTION 2

DEFINITIONS

For the purposes of this code of ethics the following words and phrases shall have the meanings ascribed to them by this section.

Advisory board shall mean an advisory board, commission or committee of the city.

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Business Entity shall mean a sole proprietorship, partnership, firm, corporation, association, holding company, jointstock company, receivership, trust, or any other entity recognized by law.

Knowingly. A person acts knowingly, or with knowledge, with respect to the nature of his or her conduct or to circumstances surrounding his or her conduct when he is aware of the nature of his or her conduct or that the circumstances exist. A person acts knowing, or with knowledge, with respect to a result of his or her conduct when he is aware that his or her conduct is reasonably certain to cause the result.

Officer shall mean any member of the city council and any member of an advisory board, commission or committee established by ordinance, charter or state law; provided, no member of an advisory board shall be deemed an officer of the city.

Substantial interest.

- A. A person has a substantial interest in a business entity if:
 - 1. The interest is ownership of ten (10) percent or more of the voting stock or shares of the business entity or ownership of either ten (10) percent or more or fifteen thousand dollars (\$15,000.00) or more of the fair market value of the business entity (see Section 171.002, Texas Local Government Code); or
 - 2. Funds received by the person from the business entity exceed ten (10) percent of the person's gross income for the previous year (see Section 171.002, Texas Local Government Code); or
 - 3. The person holds a position of member of the board of directors or other governing board of the business entity; or
 - 4. The person serves as an elected officer of the business entity; or
 - 5. The person is an employee of the business entity; or
 - 6. The person is a creditor, debtor or guarantor of the business entity in the amount of five thousand dollars (\$5,000.00) or more; or
 - 7. Property of the person has been pledged to the business entity or is subject to a lien in favor of the business entity in the amount of five thousand dollars (\$5,000.00) or more.

- B. A person does not have a substantial interest in a business entity if:
 - 1. The person holds a position as a member of the board of directors or other governing board of a business entity; and
 - 2. The person has been designated by the city council to serve on such advisory board; and
 - 3. The person receives no remuneration, either directly or indirectly, for his or her service on such board; and
 - 4. The primary nature of the business entity is either charitable, nonprofit or governmental.

- C. A person has a substantial interest in real property if the interest is an equitable or legal ownership interest with a fair market value of two thousand five hundred dollars ((\$2,500.00) or more (see Section 171.002, Texas Local Government Code).

- D. A person has a substantial interest under this ordinance if the person's spouse or a person related to the person in the first degree by consanguinity or affinity has a substantial interest under this ordinance (see Section 171.002, Texas Local Government Code). A person is related in the first degree by consanguinity to his or her father, mother, brother, sister, son or daughter. A person is related in the first degree by affinity

to his or her father-in-law, mother-in-law, brother's spouse, sister's spouse, son-in-law or daughter-in-law.

SECTION 3

STANDARDS OF CONDUCT

- A. No city officer, advisory board member or candidate for city council shall knowingly:
1. Accept or solicit any gift, favor, service or thing that might reasonably tend to influence him in the discharge of his or her official duties. This prohibition shall not apply to:
 - i. An occasional non-pecuniary gift, insignificant in value; or
 - ii. An award publicly presented in recognition of public service; or
 - iii. Any gift which would not have been offered or given to him if he were not a city officer or advisory board member, or their spouses.
 2. Grant in the discharge of his or her official duties any improper favor, service or thing of value to any person, group or business entity;
 3. Accept or solicit any gift, favor, service or thing of value, including a promise of future employment, of sufficient economic value that it might reasonably tend to influence him, in the discharge of his or her official duties, from any person, group or business entity:
 - i. Who is licensed or has a substantial interest in any business entity that is licensed by any city department, agency, commission or advisory board on which the city officer or advisory board member serves; or
 - ii. Who has a financial interest in any proposed ordinance or decision upon which the city officer or advisory board member may or must act or make a recommendation; provided, however, that any city officer or advisory board member and their spouses, may accept travel and related expenses to attend ceremonial functions, provided that such acceptance and attendance have been approved by the city council prior to the occurrence of the ceremonial function.
 4. Knowingly disclose any confidential information gained by reason of the position of the officer or advisory board member concerning the property, operations, policies or affairs of the city, or use of such confidential information to advance any personal interest, financial or otherwise, of such officer or advisory board member, or others. This subparagraph 4 shall not preclude disclosure of such confidential information in connection with any investigation or proceeding regarding whether there has been a violation of the standards of conduct set forth in this code.
 5. Use one's position or office of employment or city facilities, personnel, equipment or supplies to secure special privileges or exemptions for himself or others or for the private gain of the city officer, advisory board member or his or her spouse.
 6. Engage in any exchange, purchase or sale of property, goods or services with the city except:
 - i. Rendering services to the city as an officer or advisory board member;
 - ii. Paying taxes, fines, utility service or filing fees;
 - iii. Executing and performing any developer's agreement or plat in compliance with laws and regulations applicable to any person; provided, however, that if any city ordinance, rule or regulation allows any discretion by the appropriate officers of the city in the interpretation or enforcement of such ordinance, rule or regulation, any such discretion shall be exercised in favor of the city in connection with any such developer's agreement or plat;
 - iv. Advisory board members who are not otherwise officers of the city, may engage in any exchange, purchase or sale of property, goods or services

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with the city, or enter into a contract with the city, provided that the advisory board on which they are a member has no advisory function or cognizance, direct or indirect, present or prospective, with respect to the transaction in which such advisory board member engages or proposes to engage.

7. Hold himself or herself out as representing the city in any capacity other than that for which he/she was appointed or elected.
8. Engage in or accept private employment or render a service when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independent judgment in the performance of his or her official duties.
9. Make or permit the unauthorized use of city owned vehicles, equipment, materials or property.
10. Grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.
11. After termination of service with the city, appear before any advisory board or commission of the city in relation to any case, proceeding or application in which he or she personally participated or which was under his or her active consideration, during the period of his or her service with the city.
12. Transact any business in his or her official capacity with the city with a business entity in which he or she has a substantial interest.
13. Engage in any dishonest or criminal act or any other conduct prejudicial to the government of the city or that reflects discredit upon the government of the city.
14. Knowingly perform or refuse to perform any act in order to deliberately thwart the execution of city ordinances, rules or regulations or the achievement of official city programs.

B. No member of the city council shall knowingly represent, directly or indirectly, any person, group or business entity:

1. Before the city council or any department, agency, advisory board or commission of the city;
2. In any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, advisory board or commission thereof is a party; or
3. In any action or proceeding in the municipal courts of the city which was instituted by a city officer or employee in the course of his or her official duties, or a criminal proceeding in which any city officer or employee is a material witness for the prosecution.

C. No member of a city advisory board or commission shall knowingly represent, directly or indirectly, any person, group or business entity:

1. Before the city council or the advisory board or commission of which he or she is a member;
2. Before a advisory board or commission which has appellate jurisdiction over the advisory board or commission of which he or she is a member;
3. In any action or proceeding against the interests of the city or in any litigation in which the city or in any litigation in which the city or any department, agency, advisory board or commission thereof is a party; or
4. In any action or proceeding in the municipal courts of the city which was instituted by a city officer or employee in the course of his or her official duties, or a criminal proceeding in which any city officer or employee is a material witness for the prosecution.

D. The restrictions in this section do not prohibit a member of a city advisory board or commission (other than city council), or his or her spouse, appearing before the city council or a city department, agency, advisory board or commission to represent himself or herself in a matter affecting his or her property; provided, however, that no such

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person, or his or her spouse, shall appear before the advisory board or commission of which he or she is a member.

E. The restrictions in this section do not apply to business associates of officers or advisory board members, but only personally to the officers and advisory board members themselves.

F. Election Period:

1. All candidates for city office are encouraged to voluntarily comply with the Fair Campaign Practices Act, Chapter 258 of the Texas Election Code. The city will provide appropriate forms to each candidate.
2. A candidate for city election will not use the city logo or the city letterhead in any of their campaign material, advertising, or solicitations. The council may authorize the city attorney to take civil action against the violator for using copyrighted logos belonging to the city and may seek damages therein, and a current elected official in the City of Corinth, running for office, is subject to sanctions up to and including public censure by the council.
3. A citizen running for office who uses copyrighted materials belonging to the city during an election may also be pursued, via civil action upon council authorization, by the city attorney and may be subject to civil damages.

SECTION 4

DISCLOSURE OF INTEREST

A. If any city officer or advisory board member has a substantial interest in a business entity or real property involved in any decision pending before such officer or advisory board member, or the body of which he or she is a member, such officer or advisory board member shall disclose such interest as provided in paragraph C below and shall not, except as provided in paragraph B below, discuss the substance of the matter at any time with any other member of the advisory board of which he is a member or any other body which will vote on or otherwise participate in the consideration of the matter.

B. If any of the following interests are involved in any decision pending before any city officer or advisory board member, or the body of which he is a member, such officer or advisory board member must disclose such interest as provided in paragraph C below, but he shall be permitted to vote on and participate in the consideration of such matter:

1. A decision concerning a bank or other financial institution from which the officer or advisory board member has a home mortgage, automobile loan, or other installment loan, if the loan is not currently in default, was originally for a term of more than 2 years and cannot be accelerated except for failure to make payments according to the terms thereof;
2. A decision concerning a bank or other financial institution in which the officer or advisory board member holds a savings account, checking account or certificate of deposit and which is fully insured by the U.S. government or an agency thereof;
3. A decision concerning a business entity with which the officer, employee, or advisory board member has a retail or credit card account;
4. A decision concerning the approval of substitution of collateral by a city depository bank;
5. A decision concerning real property in which the officer or advisory board member has a substantial interest if it is not reasonably foreseeable that such decision would have a special economic effect on the value of the property, distinguishable from the effect on the public (see Section 171.004, Texas Local Government Code).

C. A city officer or advisory board member shall disclose the existence of any substantial interest in a business entity or real property involved in any decision pending before such

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officer or advisory board member, or the body of which he is a member. To comply with this paragraph, a city officer or advisory board member shall, prior to any discussion or determination of the matter, either file an affidavit of disclosure as required by Section 171.004 of the Texas Local Government Code or, if not so required, shall publicly disclose in the official records of the body or of the city secretary the nature of the interest.

- D. An officer or advisory board member is not required to file an affidavit and abstain from participation in a matter if a majority of the members of the body of which he or she is a member is composed of persons who are likewise required to file affidavits of similar interests on the same official action (See Section 171.004(c), Texas Local Government Code)

SECTION 5

ENFORCEMENT

- A. The city council shall have the primary responsibility for the enforcement of this code.
 - 1. The city council may direct the City Manager's Office to receive any complaints that arise from violations of this code.
 - 2. The City Manager will be responsible for notifying the City Council within 72 hours after any complaint is received.
 - 3. The city council may direct the city attorney to investigate or prosecute any apparent violation of the code or it may employ or appoint any qualified attorney to investigate or prosecute any violation or series of violations of this code by one or more persons. At the direction of the city council, the city attorney shall have the power to investigate any complaint, to initiate any suit, and to prosecute any action on behalf of the city where such action is appropriate.
 - 4. The City Council may also direct that the complaint be reviewed by the City of Corinth Ethics Commission.
- D. Any person who believes that a violation of any portion of the code has occurred may file a complaint with the City Managers Office who may then proceed as provided in paragraph "A" above. Should the complaint involve the City Manager, then the complaint will be presented to the city council. However, nothing in this code shall be construed to prevent any complainant from instituting direct legal action through the appropriate judicial authority.
- E. The Corinth Ethics Commission will be an appointed advisory board and will serve as follows:
 - 1. The advisory board will consist of Five Members;
 - 2. Will be appointed by the City Council for a term of Two Years and will have staggered terms;
 - 3. Candidates for the advisory board will be named by the Mayor and will be approved by majority vote of the city council;
 - 4. Members of this advisory board may not hold an elected municipal office within the City of Corinth and may not serve on any other advisory board or commission within the City of Corinth;
 - 5. The advisory board will establish a Standard Operating Procedure for reviewing complaints, which will be approved by a majority vote of the city council;
 - 6. The City of Corinth Ethics Commission will be accountable to the Mayor and City Council.

SECTION 6

ADVISORY OPINIONS

- A. Where any officer or advisory board member has a doubt as to the applicability of any provision of this code to a particular situation, or as to the definition of terms used herein, he may apply to the city attorney for an advisory opinion. The officer or advisory board member shall have the opportunity to present his or her interpretation of the facts at issue and of the applicability of provisions of the code before such advisory opinion is made.
- B. Until amended or revoked, any advisory opinion shall be binding on the city, the city council, and the city attorney in any subsequent actions concerning the public officer, or advisory board member who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for the advisory opinion. Such opinion shall not be binding in any action initiated by any private citizen.

SECTION 7

SANCTIONS OR PENALTIES

- A. Criminal violations of this policy will be submitted to the District Attorney's Office, after a review by the City Attorney, which will have sole responsibility to determine the appropriate penalties.
- B. Complaints against council members or advisory board members that are deemed to be valid, non-criminal in nature, and a violation of this policy will have a recommended action by the Ethics Commission; the council, in open session, will affirm that action by majority vote **OR** take the action that it deems appropriate by majority vote. The following are recommended administrative sanctions:
 - 1. No action, based on the circumstances and/or a first violation
 - 2. Verbal censure in open session
 - 3. Written censure in open session
- C. Complaints against advisory board members appointed by council may have the additional sanction of being removed from that advisory board by a majority vote of the council.
- D. Any contract or transaction which was the subject of an official act or action of the city in which there is an interest prohibited by this code, or which involved the violation of a provision of this code, shall be voidable at the option of the City Council.
- E. Violation of this policy by any candidate for office shall be punishable by a fine in accordance with the general penalty provision found in Section 10.99 of the City code. Each day that a violation is permitted to exist shall constitute a separate offence punishable by the above enumerated fine.

SECTION 8

INVESTIGATIVE RESPONSIBILITIES

- A. All complaints made against a councilmember(s) or advisory board member(s) with a potential violation of criminal statutes should be referred to the city attorney for review. If warranted, the city attorney should be given responsibility to refer such criminal complaints to the District Attorney for possible action. The city attorney shall advise the city manager and the council in writing of his action. Should the city attorney find no criminal aspects in the complaint, he will refer the complaint as noted below in paragraph B.
- B. Complaints of a non-criminal nature made against a councilmember(s) or advisory board member(s) that violate this policy should be reviewed by the City of Corinth Ethics

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Commission. The Ethics Commission shall advise the city manager and the city council in writing of its findings and recommendations. This review should be completed within a specified and reasonable time limit. - *Doesn't say what reasonable amount of time?*

SECTION 9

TEXAS STATUTES

Elected officials and appointed officials, advisory boards and commissions must adhere to the following Texas statutes:

Civil Statutes

- Open Meetings Act (Tex. Gov't. Code, Ann. Ch. 551)
- Public Information Act/Open Records Act (Tex. Gov't Code. Ann. Ch. 552)
- Conflicts of Interest (Tex. Loc. Gov't Code, Ch. 171)
- Official Misconduct (Tex. Penal Code, Ch. 36, Ch. 39)
- Nepotism (Tex. Rev. Civ. Stat. Ann., arts. 5996a & 5996b)
- Whistleblower Protection (Tex. Rev. Civ. Stat. Ann., art. 6552-16a)
- Competitive Bidding and Procurement (Tex Loc. Gov't. Code, Ch 252)

State Penal Laws

- Bribery (Tex. Penal Code, 36.02)
- Coercion of Public Servant or Voter (Tex. Penal Code, §36.03)
- Improper Influence (Tex. Penal Code §36.04)
- Tampering with a Witness (Tex. Penal Code §36.05)
- Retaliation (Tex. Penal Code §36.06)
- Gifts to Public Officials (Tex. Penal Code §36.08)
- Offering Gift to Public Servant (Tex. Penal Code §36.09)
- Abuse of Office (Tex. Penal Code, Chapter 39)
- Official Misconduct (Tex. Penal Code §36.02)
- Official Oppression (Tex. Penal Code §39.03)
- Misuse of Official Information (Tex. Penal Code §39.06)

SECTION 10

The city secretary shall cause a copy of this code of ethics to be distributed to every officer and advisory board member of the city within thirty (30) days after enactment of this code. Each officer and advisory board member thereafter elected or appointed shall be furnished a copy before entering upon the duties of his or her office. A copy of this code of ethics will be provided to each candidate running for municipal office.

SECTION 11

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

SECTION 12

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and selections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared

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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 incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 13

The City Secretary of the City of Corinth is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

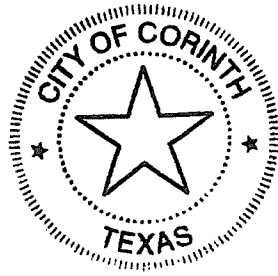
SECTION 14

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 7th DAY OF April, 2005

Victor Burgess
MAYOR

ATTEST:
Kimberly Pence
CITY SECRETARY



APPROVED AS TO FORM AND LEGALITY:
Robert M. Allen
CITY ATTORNEY
DATE: _____
ADOPTED: _____
EFFECTIVE: _____

Code of Ethics

CORINTH CITY HALL

WELCOME TO
CORINTH
2018

Compliance Education



This presentation is intended to familiarize you with the City of Corinth's Code of Ethics Ordinance governing your conduct.

The purpose of the Code of Ethics is to uphold and support standards of personal honesty and integrity to be consistent with the goals and expectations of our community.

Applicable to: City Officials; Economic Development Corporation; Finance Audit Committee; Board of Construction Appeals; Keep Corinth Beautiful; Former City Officials; and Vendors.

This should not be considered exhaustive of the Code of Ethics expected of a public servant.

Framework



The elements surrounding the Code of Ethics connects the framework that is crucial to achieving our vision and representative of our core values.

Subject Areas



- ◇ Standards of Conduct
- ◇ Conflict of Interest
- ◇ Acceptance of Gifts
- ◇ Reporting System
- ◇ Enforcement

Standards of Conduct



- ◇ Properly use and protect City resources, materials, equipment, and assets
- ◇ Use good judgement and follow organizational policies for business travel and reporting
- ◇ Prepare and maintain accurate and complete financial and other records
- ◇ Transparency
- ◇ Social Media - Do not reference or associate the City to promote outside business ventures, political campaigns, or religious causes

Conflict of Interest

Outside activities or relationships that influence--- or could appear to influence your judgement and/or decisions on behalf of the City.

Potential Conflicts of Interest

- ◇ Outside employment or board membership
- ◇ Endorsements and testimonials
- ◇ Financial interests
- ◇ Improper Influence
- ◇ Business relationship to relatives

Disclosure of such conflicts must be filed with the City Secretary.



Acceptance of Gifts



It is a violation to accept any gift in market value of \$100.00 or greater and/or accept multiple gifts from a single source exceeding \$100.00 in a single fiscal year.

This includes anything of monetary value, such as personal property, real property, services, meals, entertainment, and travel expenses. Acceptance of such gifts may give the *appearance* of preferential treatment in the course of doing business.

It is important to inform vendors and others of this policy, and the reasons it was adopted. Gifts of food that may arrive surrounding holidays belong to the entire staff, even if addressed to an individual.

Duty to Report

City Officials shall immediately report any conduct that the person knows to be a violation of this ordinance. Failure to report, is also a violation.

All Candidates for City Council, including Candidates for Mayor, shall file financial information reports as required by, and in accordance with, State law. All prospective Vendors and City Officials shall file disclosure forms as required by, and in accordance with, State law.



Reporting System

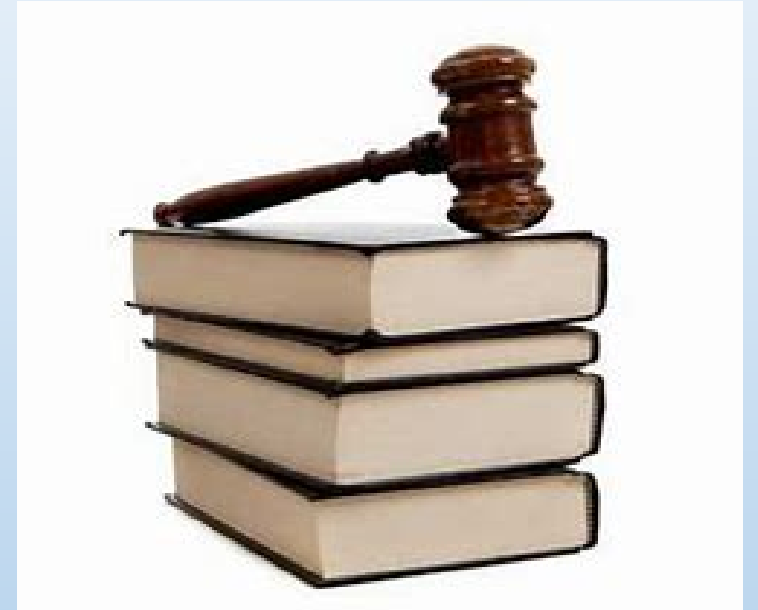
Inline with our commitment for transparency, a violation may be reported using the appropriate internal channels, or anonymously through **RED FLAG REPORTING**, our confidential compliance hotline, 24 hours a day, 7 days a week.

If found in violation, individuals may be subject to sanctions that range from admonition; reprimand; suspension; or termination.

A false or frivolous complaint brought in bad faith may be subject to civil liability of defamation or abuse of process.



Enforcement



What is Expected of You?

*"Relativity
applies to
physics, not
ethics."*

Albert Einstein

- ◇ As a public servant, you should act fairly and honestly and should avoid creating even the appearance of impropriety.
- ◇ Review and follow the Code of Ethics.
- ◇ Participate in periodic compliance training.
- ◇ Ask questions when uncertain about what to do.
- ◇ Speak up about issues or concerns including; potential violations of laws, regulations, and ordinances.

CITY OF CORINTH

POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE

SECTION: FINANCE/ACCOUNTING	REFERENCE NUMBER:
SUBJECT: CITY MANAGER DIRECTIVE	INITIAL EFFECTIVE DATE: 08/01/2009
TITLE: TRAVEL & TRAINING POLICY	LAST REVISION DATE: 12/01/2017

1.0 ADMINISTRATIVE TRAVEL DIRECTIVE

The City of Corinth will pay reasonable expenses which are incurred in the course of authorized City travel. The City has two objectives when paying travel-related expenses. 1) To provide employees sufficient funds to execute business on behalf of the City and 2) to safeguard City funds by paying only reasonable and necessary expenses. This administrative directive outlines what constitutes a reasonable and necessary expense.

Department directors are ultimately responsible for overall administration, review and enforcement of the travel and training policy. Directors must ensure that all expenses comply with this reimbursement procedure and for the thorough review and approval of all documents necessary for the reimbursement transaction. Directors may impose more restrictions upon their departments within the confines of IRS regulations and the Fair Labor Standards Act as long as employees are properly notified of the restrictions.

Employees are expected to travel and conduct business in reasonable comfort and exercise good judgment in distinguishing between comfort and extravagance. Employees should use the most economical means available when using City funds.

The policy meets IRS Accountable Plan standards for allowing non-taxable reimbursements under the following conditions:

- Requires an overnight stay away from home
- A business connection exists
- Adequate receipts are filed within a reasonable period of time (30 days)

Procurement Card for Travel Expenses: Misuse of the City's p-card or violations of this administrative directive may result in card privileges being revoked or other disciplinary action being taken, as deemed appropriate.

Failure to comply with this administrative directive may result in disciplinary action, up to and including termination of employment.

This policy will remain in effect until changed or otherwise repealed by the City Manager. It supersedes all prior published travel and training policies or directives.

2.0 CONFERENCE REGISTRATION

The City of Corinth will pay for conference registration directly through the Accounts Payable process or with the p-card. In the event, an employee pays for registration; the city will reimburse the cost of the conference if the employee has obtained approval from their Director or designee. A copy of the registration receipt and proof of attendance must be provided for reimbursement. Employees are encouraged to take advantage of early registration to obtain a discounted rate.

3.0 TRAVEL ADVANCE

Travelers are expected to make the most cost effective travel arrangements possible.

- Approval Required for Travel on City Business: Employees must obtain prior approval for travel from their Director or designee. If the request is denied, the traveler is financially responsible for expenses.
- Travel Advance/Reimbursement Form: Upon approval, the travel authorization request form is submitted to Accounts Payable (A/P) with documentation attached reflecting the event date(s), destination and purpose. A copy of the conference agenda and registration form must be attached. Requests must be received at least ten (10) days prior to the departure date. Regular AP deadlines apply.
- Allowable travel reimbursement will be paid through the Accounts Payable process.
- All outstanding advances must be completed, approved, and submitted to Accounting prior to any new travel advances being issued.

4.0 EXPENSE REIMBURSEMENT

- In the event a traveler incurs expenses not covered by per diem or not payable using a City P-Card, a Travel Advance/ Reimbursement Request Form is filed post-travel.
- Reimbursement is made for ordinary and reasonable expenses (see Section 6, Allowable Expenses below). Examples include mileage, parking, and tolls.
- Travel reimbursement requests are due to A/P within fifteen (15) days upon return and require detailed receipts.
- Department Directors are responsible for reviewing reimbursement requests for compliance to the Travel and Training Policy.
- The form must include the purpose of the trip, the destination (city and state), and the departure/return dates and times.
- All receipts and supporting documents must be attached to the Travel Advance/Reimbursement Request Form. Supporting document must include a conference agenda or itinerary.

Note: per IRS guidelines, Reimbursements Requests without detailed receipts or filed after thirty days (30) may be considered taxable income to the traveler.

5.0 ALLOWABLE EXPENSES

Meals - The City will pay an employee's actual expenses as authorized within this administrative directive. Meals and incidental expenses will either be paid on a daily per diem basis of \$64 or actual expenses based on itemized receipts, whichever is less. The daily per diem rate of \$64 includes breakfast (\$15), lunch (\$16), dinner (\$28), and gratuity (\$5). **Itemized, date-stamped receipts must be provided for all expenses. Receipts must be itemized and not just the credit card slip/balance due.** Failure to submit itemized receipts will render those expenses non-reimbursable.

If the conference registration includes meals that are already paid for by the City, the per diem for that meal will need to be deducted from the reimbursement request.

1. The City will pay for the cost of meals for overnight travel. Reimbursement will be based on the daily per diem rate of \$64 or the itemized receipt, whichever is less. If no receipt is submitted, then the employee is responsible for the cost of the meal and it will not be reimbursed. Meal reimbursement will be based on the daily per diem rate, not a cumulative per diem total for the trip.
 2. Travel-related meals will be reimbursed if an overnight stay is required or if multiple trips are required during two or more consecutive days. The first and last days of travel receive 75% (\$48) of the daily per diem rate of \$64. Meals for employees traveling and returning the same day are not reimbursable.
 3. The City will not pay for meals for individuals who are not employed by the City except with the prior written approval of the City Manager stating the business purpose of the meal. If an exception is granted, a copy of the city manager approval and an itemized meal receipt with attendee names must be attached to the Travel Advance/Reimbursement Form.
 4. The City will pay for meals at scheduled seminars, training sessions, and other meetings, but will not reimburse for meals elsewhere if the meal cost was included in the conference fee. Non-reimbursable items include snacks, drinks or conference provided continental breakfast. If the conference registration includes meals that are already paid for by the City, the per diem for that meal will need to be deducted from the reimbursement request.
A conference itinerary/schedule must be included as supporting documentation when submitting for any meal reimbursement.
- **Transportation** - Cost-saving methods which include using a City vehicle or ride-sharing are encouraged. Early departure or a later return resulting in a substantial cost saving may be approved by the supervisor. The original airfare, lodging and per diem expenses must be documented and attached to the Travel Advance/Reimbursement Form.
 - **Air Travel** - Authorized fares are based on economy/coach rates. However, the traveler may upgrade using personal reward miles or by paying the difference out-of-pocket. Early booking is encouraged to ensure discounted rates. Luggage reimbursement is limited to one (1) checked bag and excludes any excess fees (i.e. overweight). Special consideration is given for fees on necessary City equipment. Airport Parking is reimbursed up to the DFW Express non-covered parking rate. Air Travel receipts are required.
 - **Personal Vehicle** - The City will pay the Internal Revenue Service mileage reimbursement rate in effect at the time of travel. The City will reimburse mileage from City Hall or other City facility (wherever the employee reports to work to the destination and back to the City facility). A map from Yahoo, Google or MapQuest must be attached to the Travel Reimbursement Form. If travel by personal vehicle is chosen over air travel, the reimbursement will not exceed coach fare plus related expenses. Travel not requiring an overnight stay (day travel) is authorized mileage reimbursement only. Use of a personal vehicle must be approved in advance by the Department Director. Mileage reimbursement does not apply when renting a vehicle.
 - **Traveler Receiving a Car Allowance** - Mileage is not reimbursable if a traveler receives a car allowance. The traveler is allowed reimbursement for fuel purchases if the destination exceeds 50 miles one-way.
 - **Rental Car** - The City will not assure payment for rental cars without the prior written approval of the employee's Director. When renting vehicles, the City's property and liability insurance is the primary source of coverage in the event of an accident. Employees should not purchase additional insurance. If an employee chooses to purchase the additional insurance, it is a non-reimbursable



expense. Mileage must be included in the rental agreement. Mileage will NOT be reimbursed when using a rental car.

- **Lodging** - Authorized rates are based on single-occupancy rooms. The traveler should request a "government" room rate, which may be lower than the "conference" rate. Internet charges may be authorized by the Director if conducting City business. The traveler is responsible for room service or other personal charges.
- **Registration** - Required registration fees and materials are authorized.
- **Incidentals** - City of Corinth will not pay for dry cleaning, shoe shining, haircuts, magazines and books, tickets to the theater, sports events, or other such incidental expenses.
- **Miscellaneous Expenses** - Allowable expenses include tolls, parking, cab fares, copy/fax/phone charges and other business related expenses.

6.0 SPECIAL CIRCUMSTANCES

When practical, official travel should occur during regular work hours. In the event that travel occurs outside of regular work hours, every effort should be made to reduce overtime by adjusting the weekly work schedule or accrue compensatory time. Directors must approve travel outside of regular work hours.


If the traveler cancels/does not attend due to non-business related reasons, expenses paid by the City are subject to be repaid to the City by the traveler. Only if changes are caused by unforeseeable and urgent business purposes will the City incur the expense. The Department Director is responsible for ensuring applicable fees are reimbursed to the City.

Official travel may coincide with personal travel plans (i.e. vacation, attend conference golf tournament, etc.) when vacation is approved prior to the trip. Any expenses not related to City business, such as extracurricular events, lodging, and meals will be the responsibility of the traveler.

A traveler is permitted to bring guest(s) and is responsible for any extra charges incurred. If the travel is cancelled, the City is not liable for any guest expenses and the traveler will not be reimbursed.

7.0 CITY MANAGER AUTHORIZATION

This directive is effective December 1, 2017



Bob Hart, City Manager

May 2, 2018

The City of Corinth
3300 Corinth Parkway
Corinth, TX 76208

It has been our pleasure to assist the City of Corinth with updating the existing ethics ordinance by establishing procedures, recommending areas for improvement, and by incorporating a training/education component.

Attached are the significant elements of this project:

- Revised Ordinance
- Compliance (Sample Policy and Procedures)
- Sample Forms and Templates
- Proposed Training/Education

We initially recommended that the Code of Ethics be shortened with less legal jargon, however, after much research this does not seem possible as the Code must be comprehensive and applicable to all circumstances that may arise surrounding the complexity of ethics. Since the City of Denton is in the process of revising their code as well, it was determined that their template would best serve as Corinth's.

We have included a sample Policy and Procedure Directive (again, from the City of Denton) that includes administrative procedures for reporting unethical conduct, social media uses, conflicts of interest, etc.

We have also provided the following sample forms and templates:

- Form Security For: Personal Financial Statement (Form PFS)
- Conflict of Interest Questionnaire for Vendors (Form CIQ)
- Local Government Officer Conflicts Disclosure Statement (Form CIS)
- Sworn Complaint Form
- Sanctions templates to include:
 - Notification of Acceptance
 - Letter of Admonition
 - Letter of Notification
 - Deficiency Notice

Mandatory training demonstrates the importance City leadership has on ethical workplace behavior, transparency, and commitment to the residents of Corinth. City leadership has to instill ethical culture, not just ethical policy and procedures by periodic review and signatures of acknowledgement of what is expected. In addition to our PowerPoint, other resources available

for training materials may be obtained from the Texas Municipal League; Texas Ethics Commission; International City/County Management Association; and the chosen independent reporting agency.

Working with the City of Corinth has strengthened our analytical skills in evaluating organizational programs and policies, and given us a better understanding of what we can expect outside of the classroom.

We all thank you for this amazing opportunity, and hope we have provided a product that the Board of Ethics finds useful and applicable.

Best regards,

Greg Guthrie

Autum Pylant-Groat

Josephine Maduagwu

Cory Rosales

City of Corinth's Code of Ethics

Ethics Board

Prepared by:

Greg Guthrie, Autum Pylant-Groat, Josephine Maduagwu, Cory Rosales

PAPP 5399 (27588). Public Administration Capstone

EDITOR'S NOTES:

- 1. Draft Document:** The following material represents a rough draft-in-progress, which was prepared for discussion purposes; only, and is subject to modification following public notice and public hearings. Specific language will not be considered final until duly approved by a majority of the City Council at a properly-posted public meeting.
- 2. Training:** Prior to commencing the drafting process, the City Council completed formal training on state ethics laws and common components of municipal ethics policies in Texas.
- 3. Broad Sampling:** The contents of this draft was selected from a sampling of municipal ethics policies from across Texas.
- 4. Consensus:** This document represents the consensus of preferences expressed by the Ethics Board over a period of four (4) public work sessions.
- 5. Best Practices:** Where there were gaps of omissions in the feedback or direction provided by the City Council thus far, the editor inserted recommendations that reflect Best Practices in the field of Municipal ethics, solely at the editor's discretion.
- 6. Applicability:** This Code of Ethics was drafted to apply to the Economic Development Corporation, Finance Audit Committee, Board of Construction Appeals, and Keep Corinth Beautiful. It is anticipated that a similar set of rules will be adopted subsequently for other employees.
- 7. Codification:** It is anticipated that certain non-substantive, grammatical and formatting edits will be made after (or just before) final adoption to make the Code of Ethics consistent with the broader Code of Ordinances.

