



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

**NOTICE OF A CITY COUNCIL REGULAR SESSION IMMEDIATELY FOLLOWING
A WORKSHOP SESSION OF THE CITY OF CORINTH
Thursday, February 4, 2021, 5:45 P.M.
CITY HALL - 3300 CORINTH PARKWAY**

Pursuant to Section 551.127, Texas Government Code, one or more Council Members or employees may attend this meeting remotely using videoconferencing technology. The videoconferencing technology can be accessed at www.cityofcorinth.com/RemoteSession. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting. The City of Corinth is following the Center for Disease Control Guidelines for public meetings.

CALL TO ORDER:

WORKSHOP BUSINESS AGENDA

1. Continue the discussion on policy governance from a presentation at January 28, 2021, Council meeting.
2. Receive a presentation, hold a discussion, and provide staff direction on the Communication Strategic Plan.
3. Receive a presentation and hold a discussion on the progress report for Technology Services.
4. Receive an update from TBG Partners and hold a discussion on the design, construction and promotion of a signature community gathering space in Agora.
5. Discuss Regular Meeting Items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.

ADJOURN WORKSHOP SESSION

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

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

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

PRESENTATION:

1. Nicole Roemer, Account Manager with Community Waste Disposal (CWD) will provide their 2020 Annual Review.

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.

2. Consider and act on minutes from January 14, 2021, workshop session.
3. Consider and act on minutes from January 14, 2021, regular session.

CITIZENS COMMENTS

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

BUSINESS AGENDA

4. Consider and act on Resolution No. 21-02-04-09 ordering a Joint General Election with Denton County to be held on May 1, 2021, to fill the office of Mayor, and two Council Members for Place 2 and Place 5, establishing procedures for that election, and providing an effective date.
5. Consider and act on a Resolution of the City Council of the City of Corinth, Texas designating a central community gathering space and related infrastructure as a venue project (the "Venue Project") and designating a method of financing the Venue Project, a new short-term motor vehicle rental tax at a rate not to exceed five (5) percent, in accordance with the provisions of Chapter 334 of the Texas Local Government Code, as amended.

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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

CLOSED SESSION

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

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

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

a. Right-of-way consisting of 1.56 acres located at 6881 South I-35E and along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas. (M/B)

b. Right-of-way consisting of .198 acres located at 6801 S I-35E and 3404 Dobbs Road along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas. (F)

c. Being approximately 7 acres of land, more or less, located in the J.P. Walton Survey, Abstract No. 1389, City of Corinth, Denton County, Texas. (H)

d. Being approximately 13 acres of land, more or less, in the North Central Texas College Addition No. 2, Block A, Lot 1R. (N)

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.

a. Project Agora

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 _____ day of _____ 2021, at _____ on the bulletin board at Corinth City Hall.

Lana Wylie, City Secretary
City of Corinth, Texas

WORKSHOP BUSINESS ITEM 1.

City Council Regular and Workshop Session

Meeting Date: 