TABLE OF CONTENTS

DIVISION 1. GENERAL	6
Sec. 3-106. Purpose.....	6
Sec. 3-107. Applicability	6
Sec. 3-108. Definitions.....	6
Sec. 3-109. Expectations.....	10
Sec. 3-110 Cumulative & Non-Exclusive.....	10
DIVISION 2. RULES OF CONDUCT	10
Sec. 3-111. Mandates	10
Sec. 3-112. Prohibitions.....	11
DIVISION 3. IMPLEMENTATION	13
Sec. 3-113. Staffing	13
Sec 3-114. Legal Counsel.....	13
Sec. 3-115. Training	14
Sec. 3-116. Board of Ethics	14
Sec. 3-117. Advisory Opinions	15
Sec. 3-118. Complaints.....	16
Sec. 3-119. Preliminary Assessment.....	18
Sec. 3-120. Meetings	19
Sec. 3-121. Disposition.....	20
Sec. 3-122. Reconsideration.....	22

CITY OF CORINTH

CODE OF ETHICS

**DRAFT # 1 TO REPLACE
ORDINANCE NO. 05-04-07-10**

DIVISION 1. GENERAL

Sec. 3-106. Purpose

The purpose of this Article is to foster an environment of integrity for those that serve the City of Corinth and our citizenry. The City Council enacted this Article in order to increase public confidence in our municipal government. It is the policy of the City that all City Officials and employees shall conduct themselves in a manner that assures the public that we are faithful stewards of the public trust. City Officials have a responsibility to the citizens to administer and enforce the City Charter and City Ordinances in an ethical manner. To ensure and enhance public confidence in our municipal government, each City Official must strive not only to maintain technical compliance with the principles of conduct set forth in this Article, but to aspire daily to carry out their duties objectively, fairly, and lawfully.

It is not the purpose of this Article to provide a mechanism to defame, harass or abuse their political opponents, or publicize personal grudges.

Sec. 3-107. Applicability

This Article applies to the following persons:

- a) City Officials;
- b) Former City Officials whose separation from city service occurred less than one (1) year ago;
- c) Vendors; and
- d) Complainant(s).

Sec. 3-108. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accepted Complaint: a sworn allegation of a violation of this Article after the required documentation has been submitted to the City Secretary to be passed to the Committee Chair, and determined to be administratively complete.

Accused: a City Official who has been charged in a Complaint with having violated this Article.

Actionable Complaint: an Accepted Complaint that has been deemed by a quorum of the Commission to contain allegations and evidence that, if accepted as true, would support a finding that a violation of this Article occurred.

Advisory Opinions: written rulings regarding the application of this Article to a particular situation of behavior.

Article: the Code of Ethics for the City of Corinth.

Baseless Complaint: a Complaint that does not allege conduct that would constitute a violation of this Article, or that does not provide evidence that, if true, would support a violation of this Article.

Board of Ethics: the oversight entity established by the Council to administer this Article.

Board Member: for the purposes of this Article, a person that is currently appointed to the Economic Development Corporation, Finance Audit Committee, Board of Construction Appeals, Zoning Board of Adjustments, Planning and Zoning Commission, Ethics Commission and Keep Corinth Beautiful Members.

Business Entity: a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.

Candidate: a person who has filed an application for a place on a ballot seeking public office, or one who has publicly announced the intention to do so.

City: the City of Corinth in the County of Denton and State of Texas.

Committee Chair: the person appointed to serve in the capacity provided for by Section 3-119____ of the Code.

City Official: for the purposes of this Article, the term consists of the City Council, Economic Development Corporation, Finance Audit Committee, Board of Construction Appeals, Zoning Board of Adjustments, Planning and Zoning Commission, Ethics Commission and Keep Corinth Beautiful Members.

Code: the Code of Ordinances of the City of Corinth, Texas, as such Code may be amended from time to time.

Committee: an ad hoc Board of Ethics subcommittee consisting of three (3) out of the five (5) members assigned by the City Secretary on a rotating basis.

Complainant: the individual who submitted a Complaint to the City.

Complaint: written documentation submitted to the City accusing a City Official of violating this Article.

Confidential Information: any written information that could or must be excepted from disclosure pursuant to the Texas Public Information Act, if such disclosure has not been authorized; or any non-written information which, if it were written could be excepted from disclosure under that Act, unless disclosure has been authorized.

Conflicting Interest: a stake, share, or involvement in an undertaking in the form of any one (1) or more of the following:

- 1) Ownership of five percent (5%) or more voting shares or stock in a business entity;
- 2) Receipt of more than six-hundred dollars (\$600.00) in gross annual income from a business entity;
- 3) Ownership of more than six-hundred dollars (\$600.00) of the fair market value of a business entity;
- 4) Ownership of an interest in real property with a fair market value of more than six-hundred dollars (\$600.00);
- 5) Serves on the Board of Directors or as an Officer of a business entity; and/or
- 6) Serves on the Board of Directors or as an Officer of a nonprofit corporation.

The term Conflicting Interest does not include ownership of an interest in a mutual or common investment fund that holds securities or assets unless the City Official participates in the management of the fund.

Council: the governing body of the City of Corinth, Texas, including the Mayor and City Council.

Deliberations: discussions by a City Official at the dais, voting as a City Official, presentations as a member of the audience before City Council or any City Board or Commission, conversing to corresponding with other City Officials.

Frivolous Complaint: a sworn Complaint that is groundless and brought in bad faith or groundless and brought for the purpose of harassment.

Gift. Anything of monetary value, such as personal property, real property, services, meals, entertainments, and travel expenses. This definition shall not apply to:

- 1) a lawful campaign contribution;
- 2) meals, lodging, transportation and related travel expenses paid for (or reimbursed by) the City in connection with the City Official's attendance at a conference, seminar or similar event;
- 3) meals, lodging, transportation, or entertainment furnished in connection with public events, appearances or ceremonies related to official City business, if furnished by the sponsor of such public events;
- 4) complimentary copies of trade publications and other related materials;
- 5) attendance at hospitality functions at local, regional, state or national association meetings and/or conferences;
- 6) Any gift which would have been offered or given to the City Official because of a personal, familial professional relationship regardless of the City Official's capacity with the City;
- 7) tee shirts, caps and other similar promotional material;
- 8) complimentary attendance at political or charitable fund raising events.

Pending Matter: an application seeking approval of a permit or other form of authorization required by the City, State or Federal law; a proposal to enter into a contract or arrangement with the City for the provision of goods, services, real property or other things of value; a case involving the City that is (or is anticipated to be) before a civil, criminal or administrative tribunal.

Person: associations, corporations, firms, partnerships and bodies politic and corporate, as well as to individuals.

Relative: a family member related to a City Official within the second degree of affinity (marriage) or consanguinity (blood or adoption).

Shall: a mandatory obligation, not a permissive choice.

Special Counsel: an independent, outside attorney engaged by the City to advise the City as an organization and/or the Board of Ethics.

Vendor: a person who provides or seeks to provide goods, services, real property to the City in exchange for compensation.

Sec. 3-109. Expectations

- a) City Officials are expected to conduct themselves in a manner that fosters public trust.
- b) City Officials are charged with performing their public duties in a way that projects their own personal integrity and upholds the integrity of the organization.
- c) City Officials must avoid behavior that calls their motives into question and erodes public confidence.
- d) City Officials shall place the municipality's interests and the concerns of those the City serves above personal, individual interests.
- e) Those who serve the City are expected to value honesty, trustworthiness, diligence, objectivity, fairness, due process, efficiency, and prudence as values the City professes.
- f) City Officials must balance transparency with the duty to protect personal privacy and preserve the confidential information with which the City has been entrusted.

Sec. 3-110. Cumulative & Non-Exclusive

This Article is cumulative of and supplemental to all applicable provisions of the City Charter, other City Ordinances, and State/Federal laws and regulations. Compliance with this Article does not excuse or relieve any person from any obligation imposed by any other Rule. Attempts to enforce this Article shall be construed as foreclosing or precluding other enforcement options provided by other law.

DIVISION 2. RULES OF CONDUCT

Sec. 3-111. Mandates

- a) **Duty to Report.** City Officials shall immediately report any conduct that the person knows to be a violation of this Article. Failure to report a violation of this Chapter is a violation of this Article. For purposes of this section, a report made to a fraud, waste or abuse 3rd party hotline, if any, shall be considered to be a report under this Section.
- b) **Direction and Supervision of Employees, Non-Interference by the City Council: Appointment and Removal of Department Heads.**
 - 1) Except for the purposes of inquiries and investigations as provided by the charter or otherwise by law, the City Council or its members shall deal with Board Members and employees who are subject to the direction and supervision of the City Manager solely through the City Manager, either publicly or privately.

- 2) Neither the City Council nor any of its members shall direct or request the appointment of any person to, or removal from, office by the City Manager or by any other City employee.
 - 3) The City Manager shall be responsible for and have the authority to appoint, suspend, and/or remove any of the directors of the departments of the City of Corinth.
- c) **Financial Disclosures.** All Candidates for City Council, including Candidates for Mayor, shall file financial information reports as required by, and in accordance with, State law. All prospective Vendors and City Officials shall file disclosure forms as required by, and in accordance with, State law.

Sec. 3-112. Prohibitions

a) **Conflicts of Interest.**

- 1) *Deliberation Prohibited.* It shall be a violation of this Code for a City Official to knowingly deliberate regarding a pending matter for which the City Official has a Conflicting Interest. City Officials with a Conflicting Interest in a pending matter must recuse themselves and abstain from Deliberations. It is an exception to this recusal requirement if a majority of the Board or Commission on which the City Official serves is composed of persons who are likewise required to file (and who do file) disclosures on the same pending matter.
- 2) *Disclosure Required.* If a City Official has a Conflicting Interest in a pending matter, the City Official shall disclose the nature of the conflicting interest by filing a sworn statement with the City Secretary.
- 3) *Relative.* A City Official is considered to have a Conflicting Interest if the City Official's Relative has a conflicting interest.

b) **Gifts.**

- 1) *General.* It shall be a violation of this Article for a City Official to accept any Gift that might reasonably tend to influence such City Official in the discharge of official duties.
- 2) *Specific.* It shall be a violation of this Article for a City Official to accept any Gift for which the fair market value is one-hundred dollars (\$100.00) or greater. It shall be a violation of this Article for a City Official to accept multiple Gifts from a single source for which the cumulative fair market value exceeds one-hundred dollars (\$100.00) in a single fiscal year.

- 3) It shall be a violation of this Article for a Vendor to offer or give a Gift to a City Official exceeding one-hundred dollars (\$100.00) per Gift, or multiple Gifts cumulatively valued at more than one-hundred dollars (\$100.00) per a single fiscal year.

c) **Representation of Others.**

- 1) *Current City Officials.* It shall be a violation of this Article for a City Official to represent for compensation any person, group, or entity before the City.
- 2) *Former City Officials.* It shall be a violation of this Article for a City Official to represent for compensation any person, group, or entity before the City for a period of one (1) year after termination of official duties.
- 3) For purposes of this subsection, the term compensation means money or any other thing of value that is received, or is to be received, in return for or in connection with such representation.

d) **Improper Influence.** It shall be a violation of this Article for a City Official to use such person's official title/position to:

- 1) Secure special privileges or benefits for such person or others;
- 2) Grant any special consideration, treatment or advantage to and citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group;
- 3) Assert the prestige of the City Official's position for the purpose of advancing or harming private interests;
- 4) State or imply that the City Official is able to influence City action on any basis other than the merits; and
- 5) State or imply to state or local governmental agencies that the City Official is acting as a representative of the City, as an organization, or as a representative of the City Council without first having been authorized by the City Council to make such representation.

e) **Misuse of Information.**

- 1) *Personal Gain.* It shall be a violation of this Article for a former City Official to use any Confidential Information to which he had access by virtue of his official capacity and which has not been made public concerning the property, operations, policies, or affairs of the City, to advance any personal financial interest.

- 2) *Confidential Information.* It shall be a violation of this Article for a City Official to intentionally, knowingly, or recklessly disclose any Confidential Information gained by reason of said City Official's position concerning the property, operations, policies or affairs of the City. This rule does not prohibit the reporting of illegal or unethical conduct to authorities designated by law.
- f) **Abuse of Resources.** It shall be a violation of this Article for a City Official to use, request, or permit the use of City facilities, personnel, equipment, software, supplies, or staff time for private purposes (including political purposes), except to the extent and according to the terms that those resources are generally available to the City Council for official City purposes.
- g) **Abuse of Position.** It shall be a violation of this Article for any City Official to:
 - 1) *Harassment & Discrimination.* Use the City Official's position to harass or discriminate against any person based upon ethnicity, race, gender, gender identity, sexual orientation, marital status, parental status, or religion.
 - 2) *Interference.* Interfere with any criminal or administrative investigation alleging the violation of any provision of this Article, the City Charter, administrative policy or executive order in any manner, including but not limited to seeking to persuade or coerce City employees, or others to withhold their cooperation in such investigation is a violation of this Article.
- h) **Subsequent Work on Prior Projects.** It shall be a violation of this Article for any former City Official, within one (1) year of the cessation of official duties for the City, to perform work on a compensated basis relating to a City contract or arrangement for the provision of goods, services, real property or other things of value, if while in City service the former City Official personally and substantially participated in the negotiation, award or administration of the contract or other arrangement.
- i) **Travel.** It shall be a violation of this Article for any City Official to violate the Travel and Training Policy adopted by City Council, as amended.

DIVISION 3. IMPLEMENTATION

Sec. 3-113. Staffing

The City Secretary's Office shall be responsible to provide staff support to the Board of Ethics to assist in the implementation and enforcement of this Article.

Sec 3-114. Legal Counsel

- a) **City Attorney.** The City Attorney shall provide legal support to the Board of Ethics.
- b) **Special Counsel.** Independent, outside legal services shall be engaged by the City Attorney on the City's behalf to provide legal support to the Board of Ethics when:
 - 1) In the City Attorney's discretion it is necessary in order to comply with the Texas Disciplinary Rules of Professional Conduct (for lawyers), or is in the best interest of the City; or
 - 2) When the City Council deems Special Counsel is necessary.

Sec. 3.115. Training

- a) **Curriculum.** The City Secretary shall approve a training program that provides an introduction and overview of the expectation, mandates and prohibitions provided for by this Article.
- b) **Orientation.** City Officials shall complete training session regarding this Article within ninety (90) days of commencing the official duties.
- c) **Annual.** City Officials shall complete an annual training session regarding this Article.
- d) **Exiting Officials.** Information shall be provided by the City Secretary to City Officials terminating City service regarding the continuing restrictions on the representation of others by certain former City Officials.

Sec. 3-116. Board of Ethics

- a) **Creation.** There is hereby created a Board of Ethics for the City of Corinth.
- b) **Appointment.** The Board of Ethics shall be appointed by majority vote of the City Council.
- c) **Number.** The Board of Ethics shall consist of five (5) members.
- d) **Terms.** Board of Ethics members shall be appointed for two (2) year, staggered terms. Members may be reappointed for successive terms. Appointment to fill a vacancy shall be for the remainder of the unexpired term. Members of the inaugural Board of Ethics shall draw straws to determine which (3) members shall receive an initial term of one (1) year in order to stagger terms.

- e) **Eligibility.** Membership on the Board of Ethics is limited to residents of the City of Corinth.
- f) **Ineligibility.** The following shall disqualify a person from serving on the Board of Ethics:
 - 1) Current service as a City Official on a board or commission other than the Board of Ethics;
 - 2) Separation from city service as a City Official within one (1) year of the appointment;
 - 3) Familial relations within the first (1st) degree of affinity (marriage), or the first (1st) degree of consanguinity (blood or adoption), with another City Official;
 - 4) Current service as an elected official in Denton County; or
 - 5) Conviction of a felony, or crime of moral turpitude.
- g) **Scope of Authority.** The Board of Ethics's jurisdiction shall be limited to implementation and enforcement of this Article.
- h) **Amendments.** The Board of Ethics may recommend amendments to this Article. A recommendation from the Board of Ethics is not required for the City Council to exercise its discretion in amending this Article.

Sec. 3-117. Advisory Opinions

- a) **Requests.** Any City Official may request an Advisory Opinion on a question of compliance with this Article. Requests shall be submitted in writing to the City Secretary, who shall assign the request to the Committee.
- b) **Issuance.** A Committee of the Board of Ethics shall issue Advisory Opinions upon request. Advisory Opinions shall be issued within thirty (30) days of receipt of the request.
- c) **Reliance.** It shall be an affirmative defense to a Complaint that the Accused reasonably relied in good faith upon an Advisory Opinion issued by a Committee. In making a determination on the proper disposition of a Complaint, the Board of Ethics may dismiss the Complaint if the Board finds that:

- 1) The Accused requested an Advisory Opinion;
- 2) The request for an Advisory Opinion fairly and accurately disclosed the relevant facts; and
- 3) Less than five (5) years elapsed between the date the Advisory Opinion was issued and the date of the conduct in question.

Sec. 3-118. Complaints

- a) **Complainants.** Any person who has first-hand knowledge that there has been a violation of this Article may allege such violations by submitting a Complaint in writing or through a fraud, waste and abuse 3rd party hotline, if any. The persons who may submit Complaints includes (but is not limited to) the City Secretary and members of the Board of Ethics. A Complainant must be a resident in the City of Corinth, own Real Property in the City of Corinth or be an employee or City Official to be eligible to file a Complaint with the Board of Ethics.
- b) **Form.** Complaints shall be written on, or accompanied by, a complete form promulgated by the City Secretary or through a fraud waste abuse 3rd party hotline.
- c) **Contents.** A Complaint filed under this section must be in writing and under oath and must set forth in simple, concise, direct statements and must state:
 - 1) the name of the Complainant;
 - 2) the street or mailing address, email address, and the telephone number of the Complainant;
 - 3) the name of each person Accused of violating the Article;
 - 4) the position or title of each person Accused of violating the Article;
 - 5) the nature of the alleged violation, including (whenever possible) the specific provision of this Article alleged to have been violated;
 - 6) a statement of the facts constituting the alleged violation and the dates on which or period of time in which the alleged violation occurred; and
 - 7) all documents or other material available to the Complainant that are relevant to the allegation.

- d) **Violation Alleged.** The Complaint must state on its face an allegation that, if true, constitutes a violation of this Article.
- e) **Affidavit.** A Complaint must be accompanied by an affidavit stating that the Complaint is true and correct or that the Complainant has good reason to believe and does believe that the facts alleged constitute a violation of this Article. The Complainant shall swear to the facts by oath before a notary public or other person authorized by law to administer oaths under penalty of perjury.
- f) **Limitations Period.** To be accepted, a Complaint must be brought within six (6) months of the Complainant becoming aware of the act or omission that constitutes a violation of this Article. A Complaint will not be accepted more than two (2) years after the date of the act or omission.
- g) **Filing.** Complaints shall be submitted to the Board of Ethics. Submission of Complaints may be made by hand delivery, U.S. Mail, through a fraud, waste and abuse 3rd party hotline, or email directed to an email address publicly listed by the City Secretary.
- h) **Acceptance of Complaint.** Within five (5) business days of receiving a Complaint, the City Secretary shall determine if it is administratively complete, and timely.
 - 1) *Administratively Complete.* A Complaint is administratively complete if contains the information described above. If the Complaint is administratively complete, the City Secretary shall proceed as described in this Article. If the Complaint is incomplete the City Secretary shall send a written deficiency notice to the Complainant identifying the required information that was not submitted.
 - 2) The Complainant shall have ten (10) business days after the date the City Secretary sends a deficiency notice to the Complainant to provide the required information to the City Secretary, or the Complaint is automatically deemed abandoned and may not be processed in accordance with this Article. Within five (5) business days of a Complaint being abandoned, the City Secretary shall send written notification to the Complainant and the Accused.
- i) **Notification of Acceptance.** Within five (5) business days of determining that a Complaint is administratively complete, the City Secretary shall send a written notification of acceptance to the Complainant, the Accused, and the City Attorney.

A Complaint shall be considered an Accepted Complaint when the City Secretary has deemed the submittal administratively complete, and timely.

- j) **Confidentiality.** A Complaint that has been submitted to the City is hereby deemed confidential until such time as the Complaint is either dismissed or placed on an agenda for consideration by the Board of Ethics in accordance with this Article. The confidentiality created by this Article includes the fact that a Complaint was submitted and the contents of that Complaint. It shall be a violation of this Article for a City Official to publicly disclose information relating to the filing or processing of a Complaint, except as required for the performance of official duties or as required by law. Requests for records pertaining to Complaints shall be responded to in compliance with the State law. The limited confidentiality created by this Article is limited in scope and application by the mandates of the Texas Public Information Act, Chapter 552 of the Texas Government Code.
- k) **Ex Parte Communications.** After a Complaint has been filed and during the pendency of a Complaint before the Board of Ethics, it shall be a violation of this Article:
- 1) For the Complainant, the Accused, or any person acting on their behalf, to engage or attempt to engage directly or indirectly about the subject matter or merits of a Complaint in *ex parte* communication with a member of the Board of Ethics or any known witness to the Complaint; or
 - 2) For a member of the Board of Ethics, to knowingly allow an *ex parte* communication about the subject matter or merits of a Complaint, or to communicate about any issue of fact or law relating to the Complaint directly or indirectly with any person other than a member of the Board of Ethics, the City Secretary's office, the City Attorney's office, or Special Counsel.

Sec. 3-119. Preliminary Assessment

- a) **Referral to Chairperson.** Accepted Complaint(s) shall be referred to the Chairperson of the Board of Ethics within five (5) business days of being determined an Accepted Complaint.
- b) **Assignment of Panel.** Within five (5) business days of receiving an Accepted Complaint, the Chairperson of the Board of Ethics shall assign the Complaint to a Committee for preliminary assessment, and appoint a member of the Committee as the Committee Chair.
- c) **Committee Determination.** Within five (5) business days of being assigned an Accepted Complaint, the Committee shall review the Complaint on its face and

determine whether the Complaint is an Actionable Complaint, Baseless Complaint, or Frivolous Complaint.

Actionable Complaints shall be returned to the Chairperson for listing on an agenda for a public hearing. Baseless Complaints and Frivolous Complaints shall be dismissed. Written notification of the Committee's determination shall be filed with the City Secretary and sent to the Chairperson, Complainant, the Accused, and the City Attorney within two (2) business days. Written notifications of dismissal shall include notice of the right to appeal.

- d) **Appeals.** Determination of a Committee may be appealed to the Board of Ethics by either the Complainant or the Accused, as applicable. An appeal shall be perfected by filing a written notice of appeal with the City Secretary within ten (10) business days of the date the written notification is placed in the mail for delivery.

Sec. 3-120. Meetings

- a) **Calling Meetings.** Meetings of the Board of Ethics shall be called upon request of the Chairperson, three (3) members, or the City Secretary.
- b) **Quorum.** The quorum necessary to conduct meetings of the Board of Ethics shall be three (3). The Chairperson shall count toward the establishment of a quorum.
- c) **Hearings.**
 - 1) *Scheduling:* Hearings shall be scheduled by the City Secretary upon the filing of:
 - A) a Committee determination that a Complaint is an Actionable Complaint; or
 - B) an Appeal challenging a Committee's dismissal of a Complaint as a Baseless Complaint or Frivolous Complaint.
 - 2) *Purpose:* The purposes of the hearing(s) shall be solely to determine whether:
 - A) a violation of this Article occurred, and if so to assess the appropriate sanction;
 - B) an accepted Complaint was erroneously dismissed as a Baseless Complaint or Frivolous Complaint by a Committee; and/or

C) an Accepted Complaint is a Frivolous Complaint.

- 3) *Rules of Procedure:* The Board of Ethics shall adopt rules of procedure governing how to conduct hearing on Actionable Complaints. Such procedural rules are subject to confirmation or modification by the City Council.
- 4) *Sworn Testimony:* All witness testimony provided to the Board of Ethics shall be under oath.
- 5) *Burden of Proof:* Because the burden of showing that a violation of this Article occurred is placed on the Complainant, it is the Complainant that has the obligation to put forth evidence, including testimony, supporting the Complaint. The Complainant is required to testify at the hearing. A Complainant's failure to testify at a hearing shall be grounds for dismissal of a Complaint.

- d) **Open Meetings.** All meetings and hearings of the Board of Ethics shall be conducted pursuant to the Texas Open Meetings Act. The Board of Ethics may convene in Executive Session (i.e., conduct a closed meeting) as allowed by the act. All final action of the Board of Ethics shall take place in open session.
- e) **Postponement in Certain Instances.** If a Complaint alleges facts that are involved in a criminal investigation or a criminal proceeding before a grand jury or the courts, the Board of Ethics may, when a majority of its members deem appropriate, postpone any hearing or any appeal concerning the Complaint until after the criminal investigation or criminal proceedings are terminated.

Sec. 3-121. Disposition

- a) **Dismissal.** If the Board of Ethics determines at the conclusion of a hearing by simple majority vote of its members that a Complaint should be dismissed, it may do so upon finding:
 - 1) the Complaint is a Baseless Complaint or Frivolous Complaint;
 - 2) the alleged violation did not occur;
 - 3) the Accused reasonably relied in good faith upon an Advisory Opinion, as provided in this Article; and

4) the Complainant failed to testify at the hearing.

b) **Sanctions.** If the Board of Ethics determines at the conclusion of a hearing that a violation has occurred, it may within ten (10) business days impose or recommend any of the following sanctions:

1) *Letter of Notification.* If the violation is clearly unintentional, or when the Accuser's action was made in reliance on a written opinion of the City Attorney. A letter of notification shall advise the Accused of any steps to be taken to avoid future violations.

2) *Letter of Admonition.* If the Board of Ethics finds that the violation is minor and may have been unintentional, but calls for a more substantial response than a letter of notifications.

3) *A Reprimand.* If the Board of Ethics finds that the violation:

A) was minor and was committed knowingly, intentionally or in disregard of this Article; or

B) was serious and may have been unintentional.

4) *Recommendation of Suspension.* If the Board of Ethics finds that a violation :

A) was serious and that was committed knowingly, intentionally or in disregard of this Article or a state conflict of interest law; or

B) was minor but similar to a previous violation by the Person, and was committed knowingly, intentionally or in disregard of this Article.

The final authority to impose a suspension rests with the City Council regarding Board Members.

5) *Ineligibility.* If the Board of Ethics finds that a Vendor has violated this Article, the Board may recommend to the City Manager and City Council that the Vendor be deemed ineligible to enter into a City contract or other arrangement for goods, services, or real property, for a period of one (1) year.

Notice of all sanctions imposed by the Board of Ethics shall be transmitted to the Accused, Complainant, City Secretary, City Attorney, and City Council.

c) **Frivolous.**

- 1) *Prohibition.* It is a violation of this Article for a Person to submit a Frivolous Complaint.
- 2) *Super-Majority Vote.* If the Board of Ethics determines at the conclusion of a hearing by a vote of two-thirds (2/3) of its members that a Complaint was Frivolous, the Board may prohibit the Complainant from filing a Complaint with the Board for a period of time up to one (1) year after the Frivolous determination.
- 3) *Factors.* In making a determination on frivolity, the Board of Ethics shall consider the following factors:
 - A) the timing of the sworn Complaint with respect to when the facts supporting the alleged violation became known or should have become known to the Complainant, and with respect to the date of any pending election in which the Accused is a Candidate or is involved with a candidacy, if any;
 - B) the nature and type of any publicity surrounding the filing of the Complaint, and the degree of participation by the Complainant in publicizing the fact that a Complaint was filed;
 - C) the existence and nature of any relationship between the Accused and the Complainant before the Complaint was filed;
 - D) if the Accused is a Candidate, the existence and nature of any relationship between the Complainant and any Candidate or group opposing the Accused;
 - E) any evidence that the Complainant knew or reasonably should have known that the allegations in the Complaint were groundless; and
 - F) any evidence of the Complainant's motives in filing the Complaint.
- 4) *External Remedies.* Complainants who submit Frivolous Complaints are hereby notified that their actions may subject them to criminal prosecution or perjury (criminal prosecution), or civil liability for the torts of defamation or abuse of the process.

Sec. 3-122. Reconsideration

The Complainant or Accused may request the Board of Ethics to reconsider its decision. The request must be filed with the City Secretary within five (5) business days of receiving the final opinion of the Board of Ethics. The request for reconsideration shall be sent to the Chairperson

of the Board of Ethics, the City Secretary, and the non-filing party (Complainant or Accused). If the Chairperson finds, in the Chairperson's sole discretion, that the request includes new evidence that was not submitted at a prior hearing, and that the new evidence bears directly on the Board of Ethics' previous determination, the Chairperson shall schedule a hearing on the request for reconsideration to occur within thirty (30) days after filing of the reconsideration request. Absent new evidence, the Chairperson shall unilaterally dismiss the request for reconsideration and provide the decision to the Parties.

SWORN COMPLAINT BEFORE THE CORINTH ETHICS COMMISSION

An individual must be a resident, employee or City Official of the City of Corinth to be eligible to file a sworn complaint with the Corinth Ethics Commission. The complainant is required to attach to the complaint a copy of one of the following documents:

- complainant's driver's license or personal identification certificate issued under Chapter 521 of the Transportation Code, or commercial driver's license issued under Chapter 522 of the Transportation Code; or
- a utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the complainant and is dated not more than 30 days before the date on which the complaint is filed.

An individual may also be eligible to file a sworn complaint with the Corinth Ethics Commission if the individual owns real property in the City of Corinth. Under this provision, the complainant will be required to attach to the complaint a copy of a property tax bill, notice of appraised value, or other government document that shows the name of the complainant, shows the address of the real property in Corinth, and identifies the complainant as the owner of the real property.

Please completely fill out this form. You may submit the completed form by: (1) mail to 3300 Corinth Parkway, Corinth, Texas 76208 (2) hand delivery or (3) Fax to 940-498-7574 (mail or hand delivery are preferred). Failure to complete this form properly will cause your complaint to be non-compliant and rejected.

OFFICE USE ONLY

Docket Number

Date Hand-delivered or Date Postmarked

I. IDENTITY OF COMPLAINANT

1 COMPLAINANT NAME (REQUIRED)	MS / MRS / MR	FIRST	MI
	NICKNAME	LAST	SUFFIX
2 COMPLAINANT PHYSICAL ADDRESS (REQUIRED)	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
(Full home or business address, including street, city, state, and zip code)			
3 COMPLAINANT MAILING ADDRESS (REQUIRED)	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
(Full street or mailing address, including city, state, and zip code)			
4 COMPLAINANT TELEPHONE NUMBER (REQUIRED)	AREA CODE	PHONE NUMBER	EXT
	5 COMPLAINANT E-MAIL ADDRESS (REQUIRED IF KNOWN)		

II. IDENTITY OF ACCUSED

6 ACCUSED NAME (REQUIRED)	MS / MRS / MR	FIRST	MI
	NICKNAME	LAST	SUFFIX
7 ACCUSED POSITION OR TITLE (REQUIRED)			
8 ACCUSED PHYSICAL ADDRESS (REQUIRED)	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
(Full home or business address, including street, city, state, and zip code)			
9 ACCUSED MAILING ADDRESS	ADDRESS	APT / SUITE #;	CITY; STATE; ZIP CODE
(Full street or mailing address, including city, state, and zip code)			
10 ACCUSED TELEPHONE NUMBER (REQUIRED)	AREA CODE	PHONE NUMBER	EXT
	11 ACCUSED E-MAIL ADDRESS (REQUIRED IF KNOWN)		

GO TO PAGE 2

VI. AFFIDAVIT

BASED ON PERSONAL KNOWLEDGE

(Execute this affidavit if the acts alleged are within your direct personal knowledge.)

Please completely fill out this form. Failure to complete this form properly will cause your complaint to be non-compliant and rejected.

I, _____, complainant, swear that I am a resident of the state of Texas. I swear that I have knowledge of the facts alleged in this complaint and that the information contained in this complaint is true and correct.

Signature of Complainant

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____ (Complainant)

_____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

VII. AFFIDAVIT

BASED ON INFORMATION AND BELIEF

(Execute this affidavit if the acts alleged are not within your direct personal knowledge, but are based on reasonable belief.)

I, _____, complainant, swear that I am a resident of the state of Texas. I swear that I have reason to believe and do believe that the violation alleged in this complaint has occurred. The source of my information and belief is

Signature of Complainant

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____ (Complainant)

_____, 20 _____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

A COMPLAINT WILL BE DISMISSED IF A COPY OF ONE OF THE FOLLOWING DOCUMENTS IS NOT ATTACHED AS PROOF OF CORINTH RESIDENCY, EMPLOYMENT, APPOINTMENT AS A CITY OFFICIAL, OR OWNERSHIP OF REAL PROPERTY IN CORINTH.

Please check one of the boxes below to indicate the copy of the document you have attached to the complaint:

- Texas driver's license

- personal identification certificate
(issued under Chapter 521 of the Transportation Code)

- commercial driver's license
(issued under Chapter 522 of the Transportation Code)

- utility bill *

- bank statement *

- government check *

- paycheck *

- other government document *

- property tax bill, notice of appraised value, or other government document that shows the name of the complainant, shows the address of real property in Corinth, and identifies the complainant as the owner of the real property.

* with name and address of complainant and dated not more than 30 days before the date on which the complaint is filed *

PROCLAMATION

City Council Regular and Workshop Session

Meeting Date:	06/07/2018	
Title:	Women Veterans Day	
Submitted For:	Kim Pence, City Secretary	Submitted By: Kim Pence, City Secretary
Finance Review:	N/A	Legal Review: N/A
City Manager Review: Approval: Bob Hart, City Manager		

AGENDA ITEM

PROCLAMATION:

Proclaiming June 12, 2018 as Women Veterans Day in Corinth.

AGENDA ITEM SUMMARY/BACKGROUND

Texas salutes and remembers the many American female veterans who have courageously and honorably served in the military on behalf of our nation.

Women have formally been a part of the United States Armed Forces since the inception of Army Nurse Corps in 1901, but have proudly served alongside and supported our nation’s military since the American Revolution.

The women veterans’ community is the fastest growing subset of American veterans. In Texas, women comprise over 13 percent of the veteran population, a percentage which is higher than the national average and increasing yearly.

On June 9, 2017, Greg Abbott, Governor of Texas signed Senate Bill 805, declaring that June 12 be celebrated as Women Veterans Day in order that all Texans recognize the role of women in the military forces and to commemorate the sacrifices of and valor displayed by Texas women veterans. On this day, The City of Corinth commemorates the fearless service of women who have served our nation in the Armed Forces, and we honor our female veterans and their families for their remarkable sacrifices and outstanding contributions to our nation.

RECOMMENDATION

N/A

Attachments

Proclamation



PROCLAMATION

WOMEN VETERANS DAY

WHEREAS, Texas salutes and remembers the many American female veterans who have courageously and honorably served in the military on behalf of our nation; and

WHEREAS, women have formally been a part of the United States Armed Forces since the inception of Army Nurse Corps in 1901, but have proudly served alongside and supported our nation's military since the American Revolution; and

WHEREAS, the women veterans' community is the fastest growing subset of American veterans. In Texas, women comprise over 13 percent of the veteran population, a percentage which is higher than the national average and increasing yearly; and

WHEREAS, Women Veterans of America, Chapter 48 and the Denton County Military Veterans Peer Network advocate for cultural transformation to raise awareness about the service and sacrifice of women veterans; and

WHEREAS, on June 9, 2017, Greg Abbott, Governor of Texas signed Senate Bill 805, declaring that June 12 be celebrated as Women Veterans Day in order that all Texans recognize the role of women in the military forces and to commemorate the sacrifices of and valor displayed by Texas women veterans; and

WHEREAS, on this day, The City of Corinth commemorates the fearless service of women who have served our nation in the Armed Forces, and we honor our female veterans and their families for their remarkable sacrifices and outstanding contributions to our nation.

NOW THEREFORE, I, _____, Mayor of Corinth, Texas do hereby claim June 12, 2018 as:

Women Veterans Day in Corinth and encourage all Town residents to recognize the courage and contributions of generations of American servicewomen and their families, who have proudly served our great state and nation, doing their part to protect our land, people, freedoms, and legacy.

Bill Heidemann, Mayor, City of Corinth, Texas

CONSENT ITEM 1.

City Council Regular and Workshop Session

Meeting Date: 06/07/2018

Title: April 19, 2018 Workshop Session

Submitted For: Kim Pence, City Secretary

Submitted By: Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Consider and act on minutes from the April 19, 2018 Workshop Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the April 19, 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 April 19, 2018 Workshop Session minutes.

Attachments

Minutes

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

On this the 19th day of April 2018 the City Council of the City of Corinth, Texas met in a Workshop Session at 5:30 pm at the Corinth City Hall, 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
Scott Garber
Don Glockel
Lowell Johnson
Joe Harrison, Mayor Pro-Tem
Sam Burke

Members Absent:

None

Staff Members Present:

Bob Hart, City Manager
Kimberly Pence, City Secretary
Barbara Cubbage, Interim Planning & Development Director
Kevin Tyson, Lt. Corinth Police Department
Jason Alexander, Economic Development Director
Mack Reinwand, City Attorney
Mike Brownlee, City Engineer

CALL TO ORDER FOR WORKSHOP:

Mayor Heidemann called the meeting to order at 5:30 pm.

- 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.**

CONSENT ITEM #4 Discussion:

Consider and act on minutes from the March 15, 2018 Regular Session.

Councilmember Glockel – The Lake Sharon project, I recall Mr. Harrison asking the question on the west side, the wall for the west side of that subdivision and the answer came back from staff, I think, was that the sound wall for FM 2499 would suffice. I don't believe it's the same wall there. The sound wall stops just about even with the dam on the south side, there's no sound wall on the west side of where I think this subdivisions going in on the west side of Lake Sharon.

Bob Hart, City Manager – What page are you on?

Councilmember Glockel – Page 93. That's just the beginning of it, I don't think the rest of it is unless I missed it. There's no stringing holder that I can see.

Barbara Cabbage, Interim Planning & Development Director – I’m not sure what the minutes say, but because it does abut to Lake Sharon it will require a screening wall.

Councilmember Glockel - Lake Sharon? Or FM 2499?

Barbara Cabbage, Interim Planning & Development Director – Both of them actually.

Councilmember Glockel – There was some discussion about Lake Sharon, but the question is that I recalled is: What are we going to do on the west side and the answer came from staff, that the sound wall for 2499 with suffice. There is no sound wall. Are they planning on putting one up?

Barbara Cabbage, Interim Planning & Development Director - If there’s not a sound wall, they don’t have to put up a sound wall, but they do have to put up a screening wall. They, being the developer.

Councilmember Glockel – When we talked about it, it wasn’t in. How do you do that?

Barbara Cabbage, Interim Planning & Development Director – That’s a requirement with the subdivision regulations is for them to put a screening wall up on the perimeter of any collector, above street or a residential subdivision.

Councilmember Glockel – But when we approved it, we didn’t approve it with a wall on the west side.

Barbara Cabbage, Interim Planning & Development Director - The wall didn’t have anything to do with the planned development.

Councilmember Glockel – ok, thank you.

CONSENT ITEM #8 Discussion:

Consider and act on the abandonment by Ordinance of the temporary grading easement being described and depicted in Exhibit “A” (the “Temporary Grading Easement”) and attached to the proposed Ordinance. This abandonment shall extend only to the Temporary Grading Easement title and interest that the City Council my legally and lawfully abandon. The permanent easement acquired by the City pursuant to Cause NO. PR-2009-00932 in the Probate Court of Denton County, Texas and recorded as Doc No. 2010-27633 in the Deed records of Denton County, Texas is not impacted by this Ordinance and all rights pertaining thereto are retained by the City of Corinth.

Councilmember Burke – Am I correct that we don’t have any planned use for that wall?

Bob Hart, City Manager – No, in most of those you have when the construction is over, those things typically are vacated. For whatever reason, it didn’t get vacated on this one.

Councilmember Burke – Just cleaning up the language.

Bob Hart, City Manager – Yes sir.

PUBLIC HEARING #10 Discussion:

TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT, ROBERT P. GARZA, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER NANCY REED, FOR A ZONING CHANGE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE NO. 13-05-02-08 AND PLANNED DEVELOPMENT ORDINANCE NO. 07-03-01-05 BY REVISING THE LAND USE REGULATIONS AND

DEVELOPMENT STANDARDS ON PROPERTY LEGALLY DESCRIBED AS TRACT 1 BEING 3.189 ACRES SITUATED IN THE L. YOUNG SURVEY, COUNTY ABSTRACT 1451 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

Councilmember Harrison – City Manager, in this item we're only discussing the site plan associated not with the access off of Post Oak, right? In item #10?

Bob Hart, City Manager – Item #11 is where you're going to discuss the access. #10 is from the old planned development which called for a strip center and so what they're wanting to do is a strip center and the daycare in a separate building. The office making an "L" shape, but that's what they're amending, the sight plan that's been in place since 1987.

Councilmember Harrison – Clarification, we are eliminating use for a drive through for a coffee shop. Is that what we're doing?

Barbara Cabbage, Interim Planning & Development Director – Correct, that is one of them.

Councilmember Harrison - But all the other uses, as permitted, on page 186, exhibit C, which is the neighborhood shopping areas and it identifies all those uses that are authorized in this planned development if we really know what we're doing here.

Barbara Cabbage, Interim Planning & Development Director – There were three uses that we eliminated from this. One was the drive through associated with the coffee shop, one was the Savings and Loan, and the other one was a veterinary clinic. There was another one, a convenience store with gas service and we eliminated the gas service.

Councilmember Harrison – In item #10, we follow our procedure and that we would put a sign on a property to advise what we were doing, and zoning, that we were going to have a public hearing. We did that ten days prior to the submittal, then we also advertised it in the newspaper 16-30 days and that was in the Denton Record Chronicle. Then was there any other requirement that we should have given to anybody else...in the neighborhoods?

Barbara Cabbage, Interim Planning & Development Director – Yes, sir. We go on our GIS program and it provides a buffer of 200 feet from the property that is in question and provides addresses and mailing information. We send out letters of the Public Hearing to them. For the P & Z meeting.

Councilmember Harrison – And you sent out approximately?

Barbara Cabbage, Interim Planning & Development Director – 31.

Councilmember Harrison – And how many responses did you get?

Barbara Cabbage, Interim Planning & Development Director – I got 4 letter back before the P & Z meeting and at the P & Z meeting, there was one other person in the audience in opposition that was within that 200 feet. Garrett puts together a great map and it tells me exactly how much of each parcel adds up to what. We would need 2.8 acres total of opposition in order to get us the 20% to require a super majority.

Councilmember Harrison – The other question I had on platting and final platting and whatever, does that ever come to the Council?

Barbara Cabbage, Interim Planning & Development Director – Back in 2013 when the Unified Development Code was approved, we took the platting preliminary final replat. Unless the applicant didn't

like P & Z's recommendation or P & Z's motion on it, then they could appeal to City Council, otherwise their decisions was the final decision on that.

Councilmember Harrison – So the Council, looking at this, if we had a question about a wall or we had a question about a detention pond, that would not be proper to address in any form that we have or what?

Mack Reinwand, City Attorney – I think tonight would be the appropriate time to talk about those types of issues. If you have any concerns or questions about site plans or anything else, this would be the opportunity to do that.

Councilmember Harrison- So you'll have a chance to address that.

Barbara Cabbage, Interim Planning & Development Director – Associated with this ordinance, these detailed site plans are not part of the ordinance to be approved but what they are is for your information to use those to look and see what is associated with the development that's being proposed. But all of that information is a part of the project. You can see what they're proposing and it's a perfect time frame.

Councilmember Harrison - We're only discussing the Lighthouse portion now not the second phase or are we discussing both phases?

Barbara Cabbage, Interim Planning & Development Director – We're discussing the whole entire project. The site plan, the landscape, and the lighting is not a part of the detail but those regulation standards are written in that ordinance. As well as the used you were just talking about.

Councilmember Burke – Could somebody translate the staff recommendation for me? Like what deceleration lanes look like.

Mike Brownlee, City Engineer – We're talking about the subdivision waiver now. They submitted the traffic impact analysis with the first and middle and they were showing it odd way. With the new median opening further north on Post Oak and another one on lot 2 on the south. They had a future driveway in the middle and we made some comments on that and said the location of the driveway doesn't guarantee the placement for a driveway. Phase 1 and the 2nd cutout do not trigger a full blown traffic study, they do not trigger the need for any deceleration lanes or anything like that.

When Phase 2 develops it will be real crucial that the third ROW also gets built with it and we'll have to look at the impacts of whatever use that is because we don't know what that's going to be right now. There was a lot of concern about traffic out there that exists and a lot of concern about the daycare going to do to it. The threshold analysis didn't really trigger anything as far as this sight is going to be a major generator that justifies a full blown traffic study with the possibility of doing deceleration lanes or something else. That's kind of where we are. They got through the door based on the things they are proposing and the scenario they're proposing and they met the staff recommendation of adding a second drive line on Post Oak. That would reduce that U-turn conflict. Also, taking the north drive even busier than it would have been because I see only full access driveway that would have been. I feel like the design they submitted is adequate to serve the site without doing the deceleration lane or anything else. It's not going to improve the traffic on Post Oak, it's not going to make it any worse.

Councilmember Burke – I apologize, the terminology, I want to make sure I understand it. Staff does not support including the elimination of vehicle stacking, what are you talking about?

Mike Brownlee, City Engineer - That's part of the board, it's a separate conversation than the subdivision waiver, it's part of the key ordinance it's a separate action. One of the comments from the first review was the design didn't include "stacking" you know, off the street. The purpose of that would be so cars don't stick out in the street. The applicant proposed that we eliminate that requirement and we don't feel good about doing that. It doesn't mean we're going to impose it, but we're not going to eliminate it without

studying the full impact of the final design. It probably will require some staffing internally, develop suspenders, make sure we don't have issues, backing up on Post Oak.

Barbara Cabbage, Interim Planning & Development Director – The stacking is a subdivision regulation and I'm not really comfortable and historically we try not to put subdivision regulations in with the zoning ordinance. If the applicant decides to go that route there is a process, the major subdivision waiver that could eliminate the stacking. The PD ordinance is really not the proper place to do that.

Councilmember Burke – Does the PD ordinances proposed eliminate the stacking?

Barbara Cabbage, Interim Planning & Development Director -The PD ordinance, the way it's written, yes that's what it does. My recommendation is to take that out of the ordinance.

Councilmember Burke - So what they've asked for would eliminate that, which is ordinarily a subdivision regulation. You don't recommend us doing that, but if we don't want to do that we need to amend what they've proposed.

Barbara Cabbage, Interim Planning & Development Director - Correct.

Councilmember Burke – Ok. I'm just not visually understanding where the deceleration lane would be.

Mike Brownlee, City Engineer – There is none proposed at this time based on the land uses that have been presented. The three driveway configuration, two on Post Oak and the third one added on Robinson.

Councilmember Burke – Does that deal with your concerns that you wouldn't recommend a deceleration lane?

Mike Brownlee, City Engineer – There's no room for that.

Councilmember Burke – That's what I'm thinking if I understand what a deceleration lane is.

Barbara Cabbage, Interim Planning & Development Director – They would have to totally reconfigure their site.

Councilmember Burke – Deceleration lane isn't really something you're saying is a reasonable alternative, it's not feasible.

Barbara Cabbage, Interim Planning & Development Director – We don't know that. I think that is what Mike said before was that without looking at it we really don't know.

Mike Brownlee, City Engineer – You have a short taper, a very small stack. People not knowing how to handle it. It wouldn't be a good thing.

Councilmember Burke - The way this is worded, it made me think that maybe you had thought about it and were recommending it.

Mike Brownlee, City Engineer – We have two subdivision waivers tonight, one of them I am saying yes we're going to do this, not on this one. We're talking about another one tonight too. So you might have been reading the background on the other one at the intersection of 35 and Post Oak. That one, yes, a deceleration lane absolutely crucial.

Councilmember Burke – No, I'm reading the right one.

Mike Brownlee, City Engineer - We're not advocating a deceleration lane.

Mayor Heidemann – You're on eleven, right?

Councilmember Burke – Yes, it starts with Children's Lighthouse and then Staff Recommendation. I just wanted to make sure I understood what the options were and you don't think a deceleration lane would be a do-able workable alternative. So as far as what's feasible, the deal with the traffic concerns, they have proposed it and this is about all we can do?

Mike Brownlee, City Engineer – I think it's the best.

Councilmember Glockel – Is the P & Z's recommendation in there somewhere?

Barbara Cabbage, Interim Planning & Development Director – Yes sir. It was on the website, we usually do one after the P & Z meeting before the minutes, we update what they motioned and I can make copies for all of you.

Councilmember Glockel – Can you just tell me what the recommendation was?

Barbara Cabbage, Interim Planning & Development Director – The recommendation for the major subdivision waiver for the 2nd driveway on Children's Lighthouse being 29' closer to the intersection, it's 171' from the intersection and the requirement is 200', they recommended approval on that. As far as the ordinance, they recommended approval on that and take out that section about stacking.

Councilmember Harrison – So you go back over to the letter that they sent. It's attachment 193 & 194. It talks about the TIA, that was the thing you were addressing, it reads here that the TIA completed, essentially it requires the three entrances.

Mike Brownlee, City Engineer – The first one they did. Both phases together, they only had two driveways and I was concerned the third one would never make it.

Councilmember Harrison – So the city is requiring the third access?

Mike Brownlee, City Engineer – We're requiring that they account for both phases, fully developed, with all traffic generated and analyze it on that basis which requires the phase 1, two driveways and phase 2 they will have to add one additional driveway. This half point could possibly trigger some improvements but likely not because I'm hoping the density readings will be lower not higher.

Councilmember Harrison – So when phase 2 comes in will that generate a traffic survey?

Mike Brownlee, City Engineer – We'll do the same thing.

Councilmember Harrison – On phase 2 if it generates a traffic survey, would that cause something different to occur than what we're doing right now?

Mike Brownlee, City Engineer – It shouldn't unless the intensity of the use changes dramatically.

Councilmember Harrison – Could it say that you only need two entrances?

Mike Brownlee, City Engineer – Probably not. They weren't that far away from the Children's Lighthouse. If they add a third use to it. There are three different criteria's, they'll at least trickle one of them. Either 1000 cars a day or one busy driveway at peak hours. It's hard to say really.

Councilmember Harrison – On the median cut, where we cut the trees down in the median, I assume somebody maintains that now, I assume they're doing work out there right now, so consequently if this is

approved and you do all the construction on the median, so all the work they've put in there is gone? Who's going to pay for all this? The applicant?

Mike Brownlee, City Engineer – Yes.

Councilmember Harrison – It's not the city?

Mike Brownlee, City Engineer – No, not unless you all decide you want to do that. It's for them so it would be at their cost. They donate the asset back to the city, just like a water/sewer line.

Councilmember Harrison – They're going to do it and donate it back to us? And fix the sprinkler systems?

Mike Brownlee, City Engineer – Yes, and repair the sprinklers.

PUBLIC HEARING #12 Discussion:

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 INCLUDING SECTIONS 2.07.03 AND 2.07.04 BY AMENDING USES PERMITTED, USES PROHIBITED, USES PERMITTED BY SPECIFIC USE PERMIT AND CONDITIONAL DEVELOPMENT STANDARDS RELATED TO INDUSTRIAL, COMMERCIAL, OFFICE, RETAIL, AND RESIDENTIAL LAND USE CATEGORIES.

Councilmember Harrison - What are we correcting? What are we changing? Do you want us to review it and make changes to whatever you're submitting?

Bob Hart, City Manager – We want you to review it. This is also listed as item #5 on the workshop to review it. When we talked about this 6-8 months ago, you all had asked for this to be brought back in a series of workshops and public hearings before you took any action on it. So this is beginning that process. Barb will go through that. If we could wait until item #5 on the workshop. All you have tonight is a public hearing, there is no action to be taken.

BUSINESS AGENDA #15 Discussion:

CONSIDER AND ACT ON AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF CORINTH, TEXAS, BY AMENDING CHAPTER 71, STOPPING, STANDING AND PARKING, BY MODIFICATIONS TO SECTION 71.02, PARKING DESIGNATIONS FOR PORTIONS OF PUBLIC RIGHTS-OF-WAY, PROHIBITING PARKING, STANDING, AND STOPPING ALONG PORTIONS OF INTERSTATE HIGHWAY 35 SERVICE ROAD (STEMMONS FREEWAY), PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Harrison – That includes other than 35, right? Doesn't this ordinance include all these other?

Mack Reinwand, City Attorney – Those are already in your ordinances, this is just adding 35 to that list that already existing.

2. Discuss the proposed Lynchburg Creek Master Drainage Plan Study.

Bob Hart, City Manager – This is an issue that we've discussed over that last several months, we had one other workshop. It comes out of the study that we've been doing, the reconfiguring the flood plain

modifications along Lynchburg Creek. If you'll recall that preliminary study is now at FEMA under technical review but it did identify areas that would be a concern, assuming that FEMA adopts all of these changes. We don't see any reason why they're not. In order to anticipate the need for the repairs and do that on a timely basis. When I say on a timely basis, is the next round of applications, through the state funding program is in January, which means we have to have a study done, have it in place by the September/ October time frame so we can put together an application for funding in this next fiscal year. That's the reason for making an amendment and to do the study to help in that response. We've been working with Jones/Carter and they're here to be able to talk through what would actually be looking at in terms of drainage improvements.

Councilmember Harrison - If we're going to do this and somebody is going to be punching little flags all over everywhere in there study or whatever they're going to do, I still say that we need to tell the citizens in the area, give them a handout or some kind of notification that we're going to be over doing something. Rather than surprise them one day, everyone over there with the little flags, they're going to ask why. I think we need to take a step forward and tell the areas that are over there what's going to happen, what possibly could happen. It could affect you. I think it's prudent on our part as a city.

Bob Hart, City Manager - Absolutely, and we agree with you. We've got some residents from some of these areas that are here tonight and we've met with them in advance of this as well.

Mark Oliven, Jones/ Carter – I'm with Matt McCombs with Evan Ray. We've been in Texas for over four years, based in Houston. They got some drainage issues down there. We adapt to figuring those things out. We've had an office in North Texas for over 20 years in Plano. We have about 35 people in our office currently and we have all these different specializations in our Plano office, we'll be serving you from there. There is quite some history and background with this project with the current update to the FEMA maps that is being done, with carpeted programming working with space through COG. There is some new information that's coming out of those models that says that there's going some additional properties in the flood plain. In addition to that I think there's some known drainage issues in this watershed and so we came five or six weeks ago, met with Mike and the City Manager here just to talk about what could be done to pre-empt those new maps that are coming out to find some solutions for the problems that are going to be coming up. Briefly going through the scope that's in the contract there, just how we're going to approach this problem, a lot of analysis obviously, we have to collect some data. We'll be collecting information from the city, from previous studies, existing studies that are going on, previous letters and map provisions, additional maps, 90's plans, a lot of information from the city to start gathering a baseline of what currently exists out there today. We'll be doing some infield assessments, we won't be doing any topo surveys so we won't have crews out there in the neighborhoods, any field crews. Hopefully, no stakes, no paint, no glass no pens out there. We will be some personal observations, walking the neighborhoods and the creek areas that we can get to.

Resident – Does that include talking to the residents? Or the residents that live along these culverts?

Mark Oliven, Jones/ Carter – If we're out there looking at some field and a person stops and asks us.

Resident – There's nothing like first-hand observations, people that have lived there a long time have witnessed and gone through some of the flooding and erosion and what have you.

Mark Oliven, Jones/ Carter – To me, that is part of the available data, if there is record of complaints and issues then yes, that is the type of information we want to gather. It makes our job a little bit easier to get out there when we know what we're looking for rather than a needle in a haystack if we know of X number of locations we can focus on those and at least look at those first. But there are the flood problem areas, the areas that are going to be a concern based on new FEMA mapping. There are other areas that the system in general not necessarily related to the flood plain, but how the water gets there and we'll be looking at those as well. As was mentioned before, pursuing some options for grant funding to help fix the issues that are identified. The delivery will be a report and recommendations, kind of a master plan for the watershed

identifying different projects, what their cost might be and it just uses a planning tool. There are three primary areas of concern and three areas we'll be focusing on to look at alternatives to solving the issue with the flood plain. On the aerial on the left, is the area that is most recently been, based on the new models, going to be put into the flood plain, that's one of the areas we'll be looking to creatively come up with some solution and ideas around that area, I think that area is also part of the City's center future development you have planned there so trying to incorporate that into a master plan for the whole water shed as well.

System issues that I've mentioned for a water shed, to do the master drainage plan for the water shed we identify any possible thing that might need to be fixed. That could be a broken head wall, it could be erosion areas that may be starting to encroach on private property that you want to get fixed before it becomes a problem. There could be neighborhoods that have bar ditch and driveway culverts that are filled up, have no capacity, identify things like that and maybe clean culverts that are starting to have some scouring erosion around them as well. It could become a problem identifying those types of things that need to be incorporated into a master drainage plan for the water shed. So as I said, the delivery will be a master drainage plan to use as a planning tool, we'll have alternatives for the various flood plain issues whether it's off detention, channel improvements things like that that will help alleviate flood plain concerns. We'll also have cost and alternatives for improvements to make on any system. Supporting documentation, we'll have cost benefit analysis and then recommend a phasing plan to move forward in the CIP type of fashion. With that, we are available for any questions you might have.

Councilmember Harrison – The start of this project will be up in Amity Village, that circle on your left hand side. We have discussed it with the people on downstream side, but have we discussed it with Amity Village and those 150 homes?

Mike Brownlee, City Engineer – No.

Bob Hart, City Manager – They'll be looking at all three circles, the third circle to the right is where we have walked some of that area with the residents and that's what we've communicated back.

Councilmember Burke – What will be necessary, say there are going to be some costs, will there be alternative solutions proposed? And cost estimates?

Mark Oliven, Jones/ Carter – Yes.

Councilmember Burke – How far will those cost estimates be from where they would be biddable for projects?

Mark Oliven, Jones/ Carter – We won't be developing construction plans to bid with the master drainage plan. They'll be enough detail that we can get what we feel will be accurate costs. We will talk about various alternatives, we're not going to price everything but we'll sit down with staff and talk about two or three options for this specific area, what we think is the most feasible, what's the most cost effective, what gives us the most bang for our buck. Then we'll price that out with as much detail as we can. There will not be construction plans associated with that to go to bid.

Councilmember Burke – I think you say that in the contract, that would be additional work.

Mark Oliven, Jones/ Carter – That would become a design project rather than a model.

Councilmember Burke – At that phase you would be doing the grant request as well.

Mark Oliven, Jones/ Carter – Yes, we would have more detail to submit for a grant application.

Councilmember Burke – Is the process that you request the grants before you get the construction plans or do you do them together?

Mark Olivan, Jones/ Carter – It depends on the specifics of the grant but sometimes you can submit it in advance so you don't spend the money to design things if the grant gets denied and others require a little more detail with the grant applications.

Mayor Heidemann – For us to submit the grant, the data you're going to collect here and the estimated costs, will that be what we use in submitting the grant?

Mark Olivan, Jones/ Carter – That's my understanding. I believe that's the case.

Mark Olivan, Jones/ Carter – It depends on which grant you're after but part of what we were going to do after we determine what the various alternatives for the various locations we were going to say this project looks like it would be a good fit for this grant if we want to pursue this project we'll pursue this grant with this project and that would provide X match on your funds for that project.

Councilmember Burke – From this point to a point where we have implemented a solution, what kind of time line are we talking about?

Mark Olivan, Jones/ Carter – If I understood the time line for the grants it would be well before January to make that submittal, we have a primary schedule and the end of contract those are not sequential days. A lot of those tasks are overlapping.

Councilmember Burke – I'm not trying to pin you down specifically, but I'm just trying to think like on budget cycles. At the point we're at now, then we'll have some alternatives then we'll probably request some grants and then depending on what we get we'll do construction plans and start a project. Are we two years from there?

Bob Hart, City Manager – We want to do the application in January, that's the schedule we're trying to operate with. Which means that, we'll get this part of the study done and depending on the grant criteria we'll either go immediately to design to get ready for a grant or we'll include that in the application. Either way when we're working on this upcoming budget, we'll include match funds for those potential grants and design money if that's needed. The idea is to get that into the January application cycle. January 2019. They do these grant cycles every year, so it's 2019 or 2020, we want to get it into 2019.

Mark Olivan, Jones/ Carter – We'll be far enough into the project that we'll be able to give good estimates on if you want to include some things in the next budget year.

Resident-This study, will it encompass the scope which would be like a 500 year flood? 1000 year flood? Or specifically in my vocabulary it would be like and 8-inch rainfall within 24 hour period or a 12-inch rainfall?

Mark Olivan, Jones/ Carter – The models that we'll be dealing with are with the FEMA map specifically. Those are based on existing floods. So in order to challenge the flood plain maps and get people out of the flood plain, we have to deal with the same flows that FEMA is working with. That's what would get you or any person out of the flood plain is dealing directly with apples to apples comparison with the models that FEMA uses.

Resident – Do you know what those are currently?

Mark Olivan, Jones/ Carter – 100 year.

Councilmember Burke – The 100 year, I believe, is 9.6 inches in 24 hours.

Mike Brownlee, City Engineer – It depends on the time and concentration. It could go up higher, even 11.5 inches.

Councilmember Glockel – The FEMA study, they did the preliminary study and I thought the last time we met we weren't going to knock on doors until we knew for sure what FEMA was going to recommend, we don't have that.

Bob Hart, City Manager – We don't have that yet but we do have enough information, we're going to wait until we get further along in the technical review. But what's going to happen is they'll finish that up sometime. So what's going to happen is when all that becomes public information, all the final decisions have been made, then what we're trying to do is be ahead of this so that we can go out and say here's what the new maps are and you're in the flood plain and here's what our proposed fixes are. We're trying to stay on the cycle so that all of that comes together roughly at the same time.

Councilmember Glockel – We're not predicting what FEMA is going to say. We have some hard data that's saying Amity Village is going to be added to the flood plain?

Bob Hart, City Manager – Yes.

Mike Brownlee, City Engineer – This is their model, we're using their model.

Councilmember Glockel - When that group came in, they wouldn't say for sure this is what was going to happen.

Mike Brownlee, City Engineer – All the updated hydrology and all the survey, picking up the detention ponds that have been put in. It's the most up to date model that exists.

Bob Hart, City Manager – They're not going to say anything until all the technical reviews done. Legally they can't go out and say this is going, but we know based on the data that's what we're going to see at the end of the day.

Councilmember Glockel – This leads into, what someone said earlier, are you going to talk to people? You go to Amity Village and I live in Amity Village and you come knock on my door and I go to try and buy flood insurance because I'm now in a flood plain which I'm technically not yet. Is that true? That would be a true statement?

Bob Hart, City Manager – I can't you exactly when the timing is going to be but that's what we're going to be watching for because we don't want to go off and say something. It's not going to match with FEMA. It's a little bit tricky of exactly what day or what week that's going to happen, but we're watching all of this. The number one concern that we have is, when that data is released, for public review and comment, that we want to be in a position to say this is what's available, here's our solution, and here's how we're going to address it. Otherwise, we come out there tell you you're in the flood plain and then we'll say now we'll go back and study it, but I don't want to wait until January 2020 to go off and try to get funding assistance. We want to be in a position in January 2019 to do that.

Councilmember Glockel – You know I'm going to be upset because I don't want to go to my insurance company and buy insurance and it's not in a flood plain, but if it floods I'm going to be upset because you haven't done something and you're saying we know what the end result is going to be. I was just remembering what they said last time which was basically it was preliminary and they were going to come back with a final disposition where these locations were. Some came out, some went in.

Mike Brownlee, City Engineer – It's only preliminary and it hasn't become the regulated map.

Councilmember Glockel – If we go back and say those houses are the two that came out, we say oh you're not in the flood zone anymore, what happens if they flood?

Mike Brownlee, City Engineer – There are people that aren't in the flood plain that are flooding.

Councilmember Glockel – I'm talking about people that are in the flood plain today, by these maps, the couple of locations that are coming out of the flood plain by the new proposal.

Mike Brownlee, City Engineer – It's just a model.

Councilmember Glockel – it is just a model, if it's not your house that's flooding.

Mike Brownlee, City Engineer – I understand but what we're trying to do is make it better for everybody whether they're in the flood plain or not in the flood plain. The model gives us a tool, it gives us guidelines to go by. Any improvement will help anybody whether they are in the flood plain.

Councilmember Glockel – I understand the intent, I'm just being the devil's advocate. I'm just saying that FEMA said this is my gospel yet, we're taking action to resolve these problems already. That's a good thing.

Mike Brownlee, City Engineer – It's not regulated.

Councilmember Glockel – It's not regulated, FEMA has not declared these people are in or out of the zone, officially.

Mike Brownlee, City Engineer – Officially, right.

Councilmember Harrison – On the downstream side, when you get to our city limits going east and Shady Shores and Lake Dallas, will we just get to the city limits and put up a barrier and say we stopped? Are we going to work hand in hand with the downstream communities?

Bob Hart, City Manager – We're going to communicate with Shady Shores and Lake Dallas and keep them informed. But, we're going to take care of Corinth. We'll give them the heads up on what's happening.

Mike Brownlee, City Engineer – When any of these improvements to be approved by FEMA, they would have to look at the conditions upstream and downstream, you have to match the downstream conditions, in other words you couldn't increase the flooding downstream. We wouldn't by virtue of our gain wouldn't be their loss.

Councilmember Burke – And visa versa, right?

Mike Brownlee, City Engineer – Right.

3. Discuss Wayfinding Signs for homebuilders and public facilities.

Bob Hart, City Manager – In your packet, on pages 18, 19, and 20, are these wayfinding signs. You see some of them in Little Elm and in Lake Dallas. What I wanted to do is find out what you think about placing these within Corinth and advertising home builders and that helps us from code enforcement standpoint of trying to eliminate the bandit signs that you see a lot on the weekends. These signs typically, we can bring in companies that can do these signs, there's no cost to the city on doing them. The home builders buy the panels and they are installed and that's how those things are financed. The issue is whether

you'd want to see those here or not, if you do, we'll starting working with one of the sign companies to put that in place. If not, we'll go onto something else.

Councilmember Harrison – Are they successful where they're at?

Bob Hart, City Manager – Yes.

Councilmember Harrison - You say there is no cost to us but if you got town, library, parks, town hall, are we going to pay for that?

Bob Hart, City Manager – No, that's part of the benefit we get in permitting the signs to be here.

Councilmember Harrison – We only have 3 home builders building here so they're going to subsidize this? When they leave, do they take their signs with them?

Bob Hart, City Manager – The sign company owns it and when all the homebuilders are gone, presumably the signs will be taken down and go away.

Mayor Heidemann – They maintain them?

Bob Hart, City Manager – They maintain them, yes.

Councilmember Glockel – Where will they position them?

Bob Hart, City Manager – We haven't even worked with them on that. What they do is come in and work with the staff and then work with the homebuilders. You're in placing locations to help direct traffic to where the subdivisions are and at those locations we direct them to some of the public facilities. Generally what you do it direct them to parks, city hall, police, fire, schools and the high school football stadium.

Councilmember Johnson – I guess they would be in the public right-of-way then?

Bob Hart, City Manager – Yes sir.

Councilmember Harrison – Are they lit?

Bob Hart, City Manager – No.

Councilmember Johnson – We can write our ordinance so that they will go away after or their converted to something that we can do something with them after the home builder is gone.

Bob Hart, City Manager – It wouldn't be an ordinance, it would be the contract that we did with the company and when we could include that provision. I've seen these go in and I've never seen a community where it's built out and they go away so I don't know what happens.

Councilmember Johnson – I know they look good in Little Elm. Who maintains those, the sign company?

Bob Hart, City Manager – Yes sir.

Councilmember Burke – Are we creating a 1st Amendment issues, would we have to let other people do this?

Mack Reinwand, City Attorney – There was a thing with a case that came out a few years ago, cities looked at it and they usually put some ordinance language in there to really tailor this down to try to avoid

that issue. And we may need to do that, put an actual ordinance provision in place just to make sure we're ok.

Councilmember Burke – And you're fairly comfortable with that?

Mack Reinwand, City Attorney – Yes, I think we can do it.

Councilmember Burke – Like not knowing the tentative consequences.

Mack Reinwand, City Attorney – Right.

Councilmember Harrison – Do you really think you're going to preclude bandit signs with real estate?

Bob Hart, City Manager – No, but the towns that do these tell me that they do help reduce them.

Councilmember Glockel – They look a whole lot like the signs that we've been trying to lobby against. Lake Dallas, for instance, back in a time when they 1st came out they were pretty high for the businesses. The hardware store, Bob McDonald, I went to him less than two months ago, you go south on Shady Shores Rd. towards the post office and it says Hardware Store-south. You come out of the post office going north and it says Hardware Store-north on the same sign but on opposite sides. About a year before that, right at the administration building for the school at Shady Shores and Swisher it said Hardware Store-right, to take a right on Main St. So you take a right on Shady Shores and take a right on Main St. that puts you right back on Dallas Dr. heading north and it brings you right back. The same business on two signs, I don't know if they ever fixed the last one, they did fix the first one. These in Lake Dallas don't look that great to me, are they the same in Little Elm?

Councilmember Johnson – There's a drawing of them in Little Elm. And Georgetown is on the list.

Councilmember Glockel – Lake Dallas is not on the list.

4. SAFER Application briefing (Due April 28th)

Bob Hart – City Manager – They've come out with the grant schedule, the SAFER grants are due on the 28th. The plan would be what we've talked about, we'll apply for 9, I would expect us to accept 6, but trying to keep all of our options open. The funding cycle should come around the first part of September and at that point we'll need to make a decision on how many to accept and depending on all the other circumstances with the contract, we'd recommend somewhere 0, 6, or 9. We don't get locked into that at the application stage, we get locked in at the acceptance stage and I would think that's going to happen probably in the September time frame.

Mayor Heidemann – Before our budget is approved, right?

Bob Hart, City Manager – It should. I know this can drive you crazy trying to anticipate, they don't do everything around our schedule. We'll just make the best judgement call that we can and talk about it at that time.

5. Discuss amendments to the City of Corinth Comprehensive Zoning Ordinance being a part of the Unified Development Code including Sections 2.07.03 and 2.07.04 by amending Uses Permitted, Uses Prohibited, Uses Permitted by Specific Use Permit and Conditional Development Standards related to Industrial, Commercial, Office, Retail, and Residential land use categories.

Bob Hart, City Manager – Councilmember Harrison, this is back a year before I started.

Barbara Cabbage, Interim Planning and Development Director – I don't have a power point, I was going to go with the documents that you have in front of you and the city's website. Also in your packets you probably have a zoning map and a land use map. I don't expect us to get too far tonight, it's more of, as Joe said he wasn't really sure what the intention of this was. Actually, the use chart on the website is really hard to read, it's the only thing about the unified development code on the website that's not my favorite. The legend here coincides with your charts and everything you see on here that's in green with a P is permitted by right. If there is no color, it's not permitted within the zoning districts listed in the columns. S is specific use permit within that zoning district and associated with that use. The blue is that it's permitted but there's conditional development standard associated with it. We just went through the cell tower application that last meeting we had and you saw there was several pages of conditional development standards associated with it of what the applicant needed to do in order for use to even consider his cell tower. This is the best part of this on the City's website.

What we'd like to do is we would like to look at all these uses and we've been proactive over the last few years, since 2013, when a situation came up, there were the payday loans and we acted fairly quick on those. Batch plant, firewood sales and a couple of others, all of those were permitted by specific use permit and associated with conditional development standards. There's a few items that we've discussed over the last 5 years that have come up. The most recent one is schools and the school on 35. Up until 2013 the City of Corinth did not allow schools in any type of commercial or industrial zoning district. For whatever reason that was approved and we can see some of the downside allowing that on 35. One of those that has come up is massage parlors, massage parlors are not what they used to be, like tattoo parlors they've changed a little bit. Should there still be some regulations associated with them? I would think so. I don't think we talked about this earlier, computer and chip manufacturing, I don't know that's something we need to leave in our ordinance. We don't have enough space, about 100 acres you would need to some type of development like that.

I know that Farmers Market has been one that we've talked about before that is very popular in other cities and I think that we really need to consider how we can allow that to be allowed in some areas somehow. One of the places I actually was looking at over the weekend was the old Cattle Company site, which I thought would be a perfect place to do a temporary set-up if whoever was wanting to do it could get their permission. There's no building, they're no parking but it would be easy for someone to look at that and make it work. We had something with an agricultural use that came up with Combs Coffee, they actually looked at taking the property at the corner, the north, southeast corner of Shady Shores and North Corinth Street and doing a greenhouse, it wouldn't be something the public would come to, it would not meet any of our standards but it would be cool to have that type of self-sustainable coffee growing greenhouse there. I don't know of any other area in the Metroplex that has something like that. We've talked before about hotel/motel restrictions/regulations that we wanted to add in conditional development standards. One that has come up, in the last year, was hospitals. Maybe look at that a little bit closer and maybe break it down a little bit more and see what we can come up with. I think the first thing we want to do is to have everybody look at this.

We would love public input on what uses the public would think would be appropriate as well that maybe we're just not seeing. We have a general business, we have a general office, we don't have a general service. Every service that we have in here is specific, if a massage parlor came in, it would not be allowed. Massage Envy came in quite a while back, they came in under the spa because they offered other services. Lately we have had one that came in, they have been in a lot of the malls around the country, they do only foot massages, and they are wonderful. But per our ordinance, they would not be allowed, either that is something you would want to allow or you wouldn't. And I think it would depend on where you would allow it. I didn't think we would do this in one workshop because there are so much associated with it, but I do think that it's important to go through the list and everybody goes around to the different malls to the different strip centers and you know what you see there that you like. Not necessarily the brand but the

type of use. I think that would be something that we would need to look at. Make a list and then provide that and I can put that together for the next workshop and we can go over that with everybody.

Councilmember Johnson – So you're basically looking for a bucket list of everything we think, usage for everything we think would work so we can build this into code, the UDC, so there won't be any problem with interpretation or misinterpretation. Do you want us to do something like this would be a good use in this area for this type of industry?

Barbara Cubbage, Interim Planning and Development Director – Yes. If you look at your use chart, and you look at your zoning map, and we can even go further when we come back and look at the future land use maps and see which of those districts uses would be appropriate in those districts so it all goes together.

Councilmember Johnson – When is our next discussion on this?

Barbara Cubbage, Interim Planning and Development Director – That would be up to you. If we can do it at the next workshop if you think that's enough time to put something together to go over the list and the map and have a discussion. I know we've talked about this before and this wasn't something that was going to be done in one or two sessions. There's a lot. I think this is very important, things change, the markets change. In the 1987 ordinance it had Savings and Loan, I think Bank will cover all that now.

Mayor Heidemann – Can we all have our summaries sent to her before the next session so we can have another workshop? Okay, it's targeted. Mr. Hart will you put it on the next workshop? And everybody will submit their recommendations.

Councilmember Garber – Can we also provide possible permitted uses that we would like "not" to see?

Barbara Cubbage, Interim Planning and Development Director – Please.

Councilmember Harrison – Barb made a good point, we'd love to have the public comment on some of this stuff. The only other way I could think of is go to the Homeowners Associations, we have 13 in the city and go right back to them and say hey would you do this? Ask their management company to have their citizens have a comment and send it to us.

Barbara Cubbage, Interim Planning and Development Director – That would be easy to do. To send this document out to the Homeowners Associations and for them to pass it to their residents.

Councilmember Harrison – I don't care if you send it to churches, schools or anybody else. We're all part of the communities.

6. Discuss the Regional Transportation Council position.

Bob Hart, City Manager – The appointments to the RTC is done every couple of years. Currently our representative is the Mayor Pro-Tem in Denton and you have a Councilmember as an alternate. When they divide this area up in terms of the Cities that are represented, we're in with Denton, Sanger and Lake Dallas. So you have to get the support of some of these other cities to do that. The question is whether you'd want to throw somebody up her and put them in the mix for debate. We'd have to go back and talk to Sanger, Lake Dallas, and Denton on dealing with this. But if someone was interested in doing it and we could get into the mix on that. I didn't know if there was any interest in that.

Councilmember Harrison – The problem we run into on that is that 128,000 people compared to our 20,000 and that's why there are two people from Denton on it.

Bob Hart, City Manager – I think though that we could make a run at an offer.

Councilmember Harrison – Denton’s not going to give it up so you need to go for an alternate.

Bob Hart, City Manager – One of you 6 have to do it.

Councilmember Garber – What’s the time commitment Bob?

Bob Hart, City Manager – It’s a full day monthly. A day and a half monthly. And it’s going to be down at COG in Arlington. People, I guess, they spend 2 or 3 days a month on it. It’s kind of hard to be employed.

Mayor Heidemann – I do have one other one that I need, on the executive board on COG. I’ve been asked to apply for it and would be more than willing to serve there but one of the requests was is that I poll the Council here to make sure you’d be willing to support that.

Councilmember Johnson – I’m glad you’re doing it. Enjoy.

There was no Closed Session during the Workshop Session.

CLOSED SESSION

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

Section 551.071. Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or 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. Purchase Right-of-way at 2101 Lake Sharon Blvd.

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 6:58 pm.

Approved by Council on the _____ day of _____, 2018

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 2.

City Council Regular and Workshop Session

Meeting Date: 06/07/2018

Title: April 19, 2018 Regular Session

Submitted For: Kim Pence, City Secretary

Submitted By: Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Consider and act on minutes from the April 19, 2018 Regular Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the April 19, 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 April 19, 2018 Regular Session minutes.

Attachments

Minutes

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

On this the 19th day of April 2018 the City Council of the City of Corinth, Texas met in a 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, Council Member
Joe Harrison, Mayor Pro-Tem
Lowell Johnson, Council Member
Scott Garber, Council Member
Don Glockel, Council Member

Members Absent:

None

Staff Members Present:

Bob Hart, City Manager
Barbara Cabbage, Interim Planning and Development Director
Cody Collier, Public Works Director
Debra Walthall, Chief of Police
Kevin Tyson, Police Lieutenant
Jimmie Gregg, Police Lieutenant
Kim Pence, City Secretary
Jason Alexander, Economic Development Corporation Director
Brenton Copeland, Technology Services Assistant Manager
Mack Reinwand, 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 the Texas Pledge.

PROCLAMATION:

Mayor Heidemann proclaimed the month of May as Motorcycle Safety Awareness Month

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 March 1, 2018 Workshop Session.
2. Consider and act on minutes from the March 1, 2018 Regular Session.
3. Consider and act on minutes from the March 15, 2018 Workshop Session.
4. Consider and act on minutes from the March 15, 2018 Regular Session.
5. Consider and act on minutes from the March 22, 2018 Special Session.
6. Consider and act on a Resolution appointing Bob Hart to the Upper Trinity Regional Water District.
7. Consider authorizing the City Manager to approve the Professional Services Contract with Lamb-Star Engineering for design services to remodel the Public Works Facility and site/drainage design work for the Fire Department's Training facility.
8. Consider and act on the abandonment by Ordinance of the temporary grading easement being described and depicted in Exhibit "A" (the "Temporary Grading Easement") and attached to the proposed Ordinance. This abandonment shall extend only to the Temporary Grading Easement title and interest that the City Council may legally and lawfully abandon. The permanent easement acquired by the City pursuant to Cause No. PR-2009-00932 in the Probate Court of Denton County, Texas and recorded as Doc No. 2010-27633 in the Deed Records of Denton County, Texas is not impacted by this Ordinance and all rights pertaining thereto are retained by the City of Corinth.
9. Consider and act on a Resolution of the City Council of the City of Corinth denying a Special Use Permit for the installation of a new 121-foot tall cell tower and associated equipment on a property legally described as Lot 1-R, Block A, North Central Texas College Addition No. 2.

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

AYES: Burke, Garber, Johnson, Harrison, 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 one spoke.

PUBLIC HEARING

10. TO HEAR PUBLIC OPINION REGARDING A REQUEST BY THE APPLICANT, ROBERT P. GARZA, AUTHORIZED REPRESENTATIVE FOR THE PROPERTY OWNER NANCY REED, FOR A ZONING CHANGE AMENDING THE COMPREHENSIVE ZONING ORDINANCE BEING A PART OF THE UNIFIED DEVELOPMENT CODE NO. 13-05-02-08 AND PLANNED DEVELOPMENT ORDINANCE NO. 07-03-01-05 BY REVISING THE LAND USE REGULATIONS AND DEVELOPMENT STANDARDS ON PROPERTY LEGALLY DESCRIBED AS TRACT 1 BEING 3.189 ACRES SITUATED IN THE L. YOUNG SURVEY, COUNTY ABSTRACT 1451 IN THE CITY OF CORINTH, DENTON COUNTY, TEXAS. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

Barbara Cabbage, Interim Planning and Development Director - The subject property zoned Neighborhood Shopping as one of the non-residential elements of the Planned Development ordinance created in 1986 for the Oakmont Subdivision. In 2007 this zoning district, Neighborhood Shopping was amended to add “Specialty Coffee Shop with Drive-Thru” and to provide site plan documents for a retail center. The proposed retail project did not develop. All the uses that are permitted within the Neighborhood Shopping areas shall be as follows:

- Bakery
- Bank
- Barber and Beauty shops
- Convenience store
- Day Care Center
- Drug store or Pharmacy
- Dry Cleaning and laundry
- Florist or garden shops (no outside storage or sales)
- Grocery Store
- Hardware Store
- Household appliance sales
- Personal services (i.e., Dressmaker, shoe shoe shops, tailor, etc.)
- Pet Grooming and supplies
- Photo service
- Retail shops
- Specialty coffee shop
- Studio- music, dance or drama
- Veterinarian (no outside runs)
- Uses similar to the above mentioned permitted uses, provided that these similar uses be allowed only if approved by the City of Corinth Planning and Zoning Commission and the City Council.
- Temporary buildings and uses incidental to construction work on the premises, which shall be

removed upon the completion or abandonment of construction work.

At this time, the applicant, Robert Garza, authorized representative for the property owner, is requesting a zoning change to amend the 2007 zoning ordinance associated with the site. Mr. Garza's client is proposing a two-lot non-residential subdivision where the Children's Lighthouse Day Care would be constructed on the north end of the property and on lot 2 (southern portion of the tract of land) a retail center is proposed as a separate project in the future. Both the daycare center and retail are allowed uses in the Neighborhood Shopping district. Vibhuti Patel has had the property under contract since October 2017 and will be developing the site for the Children's Lighthouse.

The amendment to the existing ordinance is necessary as the site plan associated with the 2007 ordinance amendment is no longer valid. The applicant has submitted a PD Concept Map for Children's Lighthouse Addition providing conceptual placement of the daycare on Lot 1 and a conceptual layout of a building on Lot 2. There are aspects of the UDC not found in the current Neighborhood Shopping requirements from the 2007 ordinance amendment which was created before the UDC was approved and has now been incorporated in the ordinance provided, in particular the Residential Adjacency Standards associated with residential properties within 400' of a non-residential development. The applicant and developer have worked with City Staff to incorporate these standards into this project.

Associated with this zoning amendment is a companion item being a petition from the applicant for a Major Subdivision Waiver requesting relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of approximately 171' from the Post Oak intersection for a new driveway. The Unified Development Code requires 200' separation. The second driveway will reduce the loading on the northern driveway, will help internal circulation and reduce U-turn conflicts in the public Right of Way. The applicant has provided additional documents associated with this companion item. The zoning change and the MSW will be acted on separately.

The Planning and Zoning Commission approved unanimously on April 16, 2018 with conditions that all the engineering documents are taking care of prior to any construction. The Final Plat was approved with the same stipulations.

We worked with the applicant to do a couple things, we asked him to put speed humps along the driveway and designate the right side of the parking lot as employee parking. We talked about vehicle stacking, as parents pull in, drop them off and sometimes they are out on the street. At a Day Care Center we don't have that issue for the most part. You pull in to the parking space and you have to go in and sign in the child and when you come and pick them up it is the same process.

Phase II is conceptual and all that can go in there are the items listed above. There are things that we removed from the list and I would like to recommend removal of the veterinarian, the other one was the drive-thru associated with the Coffee Shop, the Savings and Loan which we deleted and the Gas Services with the Convenient Store. The Convenient Store can stay however the gas services would go away.

Staff recommends approval of the zoning change amending the Planned Development ordinance however Staff does not support including the vehicle stacking for the child care use. If the applicant would like to proceed with this item it would be more appropriate to process it with a Major Subdivision Waiver or

alternative options such as deceleration lanes approved by the City Engineer. In addition, Staff has added a "Condition" to the ordinance that speed humps would be required on the driveway within the daycare area of Lot 1 and pre-approved product and placement through the Fire Department.

The dimensional site plan does not show what the design map shows because if the Major Subdivision Waiver was not changed, it would not make sense to go through the cost to change the documents that had already been drawn up. Staff's recommendation is if the City Council approves the Major Subdivision Waiver, then the documents would be changed and the proposed entrance on Robinson would be greyed out and it would make the 2nd driveway on Post Oak more prominent.

Robert Garza, RPGA, Design Group Inc. - The current PD is fairly outdated and has very little information or requirements. We came in to this thinking nothing was going to have to happen or change. Barbara Cabbage has done an excellent job educating us on the Unified Development Code (UDC).

The typical children's Lighthouse Facility today is just over 11,000 square feet. Typically we locate these facilities adjacent to residential communities because Children's Lighthouse wants to serve as a neighborhood service. We also locate them on access routes to allow working parents to readily access the facility on their way to and from their home.

The facility is a one-story pitched roof facility so that it blends in with the residential community. The typical proto-type has a combination of stone and stucco. We learned that stucco was not part of the accepted material so we re-designed the elevation so they are 100% stone. These are the changes that were made as part of us working with staff to comply. If this is, in fact, the direction we are going to take, the exit off of Robinson road is intended to be in the future along with Phase II of the development.

Mrs. Patel did go out to the neighborhoods within the 200 foot radius as suggested by staff. She introduced herself and passed out flyers and during that process she received no negative comments. We do believe that we have done our due diligence not only to update the site plan and to the current UDC but also reaching to the citizens within the 200 foot radius.

Councilmember Harrison - did you go out to the POA and discuss it with them?

Robert Garza, RPGA, Design Group Inc. - I don't think we did. One of the ladies on the POA did approach the Patel's after the Planning and Zoning Commission meeting and ask the Patel's to come to a meeting they will be having on May 6th.

Mayor Heidemann opened the public hearing at 7:35 p.m.

Victor Burke, 2217 Knob Hill Drive - Opposed to the proposed re-zoning. Concerned with additional traffic in that area.

Melvin Locklear, 1602 Oak Hollow Drive - Opposed to the proposed re-zoning. Traffic issues.

Cheryl Locklear, 1602 Oak Hollow Drive - Opposed to the proposed re-zoning. Traffic is an issue that has not been addressed.

Katherine Clark, 1510 Pecan Valley Court - Opposed to the proposed re-zoning. Intersection is already

too busy. I live within the 200 foot radius and I was not notified.

Eric Seymour, 2204 Redrock Drive - Opposed to the proposed re-zoning. I have two children and very concerned about the heavy traffic in that area.

Laurie Feltus, 1855 Vintage Drive - Opposed to the proposed re-zoning, Decrease property values, drainage issues. Traffic issues with no traffic study. Does not want retail or gas station. Office space would be better.

Mayor Heidemann closed the Public Hearing at 7:45 p.m.

Robert Garza, RPGA, Design Group Inc. - the capacity I was asked to get was maximum capacity. Typically these centers run very well at about 115 children. Capacity is dictated by licensing is what our building is designed for but by no means does that mean there will be 250 cars coming in and out of that facility. Child care is probably the least interrupted use based on the current zoning and the zoning we are modifying. There are many other uses that are allowed by right that would be much more interrupted than a day care facility. Lastly, I would like to point out that Nancy Reed has owned this property for well over 30 years and she has every right to develop that or sell it to someone who wants to develop it in the current zoning that is allowed by right. We are going through this process because we are not doing a large retail building that is currently allowed.

Barbara Cabbage, Interim Planning and Development Director - Mr. Garza talked on the residential adjacency standards, before 2013 the Unified Development Code, there were no residential adjacency standards so a garbage dumpster could be 10 feet from your property line. Lighting, there were no restrictions on that. The residential adjacency standards are very strict and really have improved on what could go on this property and the impact it could have on the neighboring residents.

The Planning and Zoning Commission recommended approval of this PD Amendment with the one stipulation of eliminating vehicle stacking and I would think it would be appropriate to remove veterinarian use as well.

Councilmember Burke - they have the right to build a day care correct?

Barbara Cabbage, Interim Planning and Development Director - it is a permitted use within that zoning district, yes.

Councilmember Burke - with a PD in place it would allow them to build that strip center style with materials at a lesser quality, design of a lesser quality then what they are proposing correct?

Barbara Cabbage, Interim Planning and Development Director - correct.

Councilmember Burke - one outcome of denying this zoning change might be of lesser quality and cheap materials and there is not anything this body can do about it, is that correct?

Barbara Cabbage, Interim Planning and Development Director - that is correct.

Councilmember Garber - does that at all change with the fact that they are not developing that property all at one time?

Barbara Cubbage, Interim Planning and Development Director - with a Planned Development you open that up to certain things that you could propose to put into the Ordinance. The uses still allow at this time by opening up the PD you could stipulate certain things that you would like to see.

Councilmember Glockel - if you only have 115 children, how many families typically does that represent?

Robert Garza, RPGA, Design Group Inc. - we can speak on what we have experienced in the past or we can speak on what we have experienced as individuals, I myself have two kids and we were taking two kids to daycare because we were both working parents. On average I would say if you have 115 kids and we took just a minimum of two kids, that would mean that you would have just over 50 families showing up to day care and dropping them off. We also had to do a TIA Study to determine if we needed a full traffic impact analysis and our numbers did not reach the threshold that demanded that traffic study.

Councilmember Glockel - what time of day do you see your rush?

Robert Garza, RPGA, Design Group Inc. - operating hours are 6:30 am to 6:30 pm. The peak hours that take place are usually 6:30 am and about 6:00 pm.

Councilmember Glockel - the way the drive is designed, how many vehicles can you stack in the facility before you back out on Post Oak?

Robert Garza, RPGA, Design Group Inc. - we don't stack. The parents have to park and come in to both drop off the kids and pick them up. We have 53 parking spaces on the daycare side. Per the Children's Lighthouse Corporate Study of Parking, which is a 15 minute increment parking study, we only need 43 spaces so we are 10 spaces over what we need.

10a. Consider and act on an ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended and amending Planned Development Ordinance No. No. 07-03-01-05 by revising the Land Use Regulations and Development Standards on property legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

MOTION made by Councilmember Burke to approve the Ordinance amending the Comprehensive Zoning Ordinance being a part of the Unified Development Code, Ordinance No. 13-05-02-08, as amended and amending Planned Development Ordinance No. No. 07-03-01-05 by revising the Land Use Regulations and Development Standards on property legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road. Seconded by Councilmember Garber.

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

MOTION CARRIED

11. Discuss and consider a petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of approximately 171' from the Post Oak intersection for a new driveway. The property is located on 3.017 acres legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

Mike Brownlee, City Engineer - this item is directly related to item #10. The Major Subdivision Waiver for the Children's Lighthouse Addition is required since the proposed new driveway (connected to Post Oak) is at variance with the city's Access Management Standards. The proposed waiver to the access management standards would allow a second driveway connected to Post Oak. There are two proposed driveway connected to Post Oak, and one proposed driveway connected to Robinson Road to serve the two lots with cross access between the lots. The driveway closest to the Post Oak/Robinson intersection is the topic for the waiver.

The development is a two phase project. Phase 1 includes the day care center. There was concern that without the proposed second driveway connected to Post Oak, that southbound Post Oak traffic would be forced to either go the busy northern Post Oak Driveway (with median cut) or go all the way to the most southern driveway (located in the undeveloped Phase 2) and subsequently make a U-turn at Vintage Drive to make their way back to Post Oak. The second driveway (from Post Oak) will reduce the loading on the northern driveway, will help internal circulation and reduce U-turn conflicts in the public Right of Way.

Staff recommends approval of a petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of approximately 171' from the Post Oak intersection for a new driveway. The property is located on 3.017 acres legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road.

Councilmember Burke - is our police department involved in deciding whether or not this is going to create a safety risk for the children walking back and forth to school?

Jimmie Gregg, Corinth Police Lieutenant - this is the first time I have seen this presentation. My concerns would be the cars making the U-Turns at the intersection of Post Oak and Robinson.

Councilmember Burke - I don't recall a No U-Turn sign there.

Jimmie Gregg, Corinth Police Lieutenant - there is none at this time.

Councilmember Burke - can we place it?

Jimmie Gregg, Corinth Police Lieutenant - that is something we can do.

MOTION made by Councilmember Burke to approve a petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of approximately 171' from the Post Oak intersection for a new driveway. The property is located on 3.017 acres legally described as Tract 1 being 3.189 acres situated in the L. Young Survey, County Abstract 1451 in the City of Corinth, Denton County, Texas. This property is located on the northwest corner (NWC) of Post Oak Drive and Robinson Road. Seconded by Councilmember Glockel.

Councilmember Johnson - being that we approved the daycare this is one of the things that we can do to help with the traffic there within that area and I think there should be more research to be done. The No U-Turn signs and things like that will help as well.

AYES: Burke, Garber, Johnson, Glockel

NOES: Harrison

ABSENT: None

MOTION CARRIED

PUBLIC HEARING:

12. 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 INCLUDING SECTIONS 2.07.03 AND 2.07.04 BY AMENDING USES PERMITTED, USES PROHIBITED, USES PERMITTED BY SPECIFIC USE PERMIT AND CONDITIONAL DEVELOPMENT STANDARDS RELATED TO INDUSTRIAL, COMMERCIAL, OFFICE, RETAIL, AND RESIDENTIAL LAND USE CATEGORIES.

Bob Hart, City Manager - this item is on the agenda tonight as a Public Hearing only. No action is required. There will be a series of Workshops and additional public input would be involved before any consideration is needed.

Barbara Cabbage, Interim Planning and Development Director - The Unified Development Code was adopted in May 2013. Text amendments following adoption and miscellaneous updates are necessary to eliminate unclear language, correct errors, and update content based on interpretations and practices of the department. Updates can be initiated by changes in State, Federal and Local laws as well. Since its adoption, updates have been made to the UDC; "Uses" have been added and "processes" have been changed too.

Staff, P&Z and City Council over the last five years have discussed updating the "Uses". With the changes in our City with regards to growth and infrastructure improvements including Interstate 35, FM 2181, FM 2499 and Lake Sharon Drive, it seems the perfect time to re-evaluate the Use Chart. Associated with the Use Chart is the Conditional Development Standards. Some "Uses" are not permitted outright but may be allowed if certain standards and conditions are met and the Planning and Zoning Commission and City Council grants approval. Conditional Development Standards assure neighbors, residential and non-residential alike, that uses of adjacent properties will be as compatible as possible with the property uses

established. Some of the ones we have been looking at is adding some regulations to hotels and motels. We have a lot of interest in the City to bring in hotels and motels and we want to make sure that we get ahead of it and recognize the districts as far as where they need to go.

We want to have as much public input as we can. Some of the suggestions that Councilmember Harrison had was contacting the HOA's, Churches, and the schools to get their input.

Mayor Heidemann opened the Public Hearing at 8:25 p.m. No one spoke during the Public Hearing. Mayor Heidemann closed the Public Hearing at 8:26 p.m.

PUBLIC HEARING:

- 13.** Conduct a public hearing on the need to continue Section 130.04 of the Corinth Code of Ordinances, imposing a curfew for juveniles and consider an act on amending Chapter 130 of the Corinth Code of Ordinances to continue the Curfew for Minors for an additional three (3) years.

Kevin Tyson, Corinth Police Lieutenant - On April 16, 2009 the Corinth City Council adopted Ordinance 09-04-16-05 establishing curfew hours for minors. With limited exceptions, persons under the age of 17 years, and readopted the curfew provisions in 2012 and again in 2015.

In 1995, the Texas Legislature enacted provisions that address a City's authority to enact juvenile curfew ordinances. This legislation requires a city to conduct periodic reviews of its curfew ordinance. A city must review its curfew ordinance at least every three years, addressing the ordinance's effect on the community and on problems the ordinance was intended to remedy. The current curfew regulations of the City will expire and Ordinance No 18-04-19 will continue the curfew regulations for an additional three (3) years.

Data was collected from the Corinth Police Department's Records Management System (RMS) and the Corinth Municipal Court software system (INCODE). The data was then organized and analyzed showing trends in different activities to help determine the effectiveness of the ordinance. The data is presented in both written and graph format representing several categories to explain the trends.

Beginning in 2009, data collection methods changed in that if a citation only was issued, it was not counted as an arrest. Only those juveniles physically taken into custody are counted as arrests. The arrest data is for persons under seventeen years of age who were physically taken into custody during curfew hours. Data was collected for calendar years 2015-2017.

From calendar year 2015 to calendar year 2017, the Corinth Police Department issued 270 citations to juveniles (persons under the age of 17). These citations include traffic violations, and City Ordinance violations. Of the 270 citations issued to juveniles, 74 were issued during curfew hours. See Exhibit A

An examination of the data collected and included in this analysis reveals that the Juvenile Curfew Ordinance is an effective tool that assists officers, reduces juvenile delinquency and victimization. It is the recommendation of the Corinth Police Department that the City Council review this report and consider continuing the Juvenile Curfew Ordinance.

Mayor Heidemann opened the Public Hearing at 8:30 p.m. No one spoke during the Public Hearing. Mayor Heidemann closed the Public Hearing at 8:30 p.m.

MOTION made by Councilmember Garber to approve the Ordinance to continue the Curfew for Minors for an additional three (3) years. Seconded by Councilmember Glockel.

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

MOTION CARRIED

BUSINESS:

14. Discuss and consider a petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of 244', curb-to-curb, in lieu of 250' from the Post Oak intersection, and a separation distance of 77', curb to curb, in lieu of 250' from the nearest adjacent driveway. The property is located on 3.017 acres legally described as a portion of Lot 1, Block 1, State Farm Addition, in the City of Corinth, Denton County, Texas. This property is located south of the Post Oak Drive intersection on the southbound frontage road of IH-35E and is commonly known as 1251 Post Oak Drive.

Mike Brownlee, City Engineer - The proposed major subdivision waiver would allow for construction of a new driveway connection for the subject property to the southbound frontage road. Per city ordinances, a Major Subdivision Waiver is required for significant changes to both the standards and intent of the UDC Subdivision Regulations, and requires approval through the Planning and Zoning Commission and City Council process.

The property is currently developed as an office use for an insurance claims center with two driveway connections from Pecan Creek Circle. There is currently no end user associated with the planning of the development. The intent of the developer is to attract a retail or restaurant user by improving the site. Staff is in support of adding a driveway provided that TX DOT issues can be resolved, including the need for off-site improvements. This will require that engineering studies, exhibits and preliminary plans are prepared by the developer to support discussions with TX DOT. Alternatively, cross access between the adjoining properties with a shared common driveway would also provide access from the frontage road, but there is no consensus between the affected property owners concerning the need or timing for cross access.

The variance from the city's driveway separation distances are shown in the table below. The standards are taken from the City of Corinth Access Management regulations found in Section 3.05.04, Access Management of the Unified Development Code. The new driveway would be located 244' downstream of the Post Oak intersection and 77' upstream of the nearest adjacent driveway for the Christian Brothers Automotive.

Condition:	Access Management Requirement	Actual Conditions
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Distance Between the Intersection Oak And Driveway	250' on TX DOT ROW with Right-in and Right-out	244' Curb to Curb from the Post Intersection
Distance Between Adjacent Driveway	250' on TX DOT ROW with Right-in and Right-out	77' Curb to Christian Brothers Driveway

Staff recommends approval of the petition for relief from the driveway separation criteria provided that the developer can satisfy any TX DOT concerns for adding a driveway at this location. In addition to support from the city, the developer will need to provide preliminary designs, studies and exhibits which will provide the basis for the new driveway and any other required improvements needed to build a new driveway in harmony with future expansion of the IH-35E corridor.

The item was recommended for approval at the Planning and Zoning Meeting held March 26, 2018 conditional upon the results of a traffic study and TX DOT approval of the driveway.

Councilmember Harrison - what are the uses that go on this property?

Barbara Cabbage, Interim Planning and Development Director - the property is zoned Highway Commercial and it is part of the Oakmont Master Plan Development. There are a number of uses, grocery store, church, gas station etc.

MOTION made by Councilmember Johnson to approve a petition for a Major Subdivision Waiver for relief from the driveway separation distance requirements of the Unified Development Code, Section 3.05.04, Access Management, to allow a separation distance of 244', curb-to-curb, in lieu of 250' from the Post Oak intersection, and a separation distance of 77', curb to curb, in lieu of 250' from the nearest adjacent driveway. The property is located on 3.017 acres legally described as a portion of Lot 1, Block 1, State Farm Addition, in the City of Corinth, Denton County, Texas. This property is located south of the Post Oak Drive intersection on the southbound frontage road of IH-35E and is commonly known as 1251 Post Oak Drive. Seconded by Councilmember Garber.

AYES: Burke, Garber, Johnson, Harrison, Glockel

NOES: None

ABSENT: None

MOTION CARRIED

15. CONSIDER AND ACT ON AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF CORINTH, TEXAS, BY AMENDING CHAPTER 71, STOPPING, STANDING AND PARKING, BY MODIFICATIONS TO SECTION 71.02, PARKING DESIGNATIONS FOR PORTIONS OF PUBLIC RIGHTS-OF-WAY, PROHIBITING PARKING, STANDING, AND STOPPING ALONG PORTIONS OF INTERSTATE HIGHWAY 35 SERVICE ROAD (STEMMONS FREEWAY), PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE;

PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Bob Hart, City Manager - this is at the location of Classical Academy that we have discussed a number of times.

Kevin Tyson, Police Lieutenant - beginning in September 2017 the police department received complaints of vehicles stopping on the service road to I 35E at Meadowview Drive which has almost caused multiple vehicle accidents. This back up is caused by vehicles waiting to get into Corinth Classical Academy to pick up children after school. PD officials have met with Classical Academy Directors on multiple occasions to try to alleviate the traffic issue and by passing the ordinance and posting signs this should alleviate the problem. This will allow officers to enforce the violation and keep the roadway clear.

MOTION made by Councilmember Glockel to approve the Ordinance Chapter 71, Prohibiting parking, standing, and stopping along portions of Interstate Highway 35 Service Road. Seconded by Councilmember Garber.

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

MOTION CARRIED

16. Consider and act on a Resolution nominating one candidate to a slate of nominees for the Board of Managers of the Denco Area 9-1-1 District.

Bob Hart, City Manager - Jim Carter is the representative for our area. He is a former Commissioner and former Mayor of Trophy Club. We brought this Resolution to you to see if the Council would like to nominate another candidate, nominate him or just be silent and wait until the ballot is brought before you.

Mr. Carter has served a number of time and he does want to continue serve again. I think if you wait for the ballot you can vote for him then.

NO ACTION NECESSARY

17. Consider and act on an ordinance approving an amendment to the fiscal year 2017-2018 Budget and Annual Program of Services to provide for expenditure of funds from the Storm Drainage Fund for the Lynchburg Creek Design Study.

Bob Hart, City Manager - this item is a companion item to the drainage study for Lynchburg Creek. Before you can approve the study you have to have funds available to be appropriated for the study because it was not included in the budget. We placed this on the agenda so we can amend the budget and take \$250,000 out of the Storm Drainage Fund balance so we will be able to fund the study. The fund would still have funds that would exceed the fund balance requirement. Staff recommends

approval of this budget amendment.

MOTION made by Councilmember Harrison to approve the Ordinance amending the budget to provide for expenditures of funds from the Storm Drainage Fund for the Lynchburg Creek Design Study in the amount of \$250,000. Seconded by Councilmember Johnson.

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

MOTION CARRIED

18. Consider approval of the Lynchburg Creek Master Drainage Plan in the lump sum amount of Two Hundred Fifty Thousand Dollars and No Cents (\$250,000).

MOTION made by Councilmember Johnson to approve the Lynchburg Creek Master Drainage Plan in the amount of \$250,000. Seconded by Councilmember Harrison.

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

MOTION CARRIED

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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

Councilmember Johnson - the Lake Dallas High School Fire Academy class will graduate on May 11th at 2:00 in Gainesville. We would certainly love to have community support out there it will be on the NCTC Campus and would highly recommend attending. These kids deserve every bit of recognition they can get.

Mayor Heidemann - On Saturday, April 28 we will be making dedication of the Fire Station and the Public Safety facility. There will be food provided by Co Serv and will be a great event.

CLOSED SESSION

Mayor Heidemann recessed the meeting at 8:56 p.m. *See 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.

Council met in Closed Session from 8:58 p.m. until 9:20 p.m.

a. Purchase Right-of-way at 2101 Lake Sharon Blvd

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

Mayor Heidemann reconvened the Regular Session at 9:24 p.m.

BUSINESS AGENDA:

19. Hear and discuss land owner proposal for resolution of Right-of-Way sale and related issues at 2101 Lake Sharon Blvd.

Mack Reinwand, City Attorney - Mr. Glockel will be acting in this role as a property owner of the City and not as a City Councilmember during his presentation.

Don Glockel, 2101 Post Oak - I wanted to do a building something like John Baum has over there. I spoke to Barbara Cabbage, she told me what I needed to do. She said, first off, your property does not have a minor plat, I asked how do I do that? She explained the whole thing to me. The last two times the City has changed the size of my property and they are going to do it again here in a few months. We know Post Oak or Lake Sharon is going to be built so I chose not to do anything until after that was done. The decision I think when I left Barbara's office was once it is surveyed... I know now how to get a minor plat done and that is how I left it.

As things progressed, December 3rd was the first memorandum of agreement that was furnished to me by Justin Brown and Elaine Herzog, both are gone now. They came to my house, they stood in my drive-way and we talked about it. I have talked to Mack, Mike, Bob Hart and to Fred Gibbs when he was still here. I asked Bob Hart back in April to try to get to the bottom of it and quite frankly don't mean to sound facetious but this is probably in worse shape now then it was when I asked Mr. Hart to fix the problem.

Don Glockel, 2101 Post Oak continued - *Reading from his paperwork that he provided to Council.* Lake Sharon Drive has been selected as one of the improvements to meet these needs. (They are talking about the transportation needs). Then it talks about the Right-of-way and the temporary easements for the improvements for Lake Sharon Drive. It never mentions Post Oak and there is a reason for that.

Then in the next paragraph, it states "This offer is based on a Market Study completed by Jeff Tillman, MAI, on June 15, 2009. The study reflects a value of \$1.75 per square foot for Expanded Permanent Right-of-way and 12% of that value or \$0.21 per square foot for the Temporary Grading Easement." The reason that is important is that I never challenged that price per square foot because, talking to

Elaine and talking to Justin, I said "guys you have seen the study" Is that the low end? Is that the median end? Is that the high end of this study? They replied "Oh Don that is the high end of that study". I said ok, I had no reason not to believe them and so we moved on.

I will also tell you and you will see it in your packet, in this same offering there is a picture and it shows Lake Sharon and it also shows a little thing going up Post Oak. I asked them why are you getting an easement on Post Oak? They said they were going to do some work on Post Oak later and we are just going to buy all the easements at the same time. That made sense to me so I left it with that.

They asked me to come back and they did not offer me anything for prescriptive right-of-way. I can give you definitions and legal interpretations of how that should be done and should not be done but I am going to stick with what I did with the City and the City representatives and quite frankly if they dealt with the general public the way they dealt with me I am glad they are both gone.

On the 2nd page which is my rebuttal dated March 6th and I asked for the expanded permanent right-of-way. I didn't ask for anything there, they offered \$1.75 and because that was the high end, I said ok.

For the prescriptive right-of-way, I also asked for them to give me \$1.75, they were offering zero. The temporary grading was based on a percentage and I didn't argue the price at all with that. If you go over to the 2nd page, number 4 the last sentence "I am requesting \$1.75 square foot as compensation for the said Prescriptive right-of-way of 10,640 square feet - the same amount per square foot as offered for the Expanded Permanent right-of-way by the City". They came back within a day or two and said ok but we can't buy your Prescriptive Right-of-way. You can't tell me yes and no in the same sentence so they said well what we have to do is we will give you more money per foot and you will get the same amount of money but we can't tell anybody we are buying your Prescriptive Right-of-way.

Don Glockel continued - Let's look at #6. I had 30 cedar trees that screened my house and I requested \$20.00 per running foot of fence allowance to replace the cedar screening/loss on approximately 250 feet starting at a point at Post Oak... I did not say starting at my property line, starting at a point at Post Oak and continuing past my 2nd entrance on Lake Sharon. At the time I had a circular drive-way. The circular drive-way had to go away when the right-of-way got moved over. I am asking for a fence... I want to build a fence and she (Barbara) had told me how to plat my property after the survey is done and I want to build a fence from Post Oak down past my 2nd drive-way. I will tell you it why it is important to start on Post Oak in a second.

Then we talked about the trees and I don't know if \$400.00 is right but the number of trees changed all the way through this... 12, 14 to 16 and that is important because the right-of-way kept changing and they kept taking more trees out.

Then on the next page it says Don Glockel and it talks about 2.88 acres and this is Elaine's notes. My property value was from \$1.35 to \$2.10 and they offered me \$1.75 and told me \$1.75 was the top. I didn't think I was negotiating with somebody that was not going to be honest with me but apparently I was.

The other thing, that picture at the top, if you look at the picture you can see my drive-way. I was told that I could not have a crossover in the median because I was too close to that stop sign at the top of the hill. This is a current picture, but anyway from my drive-way to that point is 10 feet more. Then from this stop sign to this guy's drive-way and this guy's drive-way, they have a crossover, so I lost on that one.

I was being told there was nothing happening on Post Oak so when we talked about Lake Sharon and

Post Oak, Lake Sharon is the only thing that is being talked about at this time. I am not aware there is something going on up the road. The map shows the little strip, there is some numbers here and that is the number of trees that is going to go away when Post Oak is built and it shows their size and how far they are from the right-of-way. They are not in my tree study because they are not going to go away, they are not part of the 12 or 14 original ones because Post Oak is not being built at this time. All this time we are talking about a fence, I am talking about building a fence from the top of Post Oak down past my drive-way, not from the north end of Post Oak where my property starts because I didn't know that was going to happen. So my 250 feet of fence I was talking about comes from the top of Post Oak, comes all the way down past my first drive-way and past my second drive-way and the wall was later.

In Elaine's handwriting, it talks about trees at Post Oak in the front are gone. If you look at my contract with the City, every tree that I had would be taken down and laid on my property and I would have a contract with Mission Woods in Sanger, they were going to make them into usable wood.

On 8/11, Jeremy stopped by my property and due to a problem on the east end it would be Monday or Tuesday 8/16 or 8/17 before they touched any of my trees. That Friday my wife called me when she got home from work and said all of the trees were piled up. So I lost all of my trees that the contract said I was supposed to get.

The dollar per foot was not what I argued about. I wanted to get paid for prescriptive and they went back and said that would happen.

Don Glockel continued - On April 29, 2010 is another Memorandum of Agreement. Mysteriously, the market study completed by Jeff Tillman, MAI on June 15, 2009 now values my property at \$2.60 per square foot which is just a fabrication to justify what they are doing. Now he says, the right-of-way and 12% of that value or \$0.315 per square foot for temporary grading which was \$4,098.47 and then he says the City will have approximately two hundred and fifty feet (250') of eight foot (8') cedar fencing with metal posts constructed to replace your current cedar tree screening from Post Oak Drive to the easterly drive-way off of Lake Sharon Drive. That is exactly what I asked for. That is not what got built. The fence that got built was not what I asked for, the fence that got built was built on top of the retaining wall to protect the liability and the safety of my family and other people.

Elaine Herzog told me emphatically "Don Glockel even if you get your platting done you cannot build this fence you are talking about because you can't have solid fence in front of your house" She said you can put it up on Post Oak. I said I want it on Lake Sharon where you took those trees out and she said "no you cannot do that". Does that sound logical? That I can't have an 8' foot solid fence in my front where my drive-way is?

Barbara Cabbage, Interim Planning and Development Director - it depends on the size of your lot.

Don Glockel, 2101 Post Oak - there you go and that was never mentioned until a long time later. I was emphatically told I could not do it. So, I said ok, If I can't build that fence now, then what I want you to do is to go down to the corner and at that time it was Lake Sharon before you get to FM 2181 and look at what you did there on that high rise wall and do whatever you did there on my retaining wall and we will call it quits. They came back a couple days later and said we are going to put an 8' foot fence on top of your retaining wall because that safety wall is much more expensive than an 8' foot fence.

At the end of this agreement, the only thing that we have an issue with is I am not building a fence anymore, the City is putting a fence on top of a retaining wall and the retaining wall happens to be

about 250' feet long now and now it is going all the way up to Post Oak. The only thing I am concerned about is \$2.60 does not come up to \$1.75 a foot for both pieces, and we agreed the math was wrong. They come back again on May 26th. Jeff Tillman, MAI, June 15, 2009, it stated "the study reflects a maximum value of \$2.84 per square foot for Expanded Permanent Right-of-way and now 7.5% of that value or \$0.21 per square foot for the Temporary Grading Easement" so now the amount is back down to \$2,732.31. Also, it states "the City will have eight foot 8' cedar fencing with metal posts constructed along the retaining wall to replace your current cedar tree screening. Where before it said "down past your second driveway".

Don Glockel went over the map he provided to Council. My property line is 7 or 10 inches back to the wall. On the map it says my property line should be 3' feet back to the wall. When I get past my driveway that I use every day, now we are talking about this being 4' foot. When we get down to where my second driveway is I should have had 1' foot of property between this sidewalk and me.

As we start to the west everything starts moving over on me. I don't know how they built this job this far off without somebody catching it. Somebody had to know I would think. Had I signed that plat, that Fred and Mr. Hart gave me to sign, we talked about it, I spoke to the surveyor on my property and he said he did not have a clue where my property lines are but he thinks they are probably under the sidewalk or maybe even under the wall. The Plat did not have any markings where the surveys were and they weren't on the jobsite. Anyway, I would not sign the plat. If I signed that plat then I would have a minor plat and if I ever sell it will be my responsibility to dig out of this mess and I didn't build it.

Anyway, what I did was not take what they offered the first time or what they offered the second time and when they offered the second time, I had conversation with them and it did not add up and did not make any sense to me. That is when they came back with the third offer.

I don't want the utilities on my property, the fence is not mine, the wall is not mine and the sidewalk is not mine. I don't want any part of any of it. This retaining wall is designed to be on right-of-way and it started out that way. As it got built, the wall has a circular design and it arched over into my property. I didn't change the property line, they built the wall in the wrong place, therefore when they put the fence behind it, the fence is in the wrong place and I guess the push now is for me to accept that fence and I don't want any part of that fence.

The issues that we want to resolve:

- Ownership of fence
- Whether or not property owner was fairly paid for property acquired
- Compensation for approximately 250 ft. of property that contains the public improvements
- Who is responsible for platting the property and placement of pins (\$7500)
- Resolution of drainage structure on Post Oak Drive/ Crabtree

Elaine told me, and Justin agreed, that I could not have a fence, I could not build a solid fence but I could build a wrought iron fence once I got my plat resolved. But now that we know there is a hazard on Post Oak and Lake Sharon with a 7.8' foot fall to the ground and most of it is over 5' feet. But anyway, the compensation of approximately 250' foot of property that contains the public improvements, I guess what the intent is here, is for the City and it spells it out in one of the documents that we are going to take that line and we are going to loop it around each of the posts, there is the wall, there is the fence and my property line has got to go between it. In most cases the difference between the fence and the face of that post is less than the length of a pen. If they were building a fence for me it would have been cedar, it would have been capped as I asked for, it would have gone to my second driveway and it would have been on my

property. This fence is not mine.

On June 15, 2009, the study mysteriously went from \$1.75 to \$2.60 to \$2.84 and that is gospel because it is written in the Memorandum of Agreement.

The trees under the contract I never got any of them. The fence is not mine, I don't want the sidewalk on my property, I don't want the fence and I don't want the retaining wall and those are my issues.

It should not be my responsibility to resolve the liability issue created by the City.

Councilmember Garber - what would a perfect solution look like Don?

Don Glockel, 2101 Post Oak - just take an imaginary line outside of what is there. You can't move it. Before it was right, I would just have an imaginary line inside all the infrastructure, the wall on the fence. I would have an imaginary line like what is drawn on this piece of paper. Why can't we do that now? Go down and start at one end or a foot maybe. I don't want to be up under the wall and I don't want the fence because the fence and the wall do not complement each other very well because you can't work on neither one of them.

My agreement with the City was the City to survey it and I would pay for the \$1,850 plat and that was the agreement. My deal was you give me the pins where they belong and I will give the \$1,850 or I will go get the minor plat myself. That was the deal and that was the original deal. I am still good with that.

You are not doing me a favor by doing a survey, it was the City's responsibility to do that, it was the contractor's responsibility to do that and we didn't hold anybody to the fire. We let them walk away without doing their job and now you are saying it is a big deal to me and it is not my responsibility.

Councilmember Garber - I still don't know what you want? What is it that you want?

Don Glockel, 2101 Post Oak - I want a clean demarcation from the City. I even met with the two representatives and they asked me to give a little and I said ok, where can I give, they said well you have to take the fence. I said I am not taking the fence, the fence is not mine and I am not taking it. I want a clean demarcation then we can decide once we decide what the demarcation is going to be, we see how many feet it is, we can negotiate the price and go from there.

Councilmember Garber - you mentioned a few times that you wanted to and were willing to build a fence at the time but thought that you could not. So are you still willing to and do you want to build a fence?

Don Glockel, 2101 Post Oak - absolutely. Not on that wall. I don't want to be the one who is responsible for the liability if it blows down and I am on vacation and someone walks across there and gets hurt they are going to sue me. I would have built the fence from the top of Post Oak down past my second driveway and that was what I was asking for. They didn't even do that, they just built the fence. After our conversation I asked them to build something on top of that wall so my grandkids can't fall off of it or some kid can't cut across. At the time we talked about it I did not know that it was going to be 5' feet high at the north end. If the fence stays, that's great. If the City decides to take the fence down then the City is responsible for the hazard that they built, it is not mine.

Mayor Heidemann recessed the Regular meeting at 10:20 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

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.

Council met in Closed Session from 10:22 p.m. until 10:54 p.m.

a. Purchase Right-of-way at 2101 Lake Sharon Blvd

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 the meeting at 10:55 p.m.

There was no action taken from Closed Session.

ADJOURN:

Mayor Heidemann adjourned the meeting at 10:56 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____, 2018.

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 3.

City Council Regular and Workshop Session

Meeting Date: 06/07/2018

Title: May 3, 2018 Workshop Session

Submitted For: Kim Pence, City Secretary

Submitted By: Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Considered an act on minutes from the May 3, 2018 Workshop Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the May 3, 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 May 3, 2018 Workshop Session minutes.

Attachments

Minutes

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

On this the 3rd day of May 2018 the City Council of the City of Corinth, Texas met in a 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, Council Member
Lowell Johnson, Council Member
Scott Garber, Council Member
Don Glockel, Council Member

Members Absent:

Joe Harrison, Mayor Pro-Tem

Staff Members Present:

Bob Hart, City Manager
Kevin Tyson, Police Lieutenant
Curtis Birt, Lake Cities Fire Chief
Kim Pence, City Secretary
Brenton Copeland, Technology Services Assistant Manager
Mack Reinwand, Messer, Rockefeller, &Fort

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.

Business item #1 discussion:

Consider and act on a request from the Police Department to approve an Interlocal Cooperation Agreement for Shared Governance Communications and Dispatch Services for the 2018-2019 Fiscal Year with the Denton County Sheriff's Office.

Councilmember Glockel - on the police department contract, should we change the address to the new location?

Bob Hart, City Manager - yes, we will change that.

Business item #2 discussion:

Consider and act on an Interlocal Cooperation Agreement for Shared Governance communications and Dispatch Services System with Denton County for Fire Services.

Councilmember Glockel - when they talk about the Lake Cities Fire Department being \$26,000, does that get passed on to the other cities in the contract based on population?

Curtis Birt, Lake Cities Fire Chief - it is based on the fact that it is in our budget and when we do the calculations

with the other three cities it is factored in to our original budget.

Business item #3 discussion:

Consider and act on a construction contract with La Banda, LLC for the reconstruction of the intersections of Shady Shores Rd. at Meadows Drive and Dalton Drive.

Councilmember Burke - refresh my recollection about what is going on there?

Mayor Harrison - there are two entrances into that subdivision and culverts on each one of them. They will be replacing those culverts.

Bob Hart, City Manager - the culverts are undersized.

2. Hold a discussion on Fire district funding strategy.

Bob Hart, City Manager - the city has talked about long term financing for the fire department. One approach is creating a fire district and using sales tax revenues. We anticipate Corinth and Denton County will be eligible following the 2020 census. However, it will be late 2021 or early 2022 before the city could call an election.

I would suggest the city seek to amend the legislation and change the population bracket so that the city is eligible in 2019. I would like the Council's feedback on if they would like to proceed in this direction and we will begin working with Senator Nelson and Representative Stucky on the legislation.

Councilmember Garber - what do you think the chances are a Bill like this passing?

Bob Hart, City Manager - probably by 99%. It is a local Bill so these are fairly simple, straight forward to do. We would do this in house with the staff.

Councilmember Glockel - If we have a fire district it would include the other cities?

Bob Hart, City Manager - no, this would be only Corinth.

Councilmember Glockel - so we do not have to include the population of the whole district? Only the City?

Bob Hart, City Manager - correct, only the City of Corinth.

Councilmember Burke - so we could use that money to pay our portion of the bill?

Bob Hart, City Manager - that is correct.

Councilmember Johnson - do we want to find a funding source, where we are going to get the money from? If it is from sales tax within the district or do we want to open it up where we can decide?

Bob Hart, City Manager - the Council will decide where you want to get it and you have to put it out to the voters.

Mayor Heidemann recessed the meeting at 5:46 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 5:47 p.m. until 6:55 p.m.

- a. MCM Contract for the Lake Sharon Roadway extension.
- b. Cell Tower location.

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 5:47 p.m. until 6:55 p.m.

- a. Water Tower site and roadway adjustment.
- b. Purchase 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 the Workshop Session at 6:56 p.m.

There was no action taken from Closed Session.

ADJOURN:

Mayor Heidemann adjourned the meeting at 6:57 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____, 2018.

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 4.

City Council Regular and Workshop Session

Meeting Date: 06/07/2018

Title: May 3, 2018 Regular Session

Submitted For: Kim Pence, City Secretary

Submitted By: Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Consider and act on minutes from the May 3, 2018 Regular Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the May 3, 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 May 3, 2018 Regular Session minutes.

Attachments

Minutes

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

On this the 3rd day of May 2018 the City Council of the City of Corinth, Texas met in a 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, Council Member
Lowell Johnson, Council Member
Scott Garber, Council Member
Don Glockel, Council Member

Members Absent:

Joe Harrison, Mayor Pro-Tem

Staff Members Present:

Bob Hart, City Manager
Kevin Tyson, Police Lieutenant
Curtis Birt, Lake Cities Fire Chief
Kim Pence, City Secretary
Brenton Copeland, Technology Services Assistant Manager
Mack Reinwand, 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 the 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 a request from the Police Department to approve an Interlocal Cooperation Agreement for Shared Governance Communications and Dispatch Services for the 2018-2019 Fiscal Year with the Denton County Sheriff's Office.
2. Consider and act on an Interlocal Cooperation Agreement for Shared Governance communications and Dispatch Services System with Denton County for Fire Services.
3. Consider and act on a construction contract with La Banda, LLC for the reconstruction of the intersections of Shady Shores Rd. at Meadows Drive and Dalton Drive.

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

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

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 one spoke.

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 Garber - would like to have a workshop session at some point in the future regarding public notification policy on zoning changes also a discussion on the citizen's comments section of the agenda and the protocol on that process.

Councilmember Johnson - would like to have an update on the situation between Meadow Oak Subdivision and the property owners to the east concerning closing of Berkshire lane.

Bob Hart, City Manager - We spoke to the folks at the Tower Ridge Apartments around 2:00 p.m. today and I will get that to you.

Mayor Heidemann - I would like to thank all the staff, police and fire for their hospitality last Saturday at the dedication and send a thank you to CoServ for the meal. I thought it was well organized and well attended.

Mayor Heidemann recessed the meeting at 7:06 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.

b. Cell Tower location.

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. Water Tower site and roadway adjustment.
- b. Purchase 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 7:11 p.m. until 8:30 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.

Mayor Heidemann reconvened the Regular Session at 8:31 p.m.

There was no action taken from Closed Session.

ADJOURN:

Mayor Heidemann adjourned the meeting at 8:31 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____, 2018.

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 5.

City Council Regular and Workshop Session

Meeting Date: 06/07/2018

Title: May 15, 2018 Special Session

Submitted For: Kim Pence, City Secretary

Submitted By: Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Consider and act on minutes from the May 15, 2018 Special Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are minutes from the May 15, 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 May 15, 2018 Special Session minutes.

Attachments

Minutes

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

On this the 15th day of May 2018 the City Council of the City of Corinth, Texas met in a Special Session at the Corinth City Hall at 6:00 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, Council Member
Lowell Johnson, Council Member
Scott Garber, Council Member
Don Glockel, Council Member

Members Absent:

Joe Harrison, Mayor Pro-Tem

Staff Members Present:

Bob Hart, City Manager
Debra Walthall, Chief of Police
Kim Pence, City Secretary

**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 6:00 p. m; Councilmember Garber delivered the invocation and led in the Pledge of Allegiance and Texas Pledge.

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.

There were no Citizens Comments made.

BUSINESS AGENDA:

- 1. Consider and act on a Resolution Canvassing votes for the General Election held on Saturday, May 5, 2018.**

The returns of the General Election, including the returns of the early voting ballots, duly and legally made, determined that each candidate for each Councilmember for a (2) two-year term of

office received the following votes:

Name of Candidate	Absentee Votes	Total Number of Early Votes	Total Number of Votes Received on Election Day	Total Number of Votes Received
Sam Burke	97	390	210	697
Lowell Johnson	57	241	136	434
Lindsey Rayl	67	225	124	416
Tina Henderson	65	328	204	597
Joe Harrison	64	171	73	308

SECTION 2.

The City Council, acting as the canvassing board of the general election, has verified that figures on the tally sheets correspond to the figures on the returns and at the general election held on May 5, 2018, the following candidates were elected to office:

Council Place 1 Sam Burke Total Votes 697
 Council Place 3 Lowell Johnson Total Votes 434
 Council Place 4 Tina Henderson Total Votes 597

MOTION made by Councilmember Garber to approve Resolution No 18-05-15-05 canvassing votes for the General Election held on Saturday, May 5, 2018. Seconded by Councilmember Burke.

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

MOTION CARRIED

2. Formal Swearing in of Councilmembers.

Kimberly Pence, City Secretary swore in the newly elected councilmembers.

3. Mayor's appointment of the Mayor Pro-Tem.

Mayor Heidemann asked for a vote to appoint Councilmember Burke as the Mayor Pro-Tem.

MOTION made by Councilmember Johnson to appoint Councilmember Burke as Mayor Pro-Tem. Seconded by Councilmember Glockel.

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

MOTION CARRIED

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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

Councilmember Burke - congratulated Lowell Johnson and Tina Henderson on their elected positions.

Mayor Heidemann - reminded everyone the Workshop meeting for May 18, 2018 will begin at 6:00 p.m. due to the Grand Opening Reception from 5:00 p.m. until 6:00 p.m. at Bill Utter Ford.

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.

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

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

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

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

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

ADJOURN:

Mayor Heidemann adjourned the meeting at 6:12 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____ 2018.

Kimberly Pence, City Secretary
City of Corinth, Texas

City Council Regular and Workshop Session

Meeting Date: 06/07/2018

Title: Lift Station 3A Repairs

Submitted For: Cody Collier, Director

Submitted By: Cody Collier, Director

City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Consider approval for repairs to Corinth Lift Station 3A to be performed by Insituform technologies, LLC

AGENDA ITEM SUMMARY/BACKGROUND

In June 2017 a contractor was hired by Corinth to perform repairs to the 3A Lift Station located on Corinth Parkway. The repairs consisted of removing guide rails, welding new brackets and returning the rails into the well for operational use. Staff was very clear both verbally and requesting in the bid, in written form, that the rails were to be removed from the well, welded above ground and reinstalled. The contractor chose to violate the agreement and performed the welding inside the well. The work they performed resulted in a fire inside the well which damaged electrical wiring and the protective coating over the concrete walls. The coating is crucial to prevent sewer gases from dissolving the concrete surface and causing structural issues.

Corinth contracted with Kimley Horn to preform an engineering analysis of the damages to determine the correct methods of repair. The analysis showed a need to have the well drained, provide bypass pumping leaving the well dry during repairs, sand blasting all surfaces, re-coating and electrical line replacements. The estimated cost for repairs provided by Kimley Horn was \$187,200. The contractor who caused the damages refused to accept accountability and make the necessary repairs. As a result, staff met with the City Attorney to determine the appropriate course of action. The decision was made to file the damages with Texas Municipal League, TML, and recover the money for repairs through insurance. TML sent investigators and determined the incident was covered and provided an initial check to begin repairs in the amount of \$157,660.

Corinth advertised a request for bid in April 2018, we did not receive any bids. The Finance Department recommended utilizing a cooperative purchasing agreement with the City of South Lake and the Buy Board for this service. We were able to identify a contractor who could perform these services within the terms of the cooperative agreement and the scope and terms were verified through the Buy Board. Insituform Technologies, LLC, has performed work for Corinth in 2014 by slip lining sewer lines in the Corinth Shores and Amity Village subdivisions. Insituform's bid proposal is \$210,300 for the scope of work to be performed. The remaining difference of \$52,640 between the amount TML has paid thus far and bid amount for the work will be submitted to TML for payment upon completion of work.

RECOMMENDATION

Staff recommends approval and award of bid to Insituform Technologies, LLC in the amount of \$210,300 to perform repairs to the 3A Lift Station.

Attachments

- Texas Ethics Form 1295
 - Engineer Report for Repair
 - Bid from Insituform
 - Kimley Horn Probable Cost Estimate
-

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2018-353165

Date Filed:
05/14/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Insituform Technologies, LLC
Chesterfield, MO United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Corinth

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

NA
3A Lift Station Refurbish

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Gordon, Charles	Chesterfield, MO United States	X	
	Morris, David	Chesterfield, MO United States	X	
	Firsching, Frank	Chesterfield, MO United States	X	

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is Laura M. Andreski, Contracting and Attesting Officer, and my date of birth is NA.

My address is 17988 Edison Avenue, Chesterfield, MO, 63005, USA.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Saint Louis County, State of Missouri, on the 14th day of May, 20 18.
(month) (year)



Signature of authorized agent of contracting business entity
Laura M. Andreski, Contracting and (Declarant) Attesting Officer



Memorandum

To: Cody Collier – City of Corinth
From: M. Anthony Samarripas, P.E., Kimley-Horn and Associates, Inc.
Date: January 31, 2018
Subject: *Lift Station 3A Damage and Recommendations*

PURPOSE AND SCOPE

Kimley-Horn and Associates, Inc. (KH) has been contracted by the City of Corinth (City) to provide an evaluation of the Lift Station 3A following a fire event which occurred in the wet well of the lift station, and provide recommendations for required improvements.

BACKGROUND

In June of 2017 the City hired a contractor to perform repairs at the Lift Station 3A. The lift station is located at the Northeast corner of Corinth Parkway and Creek Bend Drive, see Exhibit E1. The contractor's scope of work included removing the existing slide rails from the wet well and performing welding repairs. Once the repairs were complete the contractor would reinstall the rails into the wet well, see Appendix for contractor's estimate and scope of work.

The following was communicated to KH by the City: On June 28, 2017, the contractor began performing the scope of work. Once the contractor began working he elected to modify the agreed upon scope of work without receiving authorization from the City. The contractor elected to weld the slide rails in place inside the wet well in lieu of removing them as previously agreed. During the welding activities, a fire was started inside the wet well presumably due to welding sparks. The welds ignited the grease or degreasing chemicals in the wet well and caused a fire. Once the fire was suppressed the resulting damage could be evaluated. There was visible damage to the interior coating on the wet well and appeared to be damage to several electrical conduits. The contractor agreed to repair the damage, but once the limits of the damage were determined and the required repairs were discussed the contractor declined to proceed with the repairs.

RESULTS AND RECOMMENDATIONS

On September 12, 2017 KH and team performed a site visit to evaluate the damage to the lift station. We evaluated the condition of the coating inside the lift station along with a TNEPEC Coating representative as well as two contractors familiar with coating installation and related work. The conclusion reached was that the existing coating was damaged beyond repair and would require removal and replacement, see Appendix for wet well photos. For this work to be performed the flow entering the lift station will need to be bypass pumped and the wet well will need to be degreased. A recommended bypass pumping plan and specification has been provided in the Appendix. The

contractor will then sand blast the existing coating off and install a new coating. A surface preparation and coating specifications has been provided for this work.

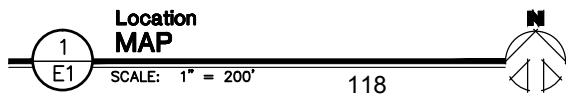
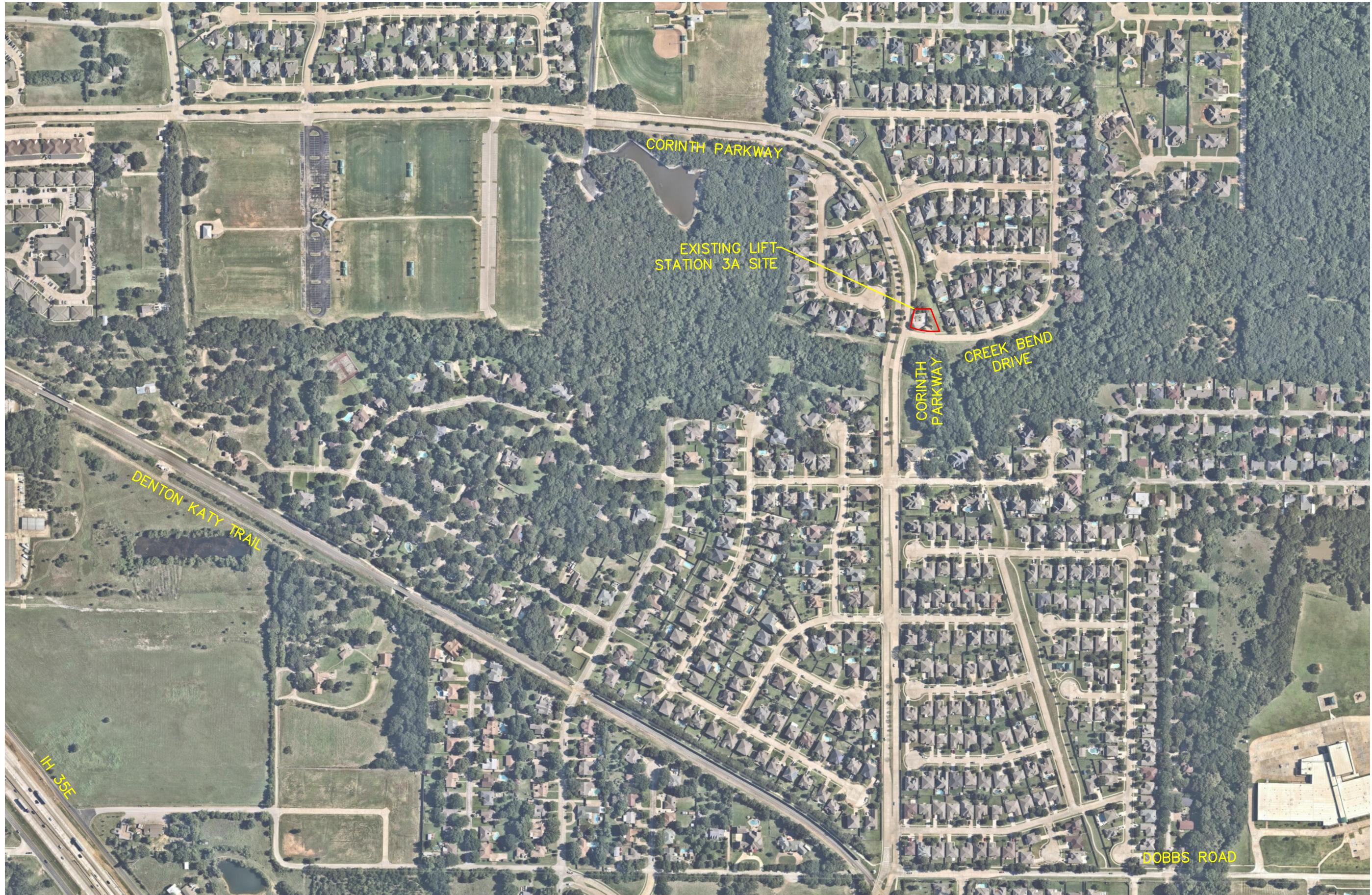
In addition to the wet well damage there appears to be damage to the existing electrical cables. The outer jackets for pumps 2 and 3 have been damaged and a damaged cable in a wastewater environment will deteriorate. Pump 1 was not installed during our site visit, but it is assumed that pump 1 has cables that are in similar condition. These cables are recommended to be replaced. There was damage observed to the conduits for pumps 1, 2 and 3. Modifications to the conduits may be required to allow for pulling of new cables without damaging the cables.

A detailed scope of work has been provided in the Appendix to assist the potential contractors with providing cost proposals.

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APPENDIX

1. Location Map
2. Previous Contractor's Scope of Work
3. Site Photos
4. Existing Lift Station Plan and Section
5. Recommended Scope of Work
6. Bypass Pumping
 - a. Plan
 - b. Technical Specification
7. Coating System Technical Specifications



DATE:	OCTOBER 2017
DESIGN:	MAS
DRAWN:	DAZ
CHECKED:	MAS
KHA NO.:	061006050

SHEET



SITE LOCATION MAP

**CITY OF CORINTH
LIFT STATION 3A
CONDITION ASSESSMENT**

THIS DOCUMENT IS INCOMPLETE
AND IS RELEASED TEMPORARILY
FOR INFORMATION ONLY. IT IS NOT
INTENDED FOR CONSTRUCTION,
BIDDING, OR PERMIT PURPOSES.

M. A. SAMARRIPAS P.E.
SERIAL NO. 95876
DATE: OCTOBER 2017

Kimley»Horn

13408 Water Road, Suite 200, Houston, TX 77060 281-272-7200

NO.	REVISION	BY	DATE



ESTIMATE

Legacy Contracting, L.P.
Dba Control Specialist Services, L.P.
PO Box 1479
Decatur, TX 76234
www.csf.com

NO 6-7
DATE: June 7, 2017

To: City of Corinth
Location: lift station slide rails
Attn: Chris

This estimate includes the following services:

- Remove existing slide rails
- Weld rails together
- Reinstall (all 3 pumps)

Material

1- Stainless steel rods	\$ 200.00
Permit entry	\$ 1,000.00
Labor (5 men per entry)	\$ 3,660.00
Trucks	\$ 600.00
Total	\$ 5,460.00

Note: price is an estimate due to any unforeseen developments

Note: price does not include any unforeseen parts or labor

Note: price does not include freight

Note: delivery can be made in

EXCLUSIONS:

Bypassing of station and/or operating of city valves. It is the responsibility of the city to provide safe working conditions.

If extra labor or materials not described above are required due to unforeseen problems the owner will be notified for approval before work is completed. This quote is good for 30 days from the date referenced above. We thank you for considering Control Specialist Services for your service needs.

Please call if you have any questions.

LF

Sincerely,
Ray Reaves
Service Manager
940-626-1415
Email rayr@csi5.com

LF

SITE PHOTOS



Damaged Wet Well Coating



Damaged Wet Well Coating



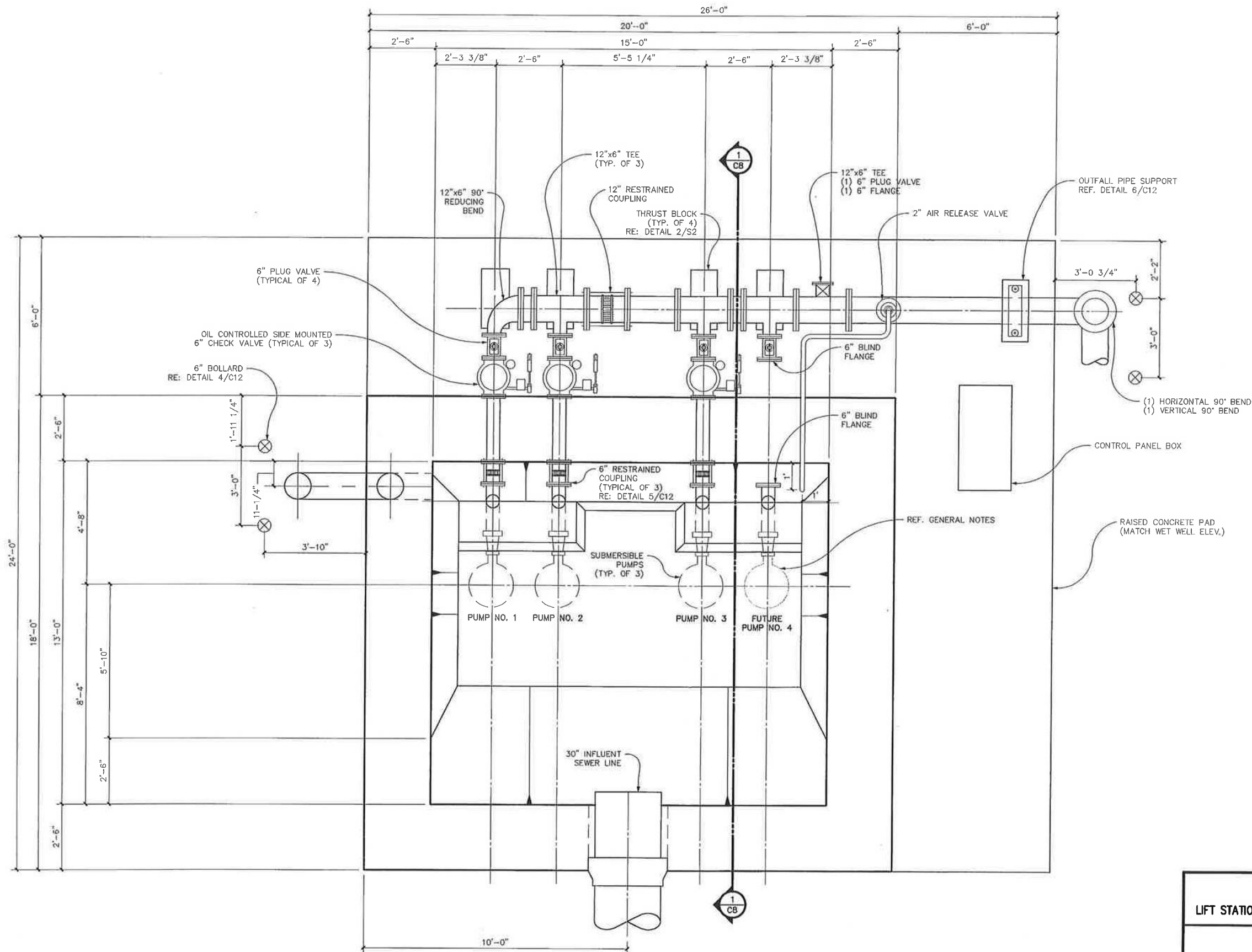
Damaged Wet Well Coating



Pump #2 – Damaged Cable Jacket



Pump #3 – Damaged Cable Jacket and Conduit



- GENERAL NOTES:**
1. CONFIGURATIONS AND DIMENSIONS SHOWN ARE BASED ON THE EQUIPMENT SPECIFIED. THE CONTRACTOR SHALL VERIFY THE LAYOUT AND ALL DIMENSIONS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL SUBMIT, TO THE ENGINEER, SHOP DRAWINGS SHOWING THE FINAL LAYOUT AND DIMENSIONS, FOR APPROVAL PRIOR TO CONSTRUCTION.
 2. ALL OPENINGS AND CONNECTIONS THROUGH THE PIPE WALL SHALL BE PREFABRICATED AND SEALED TO PREVENT LEAKAGE AND INFILTRATION. THE INSIDE OF THE LIFT STATION SHALL BE SEALED WITH A COATING SYSTEM AS DESCRIBED WITHIN THE SPECIFICATIONS. INSTALL COATING IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS FOR SURFACE PREPARATION AND APPLICATION TO ALL INTERIOR CONCRETE SURFACES.
 3. ALL DUCTILE IRON PIPING SHALL BE CLASS 150. ALL DUCTILE IRON PIPING INSTALLED ABOVE GROUND AND INSIDE THE WET WELL SHALL BE FLANGED.
 4. ALL UNDERGROUND DUCTILE IRON PIPING SHALL BE MECHANICAL JOINT AND POLYWRAPPED. ALL FITTINGS BETWEEN DUCTILE IRON PIPE SHALL BE RESTRAINED WITH MEGALUG SERIES 1100 FITTINGS AS MANUFACTURED BY EBBA IRON, INC., OR APPROVED EQUAL.
 5. REFERENCE SPECIFICATIONS FOR LIFT STATION EQUIPMENT.
 6. ALL COUPLINGS SHALL BE EPOXY COATED STEEL AND SHALL BE DRESSER, SMITH-BLAIR 411, OR EQUAL. COUPLINGS SHALL BE RESTRAINED WITH A THRUST HARNESS DESIGNED IN ACCORDANCE WITH AWWA M-11.
 7. ALL FLANGES SHALL BE CAPABLE OF WITHSTANDING A WORKING PRESSURE OF 150 PSI.
 8. ALL RESTRAINING RODS SHALL BE 316 OR 304 STAINLESS STEEL.
 9. PUMP NO. 4 SHALL BE INSTALLED IN THE FUTURE (NOT PER THIS CONTRACT). DISCHARGE PIPING FOR PUMP NO. 4 SHALL BE INSTALLED IN THIS CONTRACT AS SHOWN IN THE DRAWINGS.

BAR IS ONE INCH IN LENGTH ON ORIGINAL DRAWING. CHECK SCALE AND ADJUST ACCORDINGLY.

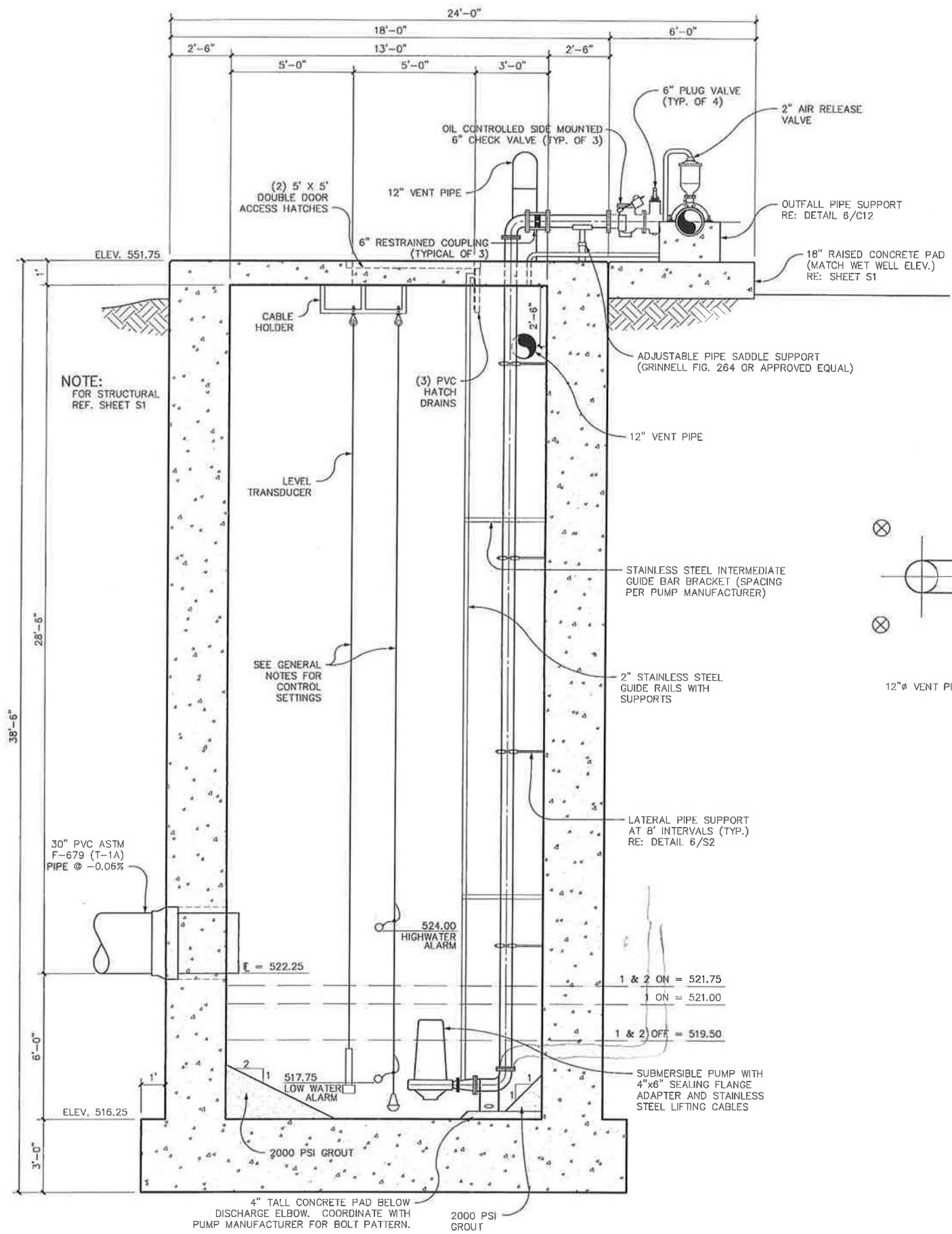
ONE INCH

1 PLAN VIEW LIFT STATION
SCALE: 1/2" = 1'-0"

CITY OF CORINTH, TEXAS		
LIFT STATION NO. 3A, FORCE MAIN AND SANITARY SEWERS		
LIFT STATION CIVIL - PLAN VIEW		
 Kimley-Horn and Associates, Inc. 801 Cherry St, Suite 1000 Ft. Worth, TX 76102 817-335-0511		
DESIGN BY: BAW	DATE: _____	REVISIONS BY: _____ DATE: MARCH 2001
DRAWN BY: FCW/VRS	DATE: _____	JOB NO.: 061008.030
CHECKED BY: CMS	02/03/01	SHEET NO. 8 OF 26

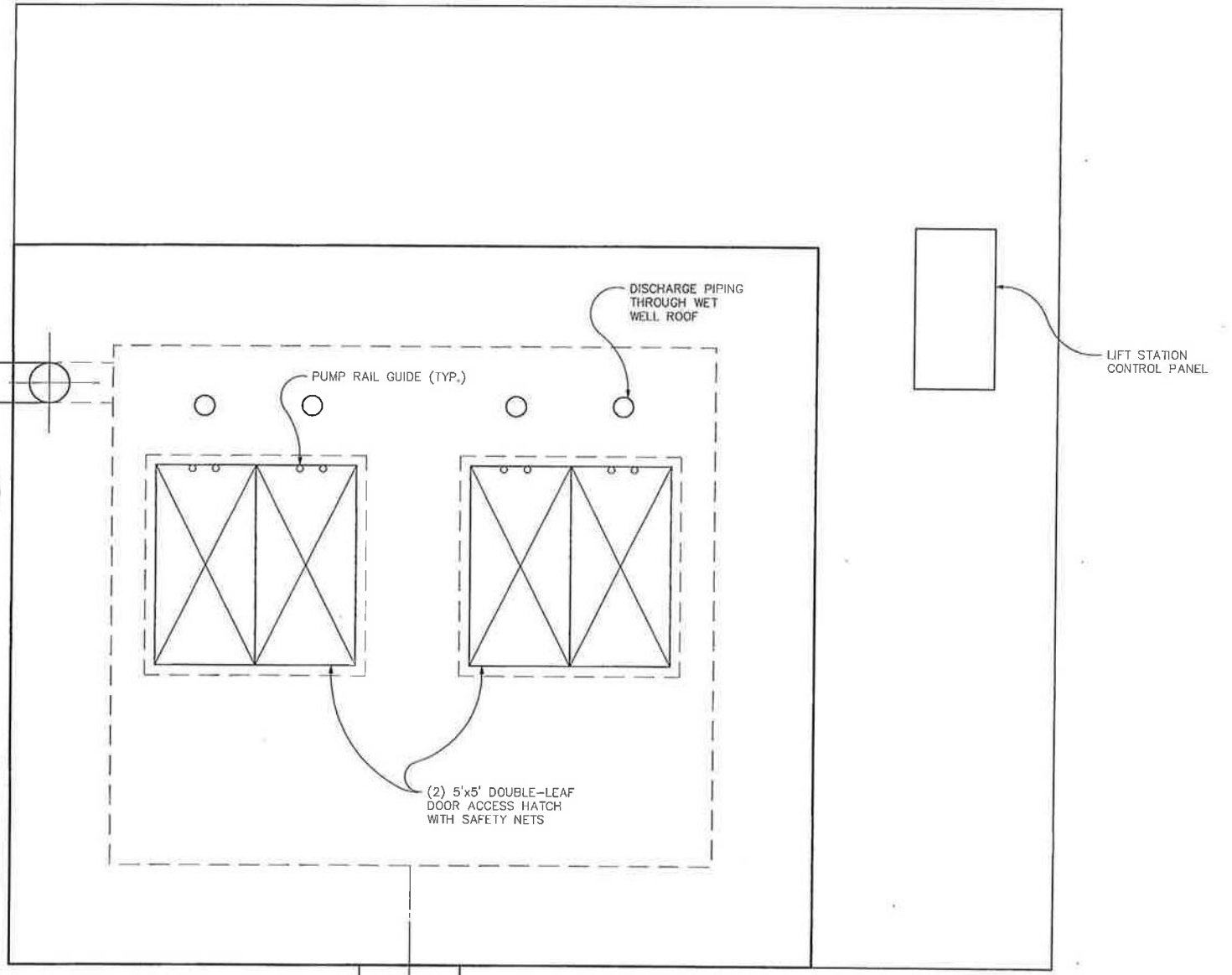
C7

OF 13C SHEETS



GENERAL NOTES:

- GROUT OPENING FOR ACCESS FRAME.
- ACCESS HATCHES SHALL BE FLUSH MOUNTED, ALUMINUM (BILCO OR EQUAL), H-10 CAPACITY, AND HAVE PADLOCK HASPS, DRAINS, AND HYDRAULIC OPENERS.
- HATCH SAFETY NETS (HATCH NET 121 BY SAFE APPROACH INC. OR EQUAL) SHALL BE INSTALLED IN EACH LIFT STATION ACCESS HATCH.
- CONFIGURATIONS AND DIMENSIONS SHOWN ARE BASED ON THE EQUIPMENT SPECIFIED. THE CONTRACTOR SHALL VERIFY THE LAYOUT AND ALL DIMENSIONS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL SUBMIT, TO THE ENGINEER, SHOP DRAWINGS SHOWING THE FINAL LAYOUT AND DIMENSIONS PRIOR TO CONSTRUCTION.
- REFERENCE SPECIFICATIONS FOR LIFT STATION EQUIPMENT.
- PUMP CONTROL ELEVATIONS TO BE SET INITIALLY AS FOLLOWS:
HIGHWATER ALARM = 524.00
PUMPS 1 & 2 ON ELEV = 521.75
PUMP 1 ON ELEV = 521.00
PUMPS 1 & 2 OFF = 519.50
LOW WATER ALARM = 517.75
- VENT PIPE SHALL BE COATED DUCTILE IRON AND INSTALLED W/ INSECT SCREEN. THE OPENING SHALL BE A MINIMUM OF 2' ABOVE THE TOP SLAB.
- VENT SCREEN SHALL BE 316 STAINLESS STEEL WITH 16 MESH OPENING.
- CONTRACTOR SHALL SUBMIT DESIGN FOR GROUT CONE UNDER PUMP SUCTIONS, INCLUDING MEANS OF ATTACHMENT, TO THE ENGINEER PRIOR TO CONSTRUCTION.



NOTE:
FOR STRUCTURAL
REF. SHEET S1

**SECTION VIEW
LIFT STATION**

1
C8 SCALE: 3/8" = 1'-0"

**PLAN VIEW
LIFT STATION ROOF**

2
C8 SCALE: 1/2" = 1'-0"

BAR IS ONE INCH IN LENGTH
ON ORIGINAL DRAWING, CHECK
SCALE AND ADJUST ACCORDINGLY.

ONE INCH

CITY OF CORINTH, TEXAS		
LIFT STATION NO. 3A, FORCE MAIN AND SANITARY SEWERS		
LIFT STATION CIVIL - SECTION VIEW AND ROOF DETAILS		
 Kimley-Horn and Associates, Inc. 801 Cherry St, Suite 1100 Ft. Worth, TX 76102 817-335-8511		
DESIGN BY: BAW	DATE: MARCH 2001	SHEET C8 OF 13C SHEETS
DRAWN BY: FCW/VRS	JOB NO.: 061008.030	
CHECKED BY: CMS	SHEET NO. 9 OF 26	

RECOMMENDED SCOPE OF WORK

Coating Replacement

- Install bypass pumping in accordance with bypass pumping plan and technical specification 33 03 10
- Appropriately degrease lift station walls
- Remove existing coating on walls by sandblasting. Contractor shall be responsible for containment and protection of adjacent residencies.
- Install coating system on wet well walls, no coating required on floor, in accordance with Coating technical specification 33 39 60. Wall coating shall begin below top slab and extend down to bottom of wall/beginning of sloped grout at floor. Contractor will not be required to apply coating to sloped grout areas. Reference Existing Lift Station Plan and Section plans for dimensions, approximately 2,300 SF of coating is anticipated. Contractor shall be responsible for verifying actual amount.

Electrical Replacement

- Replace cables for all three existing pumps
- Replace/adjust existing wall conduits as required to allow for installation of new cables without damage

K:\DAL_MUNICIPAL\061008050 - LS 3A CONDITION ASSESS\DWG\EXHIBITS\E2 - BYPASS PUMPING EXHIBIT.DWG



BYPASS PUMPING NOTES

1. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN ADEQUATE BYPASS EQUIPMENT, FORCE MAINS, AND OTHER NECESSARY APPURTENANCES IN ORDER TO MAINTAIN RELIABLE SEWER SERVICE IN ALL SANITARY SEWER LINES AS REQUIRED FOR CONSTRUCTION.
2. ANY SPILLAGE, BACKUPS AND/OR OVERFLOWS, ETC. AS THE RESULT OF INADEQUATE EQUIPMENT ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
3. THE CONTRACTOR SHALL BE REQUIRED TO HAVE ALL MATERIALS, EQUIPMENT AND LABOR NECESSARY TO COMPLETE REPAIRS ON THE JOB SITE PRIOR TO ISOLATING THE SEWER MANHOLE AND LINE SEGMENT AND BEGINNING FLOW DIVERSION OPERATIONS.
4. ONCE WET WELL REPAIRS ARE COMPLETED, TESTED AND ACCEPTED, THE CONTRACTOR SHALL CEASE BYPASS PUMPING OPERATIONS AND RETURN FLOWS TO THE EXISTING SEWER WHEN DIRECTED BY THE OWNER.
5. DURING BYPASS PUMPING, NO SEWAGE SHALL BE LEAKED, DUMPED, OR SPILLED IN OR UNTO, ANY AREA OUTSIDE OF THE EXISTING SANITARY SEWER SYSTEM AND TEMPORARY BYPASS SYSTEM.
6. THE CONTRACTOR SHALL ENSURE THAT NO DAMAGE WILL BE CAUSED TO PRIVATE PROPERTY AS A RESULT OF BYPASS PUMPING OPERATIONS. INGRESS AND EGRESS TO ADJACENT PROPERTIES SHALL BE MAINTAINED AT ALL TIMES. IF NECESSARY, RAMPS, STEEL PLATES OR OTHER METHODS SHALL BE DEPLOYED BY THE CONTRACTOR TO FACILITATE TRAFFIC OVER SURFACE PIPING.
7. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER SHOULD A SURCHARGE OCCUR THAT RESULTS IN AN OVERFLOW OF SEWAGE. IF THE CONTRACTOR IS UNABLE TO REMEDY THE SITUATION, THEN HE SHOULD SUSPEND OR TERMINATE THE WORK UNTIL SUCH TIME AS THE OVERFLOWS HAVE BEEN CONTROLLED. SHOULD SUCH SURCHARGE DAMAGE THE MATERIALS AND/OR EQUIPMENT THAT ARE USED ON THE JOB AND/OR ADJACENT PROPERTY, IT SHALL BE CORRECTED AT NO ADDITIONAL COST TO THE OWNER.
8. IN THE EVENT THAT SEWAGE ACCIDENTALLY DRAINS INTO THE DRAINAGE SYSTEM OR STREET, THE CONTRACTOR SHALL IMMEDIATELY STOP THE OVERFLOW, NOTIFY THE INSPECTOR, AND TAKE THE NECESSARY ACTION TO CLEANUP AND DISINFECT THE SPILLAGE TO THE SATISFACTION OF THE OWNER. IF THE SEWAGE IS SPILLED ONTO PUBLIC PROPERTY, THE CONTRACTOR SHALL WASH DOWN, CLEANUP AND DISINFECT THE SPILLAGE TO THE SATISFACTION OF THE TOWN.
9. THE CONTRACTOR SHALL NOT INTENTIONALLY DAMAGE OR REMOVE PORTIONS OF THE EXISTING SANITARY SEWER STRUCTURES FOR THE PURPOSE OF INSTALLING THE BYPASS PUMPING SYSTEM WITHOUT SPECIFIC APPROVAL FROM THE OWNER. IF A STRUCTURE IS DAMAGED, IT SHALL BE RECONSTRUCTED OR REPLACED TO THE SATISFACTION OF THE OWNER AT NO ADDITIONAL COST.
10. PRIOR TO BEGINNING BYPASS OPERATION, CONTRACTOR SHALL CHECK 10 DAY WEATHER FORECAST AND VERIFY THAT RAIN IS NOT ANTICIPATED. CONTRACTOR SHALL NOT BEGIN BYPASS OPERATION IF CHANCE OF RAIN EXCEEDS 30% ON ANY ONE DAY.
11. PIPE MATERIAL SHALL BE HDPE. NO OTHER MATERIALS WILL BE ALLOWED. HOSE PIPE SHALL BE NEW AND LEAK FREE. PIPE JOINTS SHALL BE FUSED TO PREVENT THE INCIDENT OF FLOW SPILLAGE.
12. THE CONTRACTOR SHALL PROVIDE EQUIPMENT THAT WILL CONVEY 125 PERCENT OF DESIGN FLOW CONDITIONS. DESIGN FLOW CONDITIONS ARE CONSIDERED TO BE 1.81 MGD.
13. THE CONTRACTOR SHALL PROVIDE FULLY AUTOMATIC SELF-PRIMING PUMPS. FOOT VALVES OR VACUUM PUMPS ARE NOT PERMITTED FOR PRIMING THE SYSTEM.
14. PUMPS MUST BE CONSTRUCTED TO ALLOW DRY RUNNING FOR PERIODS OF TIME TO ACCOUNT FOR THE CYCLICAL NATURE OF SEWER FLOW.
15. THE CONTRACTOR SHALL PROVIDE 1 STAND-BY PUMP FOR EACH SIZE TO BE MAINTAINED ON SITE. PLACE BACKUP PUMP ON LINE, ISOLATED FROM THE PRIMARY SYSTEM BY VALVE.
16. IF MULTIPLE PUMPS ARE REQUIRED TO MEET THE FLOW REQUIREMENTS, PROVIDE THE NECESSARY FITTINGS AND CONNECTIONS TO INCORPORATE MULTIPLE DISCHARGES.
17. THE CONTRACTOR SHALL COMPLY WITH OSHA REQUIREMENTS WHEN WORKING IN THE PRESENCE OF SEWER GASSES, OXYGEN-DEFICIENT ATMOSPHERES AND CONFINED SPACES.
18. PUMPING EQUIPMENT SHALL BE EQUIPPED WITH MUFFLERS AND/OR ENCLOSED TO KEEP THE NOISE LEVEL WITHIN LOCAL ORDINANCE REQUIREMENTS.
19. CONTRACTOR SHALL CONFIRM FORCE MAIN HGL CONDITIONS. CONTRACTOR SHALL PROVIDE BYPASS PUMPS WITH SIMILAR DISCHARGE HEAD TO EXISTING LIFT STATION 3A PUMPS.

Kimley»Horn
 13408 North Loop West, Suite 200, Houston, TX 77040
 281.465.4600
 www.kimley-horn.com

NO.	REVISION	BY	DATE

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 M. A. SAMARRIPAS P.E.
 SERIAL NO. 95876
 DATE: OCTOBER 2017

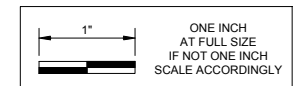
**CITY OF CORINTH
 LIFT STATION 3A
 CONDITION ASSESSMENT**

BYPASS PUMPING PLAN

DATE: OCTOBER 2017
 DESIGN: MAS
 DRAWN: DAZ
 CHECKED: MAS
 KHA NO.: 061008050

SHEET
E2

1
E2
Bypass Pumping PLAN
 SCALE: 1" = 10'
 130



33 03 10 BYPASS PUMPING OF EXISTING SEWER SYSTEMS

1.00 GENERAL

1.01 SUMMARY

A. Section Includes:

1. Bypass pumping of the existing sewer system, required sewer lines.

1.02 PRICE AND PAYMENT PROCEDURES

1.03 REFERENCES

A. Reference Standards

1. Reference standards cited in this Specification refer to the current reference standard published at the time of the latest revision date logged at the end of this Specification, unless a date is specifically cited.
2. Occupational Safety and Health Organization (OSHA).

1.04 ADMINISTRATIVE REQUIREMENTS

A. Coordination

1. Schedule meeting with Owner to review sewer shutdown prior to replacing or rehabilitating any facilities.
2. Owner reserves the right to delay schedule due to weather conditions, or other unexpected emergency within the sewer system.
3. Review bypass pumping arrangement or layout in the field with Owner prior to beginning operations. Facilitate preliminary bypass pumping run with Owner staff present to affirm the operation is satisfactory to the Owner.
4. After replacement or rehabilitation of facilities, coordinate the reestablishment of sewer flow with Owner staff.
5. Provide onsite continuous monitoring during all bypass pumping operations using one of the following methods:
 - a. Personnel on site
 - b. Portable SCADA equipment

1.05 SUBMITTALS

- B. All submittals shall be approved by the Engineer or the Owner prior to delivery.

1.06 ACTION SUBMITTALS/INFORMATIONAL SUBMITTALS

- A. Submit a detailed plan and description outlining all provisions and precautions that will be taken with regard to the handling of sewer flows. Submit the plan to the Owner for approval a minimum of 7 days prior to commencing work. Include the following details:
1. Schedule for installation and maintenance of the bypass pumping system
 2. Staging areas for pumps
 3. Pump sizes, capacity, number of each size, and power requirements
 4. Calculations for static lift, friction losses, and velocity
 5. Pump curves showing operating range and system head curves
 6. Sewer plugging methods
 7. Size, length, material, joint type, and method for installation of suction and discharge piping
 8. Method of noise control for each pump and/or generator, if required

9. Standby power generator size and location
10. Suction and discharge piping plan
11. Emergency action plan identifying the measures taken in the event of a pump failure or sewer spill
12. Staffing plan for responding to alarm conditions identifying multiple contacts by name and phone numbers (office, mobile)
13. A contingency plan to implement in the event the replacement or rehabilitation has unexpected delays or problems

1.07 CLOSEOUT SUBMITTALS [NOT USED]

1.08 MAINTENANCE MATERIAL SUBMITTALS [NOT USED]

1.09 QUALITY ASSURANCE [NOT USED]

1.10 DELIVERY, STORAGE, AND HANDLING [NOT USED]

1.11 FIELD [SITE] CONDITIONS [NOT USED]

1.12 WARRANTY [NOT USED]

2.00 PRODUCTS

2.01 OWNER-FURNISHED [OR] OWNER-SUPPLIED PRODUCTS [NOT USED]

2.02 EQUIPMENT

A. Pumping

1. Provide equipment that will convey 125 percent of wet weather peak flow conditions, no counting back up capacity.
2. Provide fully automatic self-priming pumps. Foot-valves or vacuum pumps are not permitted for priming the system.
3. Pumps must be constructed to allow dry running for periods of time to account for the cyclical nature of sewer flow.
4. Provide 1 stand-by pump for each size to be maintained on site. Place backup pumps on line, isolated from the primary system by valve.
5. If multiple pumps are required to meet the flow requirements, provide the necessary fittings and connections to incorporate multiple discharges.
6. Noise levels of the pumping system must follow the requirements of the City of McKinney.

B. Piping

1. Allowable pipe materials shall be HDPE. Hose pipe shall be new and leak free.
2. Install pipes with fused joints which prevent the incident of flow spillage.

C. Plugs or Stop Logs

1. Plugs
 - a. Select a plug that is made for the size and potential pressure head that will be experienced.
 - b. Provide an additional anchor, support or bracing to secure plug when back pressure is present.
 - c. Use accurately calibrated air pressure gauges for monitoring the inflation pressure.
 - d. Place inflation gauge at location outside of confined space area. Keep the inflation gauge and valve a safe distance from the plugs.

- e. Never over inflate the plug beyond its pressure rating.
- 2. Stop Logs
 - a. Use stop log devices designed for the manhole or sewer vault structure in use.
 - b. If applicable, obtain stop logs from Owner that may be used on specific structures.

2.03 ACCESSORIES [NOT USED]

2.04 SOURCE QUALITY CONTROL [NOT USED]

3.00 EXECUTION

3.01 INSTALLERS [NOT USED]

3.02 EXAMINATION [NOT USED]

3.03 PREPARATION

- A. Locate the bypass pipelines in area to minimize disturbance to existing utilities and obtain approval of those locations from the Owner.
- B. Make preparations to comply with OSHA requirements when working in the presence of sewer gases, oxygen-deficient atmospheres and confined spaces.
- C. Do not begin bypass preparation and operation until Owner approval of the submittals requested per this Specification.

3.04 INSTALLATION

- A. Install and operate pumping and piping equipment in accordance to the submittals provided per this Specification.
- B. Sewer flow stoppage
 - 1. Plugging
 - a. Use confined space procedures and equipment during installation when necessary.
 - b. Thoroughly clean the pipe before insertion of the plug.
 - c. Insert the plug seal surface completely so it is fully supported by the pipe.
 - d. Position the plug where there are not sharp edges or protrusions that may damage the plug.
 - e. Use pressure gauges for measuring inflation pressures.
 - f. Minimize upstream pressure head before deflating and removing.
- C. Sewer flow control and monitoring
 - 1. Take sufficient precautions to ensure sewer flow operations do not cause flooding or damage to public or private property. The Contractor is responsible for any damage resulting from bypass pumping operations.
 - 2. Begin continual monitoring of the sewer system as soon as the sewer is plugged or blocked. Be prepared to immediately start bypass pumping if needed due to surcharge conditions.
 - 3. Sewer discharge may be into another sewer manhole or appropriate vehicle or container only. Do not discharge sewer into an open environment such as an open channel or earthen holding facility.
 - 4. Do not construct bypass facilities where vehicular traffic may travel over the piping.
 - a. Provide details in the suction and discharge piping plan that accommodate both the bypass facilities and traffic without disrupting either service.

3.05 REPAIR / RESTORATION [NOT USED]

3.06 RE-INSTALLATION [NOT USED]

3.07 FIELD [OR] SITE QUALITY CONTROL

A. Field [OR] Site Tests and Inspections

1. Perform leakage and pressure tests of the bypass pumping pipe and equipment before actual operation begins. Have Owner staff on site during tests.

3.08 SYSTEM STARTUP [NOT USED]

3.09 ADJUSTING [NOT USED]

3.10 CLEANING [NOT USED]

3.11 CLOSEOUT ACTIVITIES

- A. Once plugging or blocking is no longer necessary, remove in such a way that permits the sewer flow to slowly return to normal – preventing surge, surcharging and major downstream disturbance.

3.12 PROTECTION [NOT USED]

3.13 MAINTENANCE [NOT USED]

3.14 ATTACHMENTS [NOT USED]

END OF SECTION

33 39 60 EPOXY LINERS FOR SANITARY SEWER STRUCTURES

PART 1 - GENERAL

1.01 SUMMARY

A. Section Includes:

1. Application of a high-build epoxy coating system to concrete utility structures such as manholes, lift station wet wells, junction boxes or other concrete facilities that may need protection from corrosive materials

1.02 PRICE AND PAYMENT PROCEDURES

1.03 REFERENCES

A. Reference Standards

1. Reference standards cited in this Specification refer to the current reference standard published at the time of the latest revision date logged at the end of this Specification, unless a date is specifically cited.
2. ASTM International (ASTM):
 - a. C109, Compressive Strength Hydraulic Cement Mortars
 - b. C579, Compressive Strength of Chemically Setting Silicate and Silica Chemical Resistant Mortars
 - c. D543, Standard Practices for Evaluating the Resistance of Plastics to Chemical Reagents.
 - d. D638, Standard Test Method for Tensile Properties of Plastics.
 - e. D695, Standard Test Method for Compressive Properties of Rigid Plastics.
 - f. D790, Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials.
 - g. D4060, Standard Test Method for Abrasion Resistance of Organic Coatings by the Taber Abraser.
 - h. D4258, Standard Practice for Surface Cleaning Concrete
 - i. D4259, Standard Practice for Abrading Concrete
 - j. D4414, Standard Practice for Measurement of Wet Film Thickness by Notch Gages.
 - k. D4541, Standard Test Method for Pull-off Strength of Coatings Using Portable Adhesion Testers.
 - l. ASTM D4787, Standard Practice for Continuity Verification of Liquid or Sheet Linings Applied to Concrete Substrates
3. Environmental Protection Agency (EPA).
4. NACE International (NACE).
 - a. NACE RPO 188-99
5. Occupational Safety and Health Administration (OSHA).
6. Resource Conservation and Recovery Act, (RCRA).
7. The Society for Protective Coatings/NACE International (SSPC/NACE):
 - a. SP 13/NACE No. 6, Surface Preparation of Concrete PA 9.
8. International Concrete Repair Institute (ICRI)
 - a. ICRI Guideline No. 03732
 - b. ICRI Guideline No. 03730

1.04 ADMINISTRATIVE REQUIREMENTS [NOT USED]

1.05 SUBMITTALS

- A. All submittals shall be approved by the Owner prior to delivery.

1.06 ACTION SUBMITTALS/INFORMATIONAL SUBMITTALS

A. Product Data

1. Technical data sheet on each product used
2. Material Safety Data Sheet (MSDS) for each product used
3. Copies of independent testing performed on the coating product indicating the product meets the requirements as specified herein
4. Technical data sheet and project specific data for repair materials to be topcoated with the coating product including application, cure time and surface preparation procedures

B. Contractor Data

1. Current documentation from coating product manufacturer certifying Contractor's training and equipment complies with the Quality Assurance requirements specified herein
2. 5 recent references of Contractor indicating successful application of coating product(s) of the same material type as specified herein, applied by spray application within the municipal wastewater environment

1.07 CLOSEOUT SUBMITTALS [NOT USED]

1.08 MAINTENANCE MATERIAL SUBMITTALS [NOT USED]

1.09 QUALITY ASSURANCE

A. Qualifications

1. Contractor
 - a. Be trained by, or have training approved and certified by, the coating product manufacturer for the handling, mixing, application and inspection of the coating product(s) to be used as specified herein
 - b. The Contractor must have a minimum of 50,000 square feet of successful wastewater system installation.
2. Product
 - a. For a product to be commercially acceptable, the product must have a minimum 500,000 square feet and five (5) year history of successful wastewater collection system installation in the United States.

1.10 DELIVERY, STORAGE, AND HANDLING

- A. Keep materials dry, protected from weather and stored under cover.
- B. Store coating materials between 50 degrees F and 90 degrees F.
- C. Do not store near flame, heat or strong oxidants.
- D. Handle coating materials according to their material safety data sheets.

1.11 FIELD [SITE] CONDITIONS

- A. Provide confined space entry, flow diversion and/or bypass plans as necessary to perform the specified work.

1.12 WARRANTY

- A. Contractor Warranty

1. Contractor's Warranty shall be for a minimum of two years after work has been completed and accepted by the Owner.

PART 2 - PRODUCTS

2.01 OWNER-FURNISHED [OR] OWNER-SUPPLIED PRODUCTS [NOT USED]

2.02 EQUIPMENT, PRODUCT TYPES, MATERIALS

A. Repair and Resurfacing Products

1. Compatible with the specified coating product(s) in order to bond effectively, thus forming a composite system
2. Used and applied in accordance with the manufacturer's recommendations
3. The repair and resurfacing products must meet the following:
 - a. 100 percent solids, solvent-free epoxy grout specifically formulated for epoxy topcoating compatibility
 - b. Factory blended, rapid setting, high early strength, fiber reinforced, non-shrink repair mortar that can be troweled or pneumatically spray applied and specifically formulated to be suitable for topcoating with the specified coating product used

B. Coating Product

1. Capable of being installed and curing properly within a manhole or concrete utility environment
2. Resistant to all forms of chemical or bacteriological attack found in municipal sanitary sewer systems; and, capable of adhering to typical manhole structure substrates
3. The 100 percent solids, solvent-free ultra high-build epoxy system shall exhibit the following characteristics:
 - a. Application Temperature – 50 degrees F, minimum
 - b. Thickness – 100 mils minimum, 125 mils maximum
 - c. Color – Gray, White, Light Blue, Pink or Beige
 - d. Compressive Strength (per ASTM D695) – 8,800 psi minimum
 - e. Tensile Strength (per ASTM D638) – 2,900 psi minimum
 - f. Hardness, Shore D (per ASTM D4541) – 70 minimum
 - g. Abrasion Resistance (per ASTM D4060 CS 17F Wheel) – 80 mg loss maximum
 - h. Flexural Modulus (per ASTM D790) – 400,000 psi minimum
 - i. Flexural Strength (per ASTM D790) – 8,000 psi minimum
 - j. Adhesion to Concrete, mode of failure (ASTM D4541): Substrate (concrete) failure
 - k. Chemical Resistance (ASTM D543/G20) all types of service for:
 - 1) Municipal sanitary sewer environment
 - 2) Sulfuric acid, 30 percent
 - 3) Sodium hydroxide, 5 percent
4. Coating must be designed for temperatures up to 200 degrees F.
5. Approved products include Tnemec Series 218 and 436. Other products may be submitted for review and approval.

C. Coating Application Equipment

1. Manufacturer approved heated plural component spray equipment
2. Hard to reach areas, primer application and touch-up may be performed using hand tools.

2.03 ACCESSORIES [NOT USED]

2.04 SOURCE QUALITY CONTROL

1. Testing

- a. Take wet film thickness gauge per ASTM D4414 at 3 locations within the manhole, 2 spaced equally apart along the wall and 1 on the bench.
 - 1) Document and attest measurements and provide to the Owner.
- b. After coating has set perform a spark test to identify holidays. Repair all pinholes by lightly abrading the surface and brushing the lining material over the area.
- c. Perform a pull test.
- d. Repair all blisters and evidence of uneven cover according to the manufacturer's recommendations.

PART 3 - EXECUTION

3.01 INSTALLERS

- A. All installers shall be certified applicators approved by the manufacturers. Contractor shall have a manufacturer's representative present at the start of the coating procedure.

3.02 EXAMINATION [NOT USED]

3.03 PREPARATION

A. Wet Well Preparation

1. Stop active flows via damming, plugging or diverting as required to ensure all liquids are maintained below or away from the surfaces to be coated.
2. Maintain temperature of the surface to be coated between 40 and 120 degrees F.
3. Shield specified surfaces to avoid exposure of direct sunlight or other intense heat source.
 - a. Where varying surface temperatures do exist, coating installation should be scheduled when the temperature is falling versus rising.
4. Prior to commencing surface preparation, Contractor shall inspect all surfaces specified to receive the coating and notify Owner, in writing, of any noticeable disparity in the site, structure or surfaces which may interfere with the work, use of materials or procedures as specified herein.

B. Surface Preparation

1. Contractor shall completely remove existing epoxy coating.
2. Concrete surfaces to be coated shall be free of curing compounds and form release agents, laitance and foreign particles that may inhibit bonding. Prior to start of protective lining systems application, high-pressure water clean, waterjet or abrasive blast surfaces to be covered as required, and inspect the substrate in accordance with SSPC-SP13/NACE No. 6. Surface preparation procedures shall be in accordance with SSPC-SP13/NACE No. 6 and ICRI Guideline No. 03732. Surface preparation requirement is to expose aggregate and obtain a uniform surface texture resembling an ICRI-CSP5-6.
3. All new cast-in-place concrete shall cure for a period of 28 days in accordance with ACI 308 before protective lining system is installed, unless otherwise recommended by the Protective Lining manufacturer.
4. Concrete surfaces to receive protective lining shall be a Smooth Form Finish as defined in ACI 301. Surfaces shall not be rubbed, sacked, troweled or otherwise finished in any manner that will obscure or cover the firm substrate surface.
5. Level or grind concrete substrates to manufacturer's recommended tolerances and produce a smooth, uniform installation, including removal of all sharp edges, ridges, or depressions.
6. Existing Concrete Application: Existing concrete structures to receive protective lining system must be capable of withstanding imposed loads and stresses. All oil, grease and chemical contaminants must be removed from the surface of concrete by chemical cleaning prior to

preparation in accordance with SSPC-SP13/NACE No. 6. Surfaces must be firm, free of standing water, laitance, form release agents, and be structurally sound. CONTRACTOR shall verify that the pH of the cleaned concrete surfaces to be coated is within the range of 9 to 11. Application of coating materials outside this range will not be permitted without written approval from the ENGINEER.

7. All methods used shall be performed in a manner that provides a uniform, sound, clean, neutralized, surface suitable for the specified coating product. Resulting concrete surface profile (CSP) shall be at least a CSP-4 in accordance with ICRI Technical Guideline No. 03732 as referenced in section 1.03. Typically, CSP ranges from CSP 1 (nearly flat) through CSP 9 (very rough) as indicated through ICRI Guideline No. 03732.

3.04 INSTALLATION

A. General

1. Perform coating after the sewer line replacement/repairs, grade adjustments and grouting are complete.
2. Perform application procedures per recommendations of the coating product manufacturer, including environmental controls, product handling, mixing and application.
3. Initiate and enforce quality control procedures consistent with the coating product(s) manufacturer recommendations and applicable NACE or SSPC standards as referenced herein.

B. Temperature

1. Only perform application if surface temperature is between 40 and 120 degrees F.
2. Make no application if freezing is expected to occur inside the manhole within 24 hours after application.

C. Repair/Resurfacing

1. Repair/resurfacing products as per section 2.02.A shall be used to fill voids, bugholes, and other surface defects which may affect the performance or adhesion of the coating product(s).

D. Coating

1. Spray apply per manufacturer's recommendation at a minimum dry film thickness of 125 mils with a minimum surface profile of CSP-4 in accordance with ICRI Technical Guideline No. 03732
2. Apply coating from bottom of manhole frame to the bench/trough, including the bench/trough.
3. After walls are coated, remove bench covers and spray bench/trough to at least the same thickness as the walls.
4. Apply any topcoat or additional coats within the product's recoat window.
 - a. Additional surface preparation is required if the recoat window is exceeded.
5. Allow a minimum of 3 hours of cure time or be set hard to touch before reactivating flow.

3.05 REPAIR / RESTORATION [NOT USED]

3.06 RE-INSTALLATION [NOT USED]

3.07 FIELD [OR] SITE QUALITY CONTROL

- A. Coating system thickness shall be inspected to ensure compliance with the specifications herein.

1. During application a wet film thickness gauge, meeting ASTM D4414 – Standard Practice for Measurement of Wet Film Thickness of Organic Coatings by Notched Gages, shall be used. Measurements shall be taken, documented, and attested to by Contractor for submission to Owner.
 2. After the coating product(s) have cured in accordance with manufacturer recommendations, coating system thickness may be measured according to SSPC-PA 9 – Measurement of Dry Coating Thickness on Cementitious Substrates using Ultrasonic Gages.
- B. After the coating product(s) have cured in accordance with manufacturer recommendations, all surfaces shall be inspected for holidays as per NACE RPO 188-99 Discontinuity (Holiday) Testing of New Protective Coatings on Conductive Substrates or ASTM D4787 Standard Practice for Continuity Verification of Liquid or Sheet Linings Applied to Concrete Substrates. All detected holidays shall be marked and repaired according to the coating product(s) manufacturer's recommendations.
1. Test voltage shall be a minimum of 100 volts per mil of coating system thickness.
 2. Detection of a known or induced holiday in the coating product shall be confirmed to ensure proper operation of the test unit.
 3. All areas repaired shall be retested following cure of the repair materials(s).
 4. In instances where high voltage holiday detection is not feasible a close visual inspection shall be conducted and all possible holidays shall be marked and repaired as described above.
 5. Documentation of areas tested, equipment employed, results, and repairs made shall be submitted to the Owner/Engineer by Contractor.
- C. Adhesion of the coating system to the substrate shall be confirmed in a minimum of 10% of the manholes coated. After the coating product(s) have cured in accordance with manufacturer recommendations, testing shall be conducted in accordance with ASTM D7234 Pull-Off Adhesion Strength of Coatings on Concrete using Portable Pull-Off Adhesion Testers. Owner's representative shall select the manholes or areas to be tested.
- D. Each structure will be visually inspected the same day following the application.
- E. The inspector will check for deficiencies, pinholes and thin spots.
- F. If leaks are detected they will be chipped back, plugged and coated immediately with protective epoxy resin coating.
1. Make repair 24 hours after leak detection.

3.08 SYSTEM STARTUP [NOT USED]

3.09 ADJUSTING [NOT USED]

3.10 CLEANING [NOT USED]

3.11 CLOSEOUT ACTIVITIES

- A. Upon final completion of the work, the manufacturer will provide a written certification of proper application to the Owner.
- B. The certification will confirm that the deficient areas were repaired in accordance with the procedure set forth in this Specification.

3.12 PROTECTION [NOT USED]

3.13 MAINTENANCE [NOT USED]

3.14 ATTACHMENTS [NOT USED]

END OF SECTION

May 11, 2018

ACES#: AAJA-XWN1IB

Ms. Cindy Troyer
Purchasing Agent
City of Corinth
3300 Corinth Pkwy, 2nd Floor
Corinth, TX 76208

Buyboard Proposal

Project Name: **City of Corinth, TX
3A Lift Station Refurbish**

INSITUFORM TECHNOLOGIES, LLC herein proposes to furnish all labor, materials, equipment, and services necessary to reconstruct the referenced project (as detailed in the original project bid documents presented by the City of Corinth) utilizing The Local Government Purchasing Cooperative Contract #555-18 administered through the BuyBoard.

ASSUMPTIONS AND QUALIFICATIONS

Insituform will supply the City of Corinth Payment, Performance, and 2-yr Maintenance Bonds, and Certificate of Insurance as necessary following acceptance of this proposal.

The pricing in this proposal assumes that all Technical Specifications set forth by the BuyBoard and the City of Corinth Specifications will be strictly adhered to. Any changes to these specifications must be noted and agreed upon by both parties prior to finalizing the proposal pricing. The City of Corinth original bid documents will take precedence.

- Special:**
- 1. All quantities are estimated based on the information provided and the completed site visit. Final billing will be based on actual quantities, to include bypass pumping days. Any delay out of our control may impact the final bypass days.**
 - 2. Water shall be provided at no cost to Insituform Technologies, LLC for all construction phases of this project. Insituform Technologies, LLC will follow all required deposit, backflow prevention, and metering procedures.**
 - 3. Tax-exempt Certificate to be provided by the City of Corinth.**
 - 4. City of Corinth is responsible for traffic control if found to be necessary.**
 - 5. Mitigation is the responsibility of the City of Corinth.**
 - 6. Coating to be applied to elevation set by Owner at top of 45 degree slope.**

PROPOSAL TERMS AND CONDITIONS

Terms and Conditions from the Texas Statewide Cooperative Purchasing Contract are available upon request from the BuyBoard. Any changes to these conditions must be noted and agreed upon by both parties.

The City of Corinth's Terms and Conditions included in the original bid documents will take precedence.

PROPOSAL PRICING

City of Corinth 3A Lift Station Refurbish

Description	Quantity	Unit of Measure	Unit Price	Extended Total
Travel & Mobilization – Texas	1	EA	\$7,500.00	\$7,500.00
Bypass System Equip/pipe delivery, tear down, pick up 6”	1	EA	\$15,000.00	\$15,000.00
Set up 6” Pump (per pump)	2	EA	\$1,250.00	\$2,500.00
Set up 12” Piping	300	LF	\$28.00	\$8,400.00
Operate 6” Pumping System (fuel & maintenance per pump)	10	DAY	\$475.00	\$4,750.00
Bypass Pump Watch Labor	10	DAY	\$2,250.00	\$22,500.00
Manhole or Structure Surface Pre by Sandblasting	2,300	SF	\$21.00	\$48,300.00
Manhole or Structure Rehabilitation – epoxy	2,300	SF	\$29.50	\$67,850.00
Replace Cables for 3 Pumps & Adjust Conduit	1	LS	\$33,500.00	\$33,500.00
TOTAL				\$210,300.00

OFFERED BY:

ACCEPTED BY:

INSITUFORM TECHNOLOGIES, LLC

Timothy R. Peterie

SIGNATURE

DATE

TIMOTHY R. PETERIE
BUSINESS DEVELOPMENT MANAGER

NAME

REVIEWED BY:
ANDY OZMENT
AREA MANAGER

TITLE

ORGANIZATION

cc: Ben Hawkins
Josh Awalt

This accepted proposal constitutes a formal agreement. If you initiate a purchase order or other document, it will not be acknowledged without this proposal being referenced or as an attachment.

Client: City of Corinth	Date: 10/9/2017
Project: Lift Station 3A Wet Well Improvements	Prepared By: MAS
KHA No.: 061008050	Checked By: MAS

Title:	Sheet: 1 of 1
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Item No.	Item Description	Quantity	Unit	Unit Price	Item Cost
1	Mobilization, Bonds, and Insurance	1	LS	\$5,000.00	\$5,000
2	Bypass Pumping	1	MO	\$40,000.00	\$40,000
3	Removal of Existing Coating	2,300	SF	\$10.00	\$23,000
4	Epoxy Coating	2,300	SF	\$35.00	\$80,500
5	Replace Electrical Conduits, Cables and Grommets	1	LS	\$7,500.00	\$7,500
Basis for Cost Projection:					
<input checked="" type="checkbox"/> No Design <input type="checkbox"/> Preliminary <input type="checkbox"/> Final Design					
Subtotal:					\$156,000
Conting. (%,+/-) 20					\$31,200
Total:					\$187,200

This total does not reflect engineering or technical services.

The Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable construction costs provided herein are based on the information known to Engineer at this time and represent only the Engineer's judgment as a design professional familiar with the construction industry. The Engineer cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

City Council Regular and Workshop Session

Meeting Date: 06/07/2018

Title: Renewal of the City of Corinth Reinvestment Zone No. 14-1

Submitted For: Jason Alexander, Director

Submitted By: Jason Alexander, Director

City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

TO HEAR PUBLIC OPINION ON THE RENEWAL OF AN AREA DESIGNATED AS THE CITY OF CORINTH TAX ABATEMENT REINVESTMENT ZONE NUMBER 14-1 PURSUANT TO AND IN ACCORDANCE WITH TEXAS TAX CODE SECTIONS 312.201 THROUGH 312.209, AS AMENDED.

Consider and act on Ordinance renewing the City of Corinth Reinvestment Zone No. 14-1; providing for effective and expiration dates of said zone; repealing conflicting ordinances and resolutions; and providing an effective date.

AGENDA ITEM SUMMARY/BACKGROUND

This item is a request for City Council to consider and act on renewing the City of Corinth Reinvestment Zone No. 14-1 (the "Zone") established in accordance with the Property Redevelopment and Tax Abatement Act (the "Act"), as amended, and codified in Chapter 312 of the Texas Tax Code (the "Code"). Under the Act, City Council is authorized to create and renew reinvestment zones, such as the Zone in Corinth, to contribute to the retention or expansion of primary employment or to attract major investment that would be a benefit to the property and that would contribute to the economic development of the municipality. The Zone was critical in efforts to attract Denton Area Teachers Credit Union to Corinth, one of the community's largest employers.

Adopted by City Council on April 3, 2014 (Ordinance No. 14-04-03-12), the Zone made the City eligible to participate in tax abatement agreements with the owners of real property and personal property for economic development purposes. The term of the Zone is for five years, with an expiration date of April 3, 2019. City Council approved and entered into a tax abatement agreement with Denton Area Teachers Credit Union for a term of five years (Resolution No. 14-04-03-04) with the effective date and expiration date of the abatement period being January 1, 2016 and January 1, 2020, respectively.

Due to circumstances beyond the reasonable control of the credit union, City Council amended the tax abatement agreement on October 16, 2014 (Resolution No. 14-10-16-11) to postpone the effective date and expiration date of the abatement period to January 1, 2017 and January 1, 2021, respectively. However, the expiration date of the Zone (April 3, 2019) is not the same as the expiration date of the tax abatement agreement with the credit union (January 1, 2021). Renewing the Zone will ensure that it does not expire prior to the tax abatement agreement.

The Act permits the City Council to designate and renew reinvestment zones for one or more subsequent periods not to exceed five years. The City Council may elect to renew the term of the Zone to ensure that it does not expire before the tax abatement agreement if a notice of public hearing is published at least seven days before the public hearing date and the presiding officer of the other taxing entities within the boundaries of the Zone are notified in writing of the public hearing as provided in the Act.

A notice of public hearing was published in the Denton Record Chronicle on May 20, 2018, and notices were delivered in writing to the presiding officer of the other taxing entities as required by the Act. Prior to considering and acting on renewal of the Zone, City Council must hold a public hearing providing reasonable opportunity for all interested persons to speak and present evidence for or against renewal of the Zone. The Ordinance presented for consideration and action of the City Council, following the public hearing, is to renew the Zone for a period of five years, with an effective date of April 3, 2019 and an expiration date of April 3, 2024. Should City Council approve the Ordinance renewing the Zone for a period of five years, it will not affect the tax abatement agreement

with Denton Area Teachers Credit Union.

RECOMMENDATION

Staff recommends the City Council approve the ordinance renewing the City of Corinth Reinvestment Zone No. 14-1 for a period of five years, with an effective date of April 3, 2019 and an expiration date of April 3, 2024.

Attachments

Ordinance

Map

ORDINANCE NO. _____ - _____ - _____ - _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS RENEWING THE CITY OF CORINTH REINVESTMENT ZONE NO. 14-1; PROVIDING THE EFFECTIVE AND EXPIRATION DATES FOR SAID ZONE; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 15, 2016, the City Council adopted the City of Corinth Policy Statement for Tax Abatement (the “**POLICY**”), that authorizes the City of Corinth, Texas (the “**CITY**”) to enter into tax abatement agreements pursuant to the Property Redevelopment and Tax Abatement Act (the “**ACT**”), codified in Chapter 312 of the Texas Tax Code (the “**CODE**”);

WHEREAS, on April 3, 2014, the City Council adopted Ordinance No. 14-04-03-12 creating the City of Corinth Reinvestment Zone No. 14-1 (the “**ZONE**”) in a certain area of the City more specifically described in Exhibit “A” of this Ordinance to contribute to the retention or expansion of primary employment or to attract major investment that would be a benefit to the property and that would contribute to the economic development of the City for a period of five years after the date of designation pursuant to the Code;

WHEREAS, the Code allows the City to renew designation of the Zone for periods not to exceed five years;

WHEREAS, the City Council desires to renew the term of the Zone for five years;

WHEREAS, on June 7, 2018, the City Council held a public hearing regarding renewing the Zone, received information concerning existing and future improvements proposed for the Zone and afforded a reasonable opportunity for all interested persons to speak and present evidence for or against renewal of the Zone (the “**PUBLIC HEARING**”);

WHEREAS, notice of Public Hearing was published in the Denton Record Chronicle, a newspaper of general circulation in the City on or before May 31, 2018, which satisfies the requirement of Section

312.201.(d)(1) of the Code that publication of the notice occur not later than the seventh day before the date of the Public Hearing; **AND**

WHEREAS, pursuant to Sections 312.201.(d)(2) and (e) of the Code, notice of Public Hearing was delivered in writing not later than the seventh day before the date of the Public Hearing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is included in the Zone;

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

SECTION I.

FINDINGS

After reviewing all information before it concerning renewal of the Zone and after conducting the Public Hearing and affording reasonable opportunity for all interested persons to speak and present evidence for or against renewal of the Zone, the City Council hereby makes the following findings of fact:

PARAGRAPH 1.01. The statements and facts set forth in the Recitals of this Ordinance are true and correct. Therefore, the City has met the notice and procedural requirements established by Chapter 312 of the Code for renewal of the Zone.

PARAGRAPH 1.02. The renewal of the Zone is reasonably likely to continue to contribute to the retention or expansion of primary employment or to attract major investment that would be a benefit to the property and that would contribute to the economic development of the City.

PARAGRAPH 1.03. Improvements sought in the Zone are feasible and practical and would be a benefit to the land included in the Zone as well as the City following the expiration of an executed tax abatement agreement.

SECTION II.

RENEWAL OF THE ZONE

The City Council hereby renews the Zone, the legal description of which is shown in Exhibit “A”, attached hereto and made a part of this Ordinance for all purposes as a reinvestment zone for purposes of granting tax abatement, as authorized by and in accordance with Chapter 312 of the Code. The Zone shall continue to be known as “City of Corinth Tax Abatement Reinvestment Zone Number 14-1.”

SECTION III.

TERM OF THE ZONE

PARAGRAPH 3.01. This Zone shall take effect upon the Effective Date of this Ordinance, and expire five years thereafter, on April 3, 2024.

PARAGRAPH 3.02. This Zone may be renewed by the City Council for one or more subsequent periods not to exceed five years in accordance with the Act.

SECTION IV.

SEVERABILITY

If any word, phrase, clause, sentence or paragraph of this Ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this Ordinance will continue in force, if they can be given effect without the invalid portion.

SECTION V.

REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS

All ordinances and resolutions or parts of ordinances and resolutions in conflict with this Ordinance are repealed.

SECTION VI.

EFFECTIVE DATE

This Ordinance will take effect after its passage, approval and adoption on April 3, 2019.

PASSED, APPROVED AND ADOPTED on June 7, 2018.

Bill Heidemann

Mayor

ATTEST:

Kimberly Pence

City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

BOUNDARY DESCRIPTION OF ZONE

ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE J.B. THETFORD SURVEY, ABSTRACT NUMBER 1308, CITY OF CORINTH, DENTON COUNTY, TEXAS, AND BEING A PART OF A CALLED 11.536 ACRE TRACT, DESCRIBED IN A DEED TO JOHN M. BUSHMAN, RECORDED IN VOLUME 1955, PAGE 672, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS, AND BEING ALL OF LOT 1, BLOCK FOUR, CORINTH SHORES ESTATES, AN ADDITION TO THE CITY OF CORINTH, ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET A, PAGE 47, PLAT RECORDS, DENTON COUNTY, TEXAS;

BEGINNING AT 1/2 INCH IRON ROD FOUND FOR THE EASTERN MOST CORNER OF LOT 1, BLOCK 1, HARLEY-DAVIDSON CORINTH, AN ADDITION TO THE CITY OF CORINTH, ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET Y, PAGE 212, PLAT RECORDS AND BEING ON THE EAST LINE OF SAID BUSHMAN TRACT AND THE WEST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 35E;

THENCE SOUTH 38 DEGREES 19 MINUTES 00 SECONDS EAST WITH THE EAST LINE OF SAID BUSHMAN TRACT AND THE WEST RIGHT OF WAY LINE, A DISTANCE OF 299.20 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT;

THENCE SOUTH 00 DEGREES 36 MINUTES 34 SECONDS EAST WITH THE EAST LINE OF SAID BUSHMAN TRACT AND THE WEST RIGHT OF WAY LINE, A DISTANCE OF 415.69 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID BUSHMAN TRACT;

THENCE NORTH 88 DEGREES 40 MINUTES 27 SECONDS WEST WITH THE SOUTH LINE OF SAID BUSHMAN TRACT, A DISTANCE OF 37.95 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 1, BLOCK FOUR;

THENCE SOUTH 01 DEGREES 03 MINUTES 19 SECONDS EAST WITH THE EAST LINE OF SAID LOT 1, BLOCK FOUR, A DISTANCE OF 122.88 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE

SOUTHEAST CORNER OF SAID LOT 1, BLOCK FOUR, AND BEING ON THE NORTH RIGHT OF WAY OF WILDWOOD DRIVE;

THENCE NORTH 88 DEGREES 02 MINUTES 56 SECONDS WEST WITH THE SOUTH LINE OF SAID LOT 1, BLOCK FOUR, AND THE NORTH RIGHT OF WAY LINE OF WILDWOOD DRIVE, A DISTANCE OF 122.24 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK FOUR;

THENCE NORTH 00 DEGREES 51 MINUTES 55 SECONDS WEST WITH THE WEST LINE OF SAID LOT 1, BLOCK FOUR, A DISTANCE OF 123.05 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 1, AND BEING ON THE SOUTH LINE OF SAID BUSHMAN TRACT;

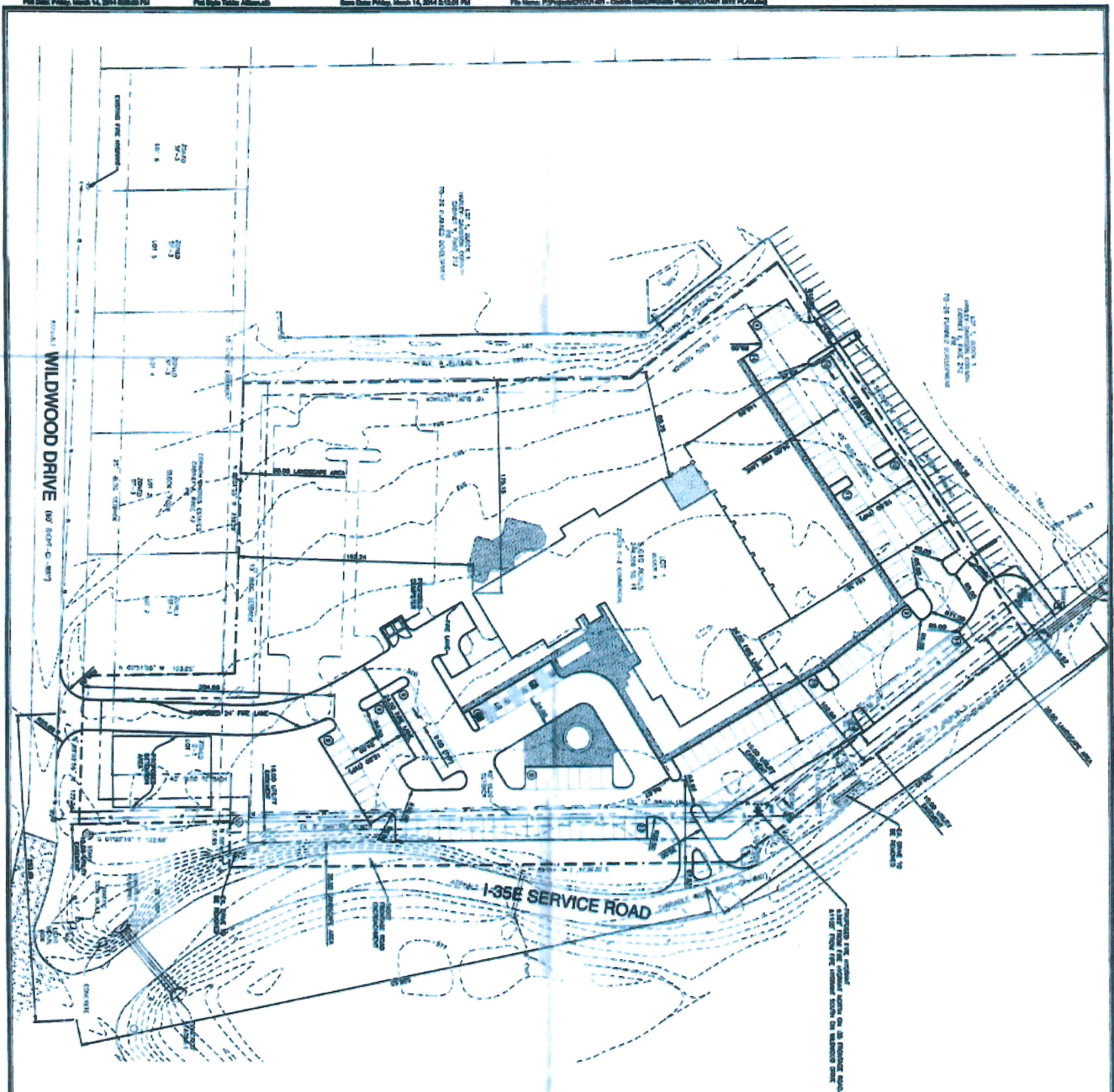
THENCE NORTH 88 DEGREES 01 MINUTES 55 SECONDS WEST WITH THE SOUTH LINE OF SAID BUSHMAN TRACT, A DISTANCE OF 239.59 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHERN MOST SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1;

THENCE NORTH 00 DEGREES 45 MINUTES 18 SECONDS WEST WITH THE EAST LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF 318.21 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 38 DEGREES 22 MINUTES 20 SECONDS WEST WITH THE EAST LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF 154.01 FEET TO A 1/2 INCH IRON ROD FOUND FOR AN INNER ELL CORNER OF SAID LOT 1, BLOCK 1;

THENCE NORTH 57 DEGREES 20 MINUTES 45 SECONDS EAST WITH A SOUTH LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF 367.04 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 5.610 ACRES OF LAND.

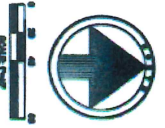
Exhibit "3"



DESCRIPTION	DATE	BY	APP'D
PRELIMINARY DESIGN	03/14/14	J. ALLEN	J. ALLEN
FINAL DESIGN	03/14/14	J. ALLEN	J. ALLEN
CONSTRUCTION PERMITS	03/14/14	J. ALLEN	J. ALLEN
AS-BUILT	03/14/14	J. ALLEN	J. ALLEN

LEGEND

- PROPERTY LINE
- EXISTING LOT
- EXISTING DRIVE
- EXISTING SIDEWALK
- EXISTING CURB
- EXISTING DRIVE
- EXISTING SIDEWALK
- EXISTING CURB
- EXISTING DRIVE
- EXISTING SIDEWALK
- EXISTING CURB



City Council Regular and Workshop Session

Meeting Date: 06/07/2018

Title: Water Conservation Incentive Program

Submitted For: Cody Collier, Director

Submitted By: Cody Collier, Director

City Manager Review: Approval: Bob Hart, City Manager

AGENDA ITEM

Consider and act on a Resolution adopting the Water Conservation Incentive Program providing incentives for reduced lawn irrigation and landscape consumption.

AGENDA ITEM SUMMARY/BACKGROUND

Many cities have implemented water conservation incentive programs over the past few years and have seen a reduction in water consumption. The idea, is to outline a list of improvements property owners can make to their water systems and/or their habits to reduce water consumption. The reduced water consumption will lower the residents water bill, will delay the time Corinth would require increasing our water subscription with UTRWD (which keeps our service costs lower), which will then benefit the resident again by not increasing water service costs shared by our property owners.

Corinth has focused our efforts on water conservation incentives at the largest unnecessary use of water, irrigation. Comparing the summer months to winter months, when irrigation is not utilized, our utility shows a 100% increase in water consumption. lawn irrigation can be made much more efficient and there are many tools available to achieve this goal. Staff has prepared a list of rebate incentives targeting these major areas where the biggest improvements can be made to curtail waste of our water resources. We have researched several surrounding cities and targeted their most successful incentives to utilize here in Corinth.

Rebate incentives are in line with all surrounding cities we evaluated and shown to be effective. rebates would be applied to the residents water bill upon successful completion of the rebate application, receipt of related paperwork and visual inspection of work completed by city staff.

Corinth City Council approved \$20,000 for the 2017- 2018 budget for the water Conservation Incentive Program. The funds to begin the program are currently available. The goal, is to implement the program before the summer months to help our property owners make improvements to their irrigation systems which leads to benefits for everyone.

RECOMMENDATION

Provide staff direction on the Water Conservation Incentive Program.

Attachments

- Resolution
 - Water Conservation Incentive Program
 - Water Conservation Incentive Spreadsheet
-

RESOLUTION NO. 18-06-07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AUTHORIZING APPROVAL AND ADOPTION OF A CITY OF CORINTH WATER CONSERVATION INCENTIVE PROGRAM AND AUTHORIZING EXPENDITURES

WHEREAS, the City of Corinth, Texas (the "City"), recognizes that the amount of water available to its water customers is limited; and

WHEREAS, the City recognizes that due to natural limitations, drought conditions, and system constraints, the City should take conservation measures to provide an uninterrupted water supply for all purposes at all times; and

WHEREAS, the Texas Water Code and the regulations of the Texas Commission on Environmental Quality (the "Commission") require that the City adopt a Water Conservation Plan; and

WHEREAS, the City adopted an updated Drought Contingency Plan and Water Conservation Plan on July 7, 2018 pursuant to Ordinance No. 16-07-07-20, which encourages programs or policies that support water conservation; and

WHEREAS, the City has determined a need in the best interest of the public to adopt a Water Conservation Incentive Program; and

WHEREAS, the City Council has determined that incentivizing water conservation measures is in the best interest of the health, safety and general welfare of the citizens of the City.

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

Section 1. The City Council hereby approves and adopts the Corinth Water Conservation Incentive Program (the "Program") attached hereto as Exhibit "A" and incorporated herein for all purposes. The City commits to implement the incentives and procedures set forth in the Program.

Section 2. The City Manager or his designee is hereby authorized and directed to make expenditures in accordance with the Program and budgeted funds.

PASSED, APPROVED, AND RESOLVED this 7th day of June, 2018.

Bill Heidemann, Mayor

ATTEST:

Kim Pence, City Secretary

EXHIBIT "A"
CITY OF CORINTH WATER CONSERVATION INCENTIVE PROGRAM

Texas Cities used for Water Conservation Incentive information:

Allen

Andrews

Austin

Fairview

Frisco

Garden Ridge

Hillsboro

Plano

Round Rock

San Antonio

Sunset Valley

* Denton does not offer Water Conservation rebates.

City of Corinth Residential Outdoor Water Conservation Incentives

All Rebates to be credited to active single family residential water accounts

Incentive Type	Amount Offered	Description	Requirements
Rain & Freeze Sensor	\$30 per household and no permit required to install sensor.	Delays watering during rain or freezing conditions. Freeze sensor prevents watering in freezing conditions reducing hazards and damage from freezing water.	<ol style="list-style-type: none"> 1) Must be a water customer in good standing. 2) Submit application within 30 days of completing work & itemized sales receipts (not over 30 days old). 3) Resident is responsible for purchase and installation of sensor.
Watering Timer	\$25 per household and no permit required to install timer.	Irrigation timers can help you run your water more efficiently, by turning on and shutting off the flow within specific time periods. Hose timers, sometimes referred to as sprinkler timers, typically connect a hose, with a sprinkler attached, to the outdoor water spout, giving more control over hose-end watering and reduce the chance of overwatering.	<ol style="list-style-type: none"> 1) Must be a water customer in good standing. 2) Submit application within 30 days of completing work & itemized sales receipts (not over 30 days old). 3) Resident is responsible for purchase and installation of timer.
SMART Irrigation Equipment	50% of purchase & installation up to max of \$250. One time rebate offer per household.	Qualifying SMART irrigation technology equipment may include: Drip Irrigation Retrofit; Moisture Sensors; Flow Sensors; High Efficiency Sprinkler Nozzles; Spray bodies with built-in pressure regulation and check valves; SMART/ Evapotranspiration controllers. Cost may include installation hardware, and installation costs incurred by a licensed irrigator	<ol style="list-style-type: none"> 1) Must be a water customer in good standing. 2) Submit application within than 3 months of completing work & itemized sales receipts (not over 6 months old). 3) All installations to be done by a licensed irrigator. 4) Rebate does not cover repairs. 5) Must meet all city permit and inspection requirements.
Irrigation System Check-Up & Upgrades	50% of cost of services; check-up service up to max \$100; Upgrades max to \$250	<p>Reduce the amount of water used outdoors and improve irrigation efficiency by having an automatic irrigation check-up by a professional, licensed irrigator, who should make any adjustments and/or repairs necessary to ensure the irrigation system is running efficiently.</p> <p>Upgrades to automatic irrigation systems reduces water waste by making irrigation systems more efficient thereby providing a savings to water bills.</p>	<ol style="list-style-type: none"> 1) Must be a water customer in good standing. 2) To receive rebate, upgrades must be made to irrigation system after irrigation check-up recommendations and work completed. 3) Rebate does not include repairs, and is for existing systems only; not expansions or brand-new installations. 4) Installations to be done by a licensed irrigator. 5) Submit application within than 3 months of completing work & itemized sales receipts (not over 6 months old). 6) Must meet all City permit and inspection requirements.
WaterWise Landscape/ Irrigation Design	\$20 per 100 sq ft (min 500 to max of 2000sq ft) for WaterWise Landscape \$100-\$400; and 50% of cost of services up to a max of \$500 for Irrigation Design per property.	<p>Installation of (or conversion to) a low-application rate, micro- irrigation system in existing grass areas and shrub and flower beds, including systems which reduce overwatering by automatically adjusting watering times based on rainfall or soil moisture.</p> <p>Installation of (or conversion to) a xeriscape landscape consisting of;</p> <ul style="list-style-type: none"> • Native or adapted plants with very low to moderate water requirements (from Plant Guide). • Non-living, pervious landscape surfaces which help reduce storm water run-of. <p>Irrigation Design Criteria:</p> <ul style="list-style-type: none"> • Disabling entire irrigation system • Capping a zone • Converting a pop up spray zone to drip/bubblers • Splitting a zone to beds and turf 	<ol style="list-style-type: none"> 1) Must be a water customer in good standing 2) Irrigation system redesign must be completed in accordance with all City ordinances. 3) Submit application within 3 months of completing work & itemized sales receipts (not over 6 months old). 4) Must be existing irrigation systems. 5) Does not include repairs to irrigation system. 6) Must convert at least 500 sq ft (75% of area must have healthy turf grasses at time of application). 7) Area may not be converted back to turf for a minimum of 5 years. If converted to native turf, area may be converted to native beds or non-irrigated areas. 8) Changes must meet all HOA requirements (if applicable) 9) Must meet all City permit and inspection requirements. 10) Cannot replace turf grass with another type of turf grass. 11) Plant beds outside of tree drip lines must have 1" compost added to at least 6" of tilled soil. 12) Plant beds and mulch hardscape areas must be top dressed with at least 2-3" of organic mulch.

LAWN & GARDEN

The City of Corinth has rebate programs to help you maintain a beautiful lawn and garden while eliminating water waste and lowering your water bill!

IRRIGATION

- Rain & Freeze Sensor
- Watering Timer
- SMART Irrigation Equipment
- Irrigation System Check-Up & Upgrades

LAWN & GARDEN

- WaterWise Landscape / Irrigation Design

For rebate program information and requirements click on any of the program links above.



City of Corinth 3300
Corinth Pkwy Corinth,
TX 76208

www.cityofcorinth.com





Residential Rain and Freeze Sensor Rebate Program

In order to encourage the conservation of water and to reduce run-off, specifically through the reduction of over-watering, the City of Corinth has adopted a rebate program for rain and freeze sensors installed and utilized on residential irrigation systems.

- To be eligible, a resident must currently own the home and have a City of Corinth water utility account in good standing for the property where the rain/freeze sensor will be installed.
- Applicant is responsible for purchase and installation of sensor.
- Applications must be completed and received by the City of Corinth within 30 days of completing installation & must have itemized sales receipts (not over 30 days old).
- Rebate is available for the retrofit of new rain and freeze sensors on existing irrigation systems. The residence must **not** already have a rain and freeze sensor device installed.
- The City of Corinth will not require an irrigation permit to retrofit an irrigation system for a rain and freeze sensor.
- No more than one (1) rain and freeze sensor rebate per physical address shall be granted.
- Approved rebates shall be given in the form of a \$30 credit to the applicant's residential water utility account.
- Resident must select, purchase, and ensure the installation of rain/freeze sensor.
- Installation of sensor must be verified by a city representative.
- Applications are processed in the order they are received on a first-come, first-served basis.
- If required documentation has not been provided, rebate will be denied.
- The City of Corinth reserves the right to terminate or modify the water conservation rebate program at any time.

[Rebate Application](#)



Residential Rain and Freeze Sensor Rebate Form

Getting your rain and freeze sensor rebate is easy. Simply select, purchase, and install a new sensor. Then, complete and mail (or drop off) this rebate application form, along with original copies of your receipt and proof of purchase. A city representative will visit your site to ensure the sensor is properly installed and functioning. If approved, your rebate, up to \$30.00, will show up as a credit on your water utility bill.

PLEASE PRINT LEGIBLY

City of Corinth Utility Account Number: _____

Name of Account Holder: _____

Phone Number: _____ Street Address: _____

Brand of sensor: _____ Model of sensor: _____

Place sensor was purchased: _____ Date original irrigation was installed: _____

How was the new sensor installed? (*circle one*) yourself licensed irrigator other _____

If a licensed irrigator installed your sensor, provide the following information: _____

Name of licensed irrigator: _____ Company name: _____

Company address: _____ City: _____ Zip: _____

License number: _____ Phone number: _____

Signature of licensed irrigator: _____ Date: _____

I agree to keep the sensor in place as long as I reside in the City of Corinth.

I understand a representative of the city will verify the installation of my new sensor.

I understand the city does not endorse specific brands, products, or dealers; nor guarantee materials, workmanship, performance, or durability of the qualifying items.

I understand I may receive reimbursements not to exceed the amount outlined in the program guidelines. The city will process my rebate in the form of a credit to my water utility account.

I understand that an incomplete application will result in a rebate delay.

I acknowledge that the city is in no way responsible for the condition of the plumbing on my side of the meter, now or in the future.

I certify that the information on this application is true and correct to the best of my knowledge.

Participant Signature: _____ Date: _____

DON'T FORGET:

- Copy of original invoice or sales receipt showing date and place of sale, date of installation if performed by a licensed irrigator, a description of the purchase, and the cost of the item and labor.
- Copy of the original proof of purchase with complete bar code (*if self-installed*).
- Retain a copy of all material submitted for your records.
- Return application to:

City of Corinth
Utility Billing Department
3300 Corinth Parkway
Corinth, TX 76208



Watering Timer Rebate

The City of Corinth's Watering Timer Rebate gives residential customers more control over hose-end watering. These timers are easily added to existing hose-end sprinklers. The timers reduce the chance of overwatering and allows the resident to water during early morning hours or while away from residence. Timers makes it easier to follow a watering schedule.

- To be eligible, a resident must currently own the home and have a City of Corinth water utility account in good standing for the property where the watering timer will be installed.
- Applicant is responsible for purchase and installation of timer.
- Applications must be completed and received by the City of Corinth within 30 days of completing installation & must have itemized sales receipts (not over 30 days old).
- Rebate is available for a new watering timer on existing hose-end systems. The residence must **not** already have a watering timer device installed.
- The City of Corinth will not require a permit to install water timers to hose-end sprinklers.
- Installation must be verified by a city representative.
- Limited to one rebate (for up to two watering timers) per customer service address.
- Approved rebates shall be given in the form of a \$25 credit to the applicant's residential utility account.
- Applications are processed in the order they are received on a first-come, first-served basis.
- If required documentation has not been provided, rebate will be denied.
- The City of Corinth reserves the right to terminate or modify the water conservation rebate program at any time.

[Rebate Application](#)



Residential Watering Timer Sensor Rebate Form

Getting your Watering Timer rebate is easy. Simply select, purchase, and install a new timer. Then, complete and mail (or drop off) this rebate application form, along with original copies of your receipt and proof of purchase. A city representative will visit your site to ensure the timer is properly installed and functioning. If approved, your rebate, up to \$25.00 will show up as a credit on your water utility bill.

PLEASE PRINT LEGIBLY

City of Corinth Utility Account Number: _____

Name of Account Holder: _____

Phone Number: _____ Street Address: _____

Brand of timer: _____ Model of timer: _____

Place timer was purchased: _____ Date original irrigation was installed: _____

How was the new timer installed? (*circle one*) yourself licensed irrigator other _____

If a licensed irrigator installed your timer, provide the following information: _____

Name of licensed irrigator: _____ Company name: _____

Company address: _____ City: _____ Zip: _____

License number: _____ Phone number: _____

Signature of licensed irrigator: _____ Date: _____

I agree to keep the timer in place as long as I reside in the City of Corinth.

I understand a representative of the city will verify the installation of my new timer.

I understand the city does not endorse specific brands, products, or dealers; nor guarantee materials, workmanship, performance, or durability of the qualifying items.

I understand I may receive reimbursements not to exceed the amount outlined in the program guidelines. The city will process my rebate in the form of a credit to my water utility account.

I understand that an incomplete application will result in a rebate delay.

I acknowledge that the city is in no way responsible for the condition of the plumbing on my side of the meter, now or in the future.

I certify that the information on this application is true and correct to the best of my knowledge.

Participant Signature: _____ Date: _____

DON'T FORGET:

- Copy of original invoice or sales receipt showing date and place of sale, date of installation if performed by a licensed irrigator, a description of the purchase, and the cost of the item and labor.
- Copy of the original proof of purchase with complete bar code (*if self-installed*).
- Retain a copy of all material submitted for your records.
- Return application to:

City of Corinth
Utility Billing Department
3300 Corinth Parkway
Corinth, TX 76208



SMART Irrigation Technology Rebate

The City of Corinth will offer a rebate for residential 'SMART Irrigation Technology' installation. With the ever increasing need to conserve water, the use of 'Smart Technology' promotes healthy and attractive landscaping by improving watering efficiency with new technologies which may include: drip irrigation retrofit; moisture sensors; flow sensors; high efficiency sprinkler nozzles; spray bodies with built-in pressure regulation and check valves; and/or smart/evapotranspiration controllers. Smart irrigation systems tailor watering schedules and run times automatically to meet specific landscape needs. Smart/evapotranspiration controllers use weather and/or site data to determine when and how long to water. Then, sprinklers apply just enough water at exactly the right time in each zone of the yard. Smart controllers save water, by suspending watering during rain, freezing or high wind conditions. Careful scheduling minimizes evaporation and encourages water to soak in, reducing the total amount of water needed. Preventing overwatering actually keeps plants healthier by encouraging stronger roots and discouraging weeds, disease and fungus growth. Smart systems can reduce your annual water bill by as much as 20-30% by preventing water waste.

- To be eligible, a resident must currently own the home and have a City of Corinth water utility account in good standing for the property where the SMART Technology equipment will be installed.
- Applicant is responsible for purchase and installation of SMART Technology equipment.
- All installations to be done by a licensed irrigator.
- Must meet all city permit and inspection requirements.
- Applications must be completed and received by the City of Corinth within 90 days of completing installation & must have itemized sales receipts (not over 180 days old).
- The residence must **not** already have SMART Irrigation devices installed.
- Does not cover repairs to irrigation system.
- One time rebate offer per household.
- Approved rebates shall be given in the form of 50% of cost of purchase and installation up to a max \$250 credit to the applicant's residential utility account.
- Applications are processed in the order they are received on a first-come, first-served basis, and can take up to 30 days to process.
- If required documentation has not been provided, rebate will be denied.
- The City of Corinth reserves the right to terminate or modify the water conservation rebate/incentive program at any time.

[Rebate Application](#)



SMART Irrigation Technology Rebate Application

Name on utility bill: _____ City Utility Account#: _____

Installation Address: _____ zip: _____

Rebate Mailing Address (if different): _____

Best Contact Person & Phone#: _____ Email address: _____

SYSTEM INFORMATION:

Controllers on property: _____ total# zones/stations: _____

New equipment was installed by Licensed Irrigator: _____

<u>New Equipment</u>	<u># Installed</u>	<u>Device Cost</u>
<u>Pressure reducer valve or pressure reducing zone valves</u>	_____	\$ _____
<u>Weather-Based Sensors &/or Equipment (i.e. rain, freeze, soil, controllers):</u>	_____	\$ _____
<u>Check valve(s):</u>	_____	\$ _____
<u>Conversion of entire zone(s) to efficient nozzles (i.e. rotary, pressure reducing):</u>	_____	\$ _____

PROGRAM AGREEMENT:

- Incomplete applications will be denied.
- Must be a City of Corinth water utility customer with account in good standing.
- New controller must be *WaterSense* labeled.
- **ALL properties must** have a working rain sensor. Include a picture of the sensor with the paperwork.
- Dated and *itemized* receipt *must be* submitted with the application within 90 days of completed installation.
- Rebate will be 50% of purchase and installation to a max of \$250 applied as credit to residential water account.
- The City reserves the right to change program eligibility or end the program at anytime, without notice.

I have read and agree to the terms.

Signed: _____

Date: _____

SUBMIT COMPLETED APPLICATION & RECEIPTS TO:

**City of Corinth
Utility Billing Department
3300 Corinth Parkway
Corinth, TX 76208**

City use only:

Date Received _____

Rebate Amount _____ Approved _____

Application # _____

Date Rebate Issued _____ By _____

Inspection Date _____

Account # _____



Irrigation System Check-up & Upgrades Rebate

The City of Corinth will offer rebates for residential Irrigation System Check-up & Upgrades.

Reduce the amount of water used outdoors and improve irrigation efficiency by having your automatic irrigation checked out by a licensed irrigator, who should make any adjustments and/or repairs necessary.

Outdoor water use is the City's highest use of water in summer months. By making upgrades to the irrigation system, they become more efficient and reduce the water use, waste and improve the health of landscapes.

- To be eligible, a resident must currently own the home and have a City of Corinth water utility account in good standing for the property where the check-up and upgrades are to be done.
- All check-ups and upgrades to the irrigation system to be done by a licensed irrigator.
- Must meet all city permit and inspection requirements.
- Applications must be completed and received by the City of Corinth within 90 days of completing upgrades & must have itemized sales receipts (not over 180 days old).
- Rebate eligibility is contingent upon upgrades made from recommendations given during the irrigation system check-up and all work is completed.
- Does not cover repairs and is for existing systems only; not expansions or brand new installations.
- One time rebate offer per household.
- Approved rebates shall be given in the form of 50% of cost of services; check-up service up to max of \$100. Upgrades up to max of \$250. All rebates are applied as credit to water utility account.
- Applications are processed in the order they are received on a first-come, first-served basis, and can take up to 30 days to process.
- If required documentation has not been provided, rebate will be denied.
- The City of Corinth reserves the right to terminate or modify the water conservation rebate/incentive program at any time.

[Rebate Application](#)



City of Corinth

Irrigation System Check-Up Rebate

Name (on utility bill): _____ City* Utility Account#: _____

Property Address: _____ ZIP: _____

Rebate Mailing Address (if different): _____

Day Phone#: _____ Email address: _____

Name of Irrigation Company: _____ LI # ** _____

Cost of System Check (no tax or labor): _____

PURPOSE OF REBATE PROGRAM: Having your automatic irrigation checked out by a professional, licensed irrigator (LI). The LI should make any adjustments and/or repairs necessary to ensure your irrigation system is running efficiently.

REBATE GUIDELINES & AGREEMENT

- Applicant must be a water customer of the City of Corinth in good standing.
- **Rebate amount is 50% of the cost of check-up service only, up to \$100.**
- Limited to one rebate per water account. Property must have an automatic irrigation system.
- **The irrigation check-up must be conducted by a Licensed Irrigator or Licensed Irrigation Company.
- The City does not endorse specific irrigation companies, but has a list of registered irrigators/companies.
- A receipt and/or paid invoice *must be* submitted with the application **within 30-days of service if no upgrades are being done** and must include the date, Licensed Irrigator number (LI#) and description of the service performed.
- This rebate is not for repairs on system, it must include an entire system check-up. (i.e. a spring tune-up, or whole system check-up)
- **Incomplete applications will be denied.**
- All rebates will be applied as credit to water accounts.
- The City reserves the right to change program eligibility, or end the program at any time, without notice.

I have read and agree to the terms stated above. Signed: _____ Date: _____

SUBMIT COMPLETED APPLICATION & DOCUMENTATION TO ANY OF THE FOLLOWING:

**City of Corinth
Utility Billing Department
3300 Corinth Parkway
Corinth, TX 76208**

City Use Only

Date received _____

Application# _____

Inspection Date _____

Rebate Amount _____ Approved _____

Date Rebate Issued _____ By _____

Acct# _____



City of Corinth

Irrigation System Upgrades Rebate

Name (on utility bill): _____ City Utility Account #: _____

Property Address: _____ ZIP: _____

Rebate Mailing Address (if different): _____

Day Phone#: _____ Email address: _____

Name of Irrigation Company: _____ LI # _____

Cost of Upgrades (not tax or labor): _____

PURPOSE OF REBATE PROGRAM: To reduce the amount of water used outdoors and improve irrigation efficiency by upgrading your automatic irrigation system by a professional, licensed irrigator (LI).

REBATE GUIDELINES & AGREEMENT

- Applicant must be a water customer of the City Corinth in good standing.
- **Rebate amount is 50% of the cost of service with a max of \$250.**
- Limited to one rebate per household.
- Property must have an automatic irrigation system.
- The Irrigation system upgrades must be made by a Licensed Irrigator or Licensed Irrigation Company.
- The City does not endorse specific irrigation companies, but has a list of registered irrigators/companies.
- A receipt and/or paid invoice *must be* submitted with the application **within 90 days of service** and must include the date, Licensed Irrigator number (LI#) and description of the service performed.
- This rebate is not for repairs, but it must include an entire system check-up. (i.e. a spring tune-up, or whole system check-up prior to upgrades being done)
- **Incomplete applications will be denied.**
- All rebates will be applied as credit to water accounts.
- The City reserves the right to change program eligibility, or end the program at any time, without notice.

I have read and agree to the terms stated above. Signed: _____ Date: _____

SUBMIT COMPLETED APPLICATION & DOCUMENTATION TO THE FOLLOWING:

**City of Corinth
Utility Billing Department
3300 Corinth Parkway
Corinth, TX 76208**

City Use Only

Date received _____
Application# _____
Inspection Date _____

Rebate Amount _____ Approved _____
Date Rebate Issued _____ By _____
Acct# _____



WaterWise Landscape / Irrigation Design Rebates

The City of Corinth will offer a rebate for residential WaterWise Landscaping by encouraging water conservation through 'best practices' in landscaping:

- The installation of micro-irrigation systems to existing lawns and/or shrubs and flowerbeds including systems which detect rainfall and employ water delay features.

and/or

- The installation (or conversion) of grass areas to xeriscape landscaping consisting of native/adapted plants and non-living, pervious xeriscape surfaces.

Water customers can experience major water savings while achieving an attractive landscape. Other benefits include healthier lawns, shrubs and plants, less maintenance and significantly less water consumption.

Also homeowners have an Irrigation Design rebate available for those ready to make a permanent structural change to their irrigation systems that result in long-term water savings by kicking the irrigation habit completely by permanently disabling their irrigation system or make targeted changes to the system that result in incremental water savings.

Irrigation Design Criteria:

- Disabling entire irrigation system
 - Capping a zone
 - Converting a pop up spray zone to drip/bubblers
 - Splitting a zone to beds and turf
- To be eligible, a resident must currently own the home and have a City of Corinth water utility account in good standing for the property.
 - One time rebate offer per household.
 - All irrigation system changes to be done by a licensed irrigator.
 - Must meet all city permit and inspection requirements.
 - Changes must meet all HOA requirements (if applicable).
 - Applications must be completed and received by the City of Corinth within 90 days of completing changes & must have itemized sales receipts (not over 180 days old).
 - Does not cover repairs and is for existing systems only.
 - Must convert at least 500 sq ft (75% of area must have healthy turf grasses at time of application).
 - Area may not be converted back to turf for a minimum of 5 years. If converted to native turf, area may be converted to native beds or non-irrigated areas.
 - Cannot replace turf grass with another type of turf grass.
 - Plant beds outside of tree drip lines must have 1" compost added to at least 6" of tilled soil. Plant beds and mulch hardscape areas must be top dressed with at least 2-3" of organic mulch.

- Approved rebates shall be given in the form of \$20 per 100 sq ft (min 500 - max 2000 sq ft) \$100 - \$400 for WaterWise Landscape; and 50% of services up to \$500 for Irrigation Design; per property. All rebates are applied as credit to water utility account.
- Applications are processed in the order they are received on a first-come, first-served basis, and can take up to 30 days to process.
- If required documentation has not been provided, rebate will be denied.
- The City of Corinth reserves the right to terminate or modify the water conservation rebate/incentive program at any time.

[Rebate Application](#)



RESIDENTIAL REBATE APPLICATION

WATERWISE LANDSCAPE / IRRIGATION DESIGN

NAME: _____

ADDRESS: _____

PHONE: _____

EMAIL: _____

- INSTALLATION/ OR CONVERSION TO A LOW-APPLICATION RATE MICRO-IRRIGATION SYSTEM IN EXISTING GRASS AREAS, SHRUBS AND FLOWERBEDS, INCLUDING SYSTEMS WHICH AUTOMATICALLY ADJUST WATER TIMES BASED ON RAINFALL OR SOIL MOISTURE
- INSTALLATION OF/ OR CONVERSION TO XERISCAPE LANDSCAPING WITH NATIVE/ADAPTED PLANTS AND NON-LIVING, PERVIOUS XERISCAPE SURFACES TO WHAT WOULD NORMALLY BE CONSIDERED FRONT/SIDE YARD GRASS AREAS
- INSTALLATION OF/ OR CONVERSION TO AN IRRIGATION DESIGN THAT WILL EITHER PERMANENTLY DISABLE THE EXISTING IRRIGATION SYSTEM OR MAKE TARGETED CHANGES TO THE SYSTEM.

DO THE IMPROVEMENTS INCLUDE ANY RECYCLABLE WATER FEATURES OR FOUNTAINS INCIDENTAL TO THE OVERALL PROJECT SCOPE? YES NO

NOTE: THESE FEATURES MUST BE LIMITED TO 10% OR LESS OF THE PROJECT.

PLEASE GIVE A DESCRIPTION OF THE SCOPE OF WORK: _____

Please provide pictures or a drawing of the proposed project, if applicable. I understand this program is a cost-reimbursement in the form of credit applied to the applicant's water account .

Application must be completed and turned in within 90 days from work completion with all required documents.

Signature

Date

SUBMIT COMPLETED APPLICATION & DOCUMENTATION TO THE FOLLOWING:

-
**City of Corinth
Utility Billing Department
3300 Corinth Parkway
Corinth, TX 76208**

FOR OFFICE USE ONLY:

Date Received: _____

By: _____

PROJECT MEETS PURPOSE OF PROGRAM? YES NO

SCOPE OF PROJECT? _____ SQUARE FEET _____

AMOUNT APPROVED FOR REIMBURSEMENT? \$ _____

Approved: _____ Date: _____

City of Corinth Residential Outdoor Water Conservation Incentives

All Rebates to be credited to active single family residential water accounts

Incentive Type	Amount Offered	Description	Requirements
Rain & Freeze Sensor	\$30 per household and no permit required to install sensor.	Delays watering during rain or freezing conditions. Freeze sensor prevents watering in freezing conditions reducing hazards and damage from freezing water.	<ol style="list-style-type: none"> 1) Must be a water customer in good standing. 2) Submit application within 30 days of completing work & itemized sales receipts (not over 30 days old). 3) Resident is responsible for purchase and installation of sensor.
Watering Timer	\$25 per household and no permit required to install timer.	Irrigation timers can help you run your water more efficiently, by turning on and shutting off the flow within specific time periods. Hose timers, sometimes referred to as sprinkler timers, typically connect a hose, with a sprinkler attached, to the outdoor water spout, giving more control over hose-end watering and reduce the chance of overwatering.	<ol style="list-style-type: none"> 1) Must be a water customer in good standing. 2) Submit application within 30 days of completing work & itemized sales receipts (not over 30 days old). 3) Resident is responsible for purchase and installation of timer.
SMART Irrigation Equipment	50% of purchase & installation up to max of \$250. One time rebate offer per household.	Qualifying SMART irrigation technology equipment may include: Drip Irrigation Retrofit; Moisture Sensors; Flow Sensors; High Efficiency Sprinkler Nozzles; Spray bodies with built-in pressure regulation and check valves; SMART/ Evapotranspiration controllers. Cost may include installation hardware, and installation costs incurred by a licensed irrigator	<ol style="list-style-type: none"> 1) Must be a water customer in good standing. 2) Submit application within than 3 months of completing work & itemized sales receipts (not over 6 months old). 3) All installations to be done by a licensed irrigator. 4) Rebate does not cover repairs. 5) Must meet all city permit and inspection requirements.
Irrigation System Check-Up & Upgrades	50% of cost of services; check-up service up to max \$100; Upgrades max to \$250	<p>Reduce the amount of water used outdoors and improve irrigation efficiency by having an automatic irrigation check-up by a professional, licensed irrigator, who should make any adjustments and/or repairs necessary to ensure the irrigation system is running efficiently.</p> <p>Upgrades to automatic irrigation systems reduces water waste by making irrigation systems more efficient thereby providing a savings to water bills.</p>	<ol style="list-style-type: none"> 1) Must be a water customer in good standing. 2) To receive rebate, upgrades must be made to irrigation system after irrigation check-up recommendations and work completed. 3) Rebate does not include repairs, and is for existing systems only; not expansions or brand-new installations. 4) Installations to be done by a licensed irrigator. 5) Submit application within than 3 months of completing work & itemized sales receipts (not over 6 months old). 6) Must meet all City permit and inspection requirements.
WaterWise Landscape/ Irrigation Design	\$20 per 100 sq ft (min 500 to max of 2000sq ft) for WaterWise Landscape \$100-\$400; and 50% of cost of services up to a max of \$500 for Irrigation Design per property.	<p>Installation of (or conversion to) a low-application rate, micro- irrigation system in existing grass areas and shrub and flower beds, including systems which reduce overwatering by automatically adjusting watering times based on rainfall or soil moisture.</p> <p>Installation of (or conversion to) a xeriscape landscape consisting of;</p> <ul style="list-style-type: none"> • Native or adapted plants with very low to moderate water requirements (from Plant Guide). • Non-living, pervious landscape surfaces which help reduce storm water run-off. <p>Irrigation Design Criteria:</p> <ul style="list-style-type: none"> • Disabling entire irrigation system • Capping a zone • Converting a pop up spray zone to drip/bubblers • Splitting a zone to beds and turf 	<ol style="list-style-type: none"> 1) Must be a water customer in good standing 2) Irrigation system redesign must be completed in accordance with all City ordinances. 3) Submit application within 3 months of completing work & itemized sales receipts (not over 6 months old). 4) Must be existing irrigation systems. 5) Does not include repairs to irrigation system. 6) Must convert at least 500 sq ft (75% of area must have healthy turf grasses at time of application). 7) Area may not be converted back to turf for a minimum of 5 years. If converted to native turf, area may be converted to native beds or non-irrigated areas. 8) Changes must meet all HOA requirements (if applicable) 9) Must meet all City permit and inspection requirements. 10) Cannot replace turf grass with another type of turf grass. 11) Plant beds outside of tree drip lines must have 1" compost added to at least 6" of tilled soil. 12) Plant beds and mulch hardscape areas must be top dressed with at least 2-3" of organic mulch.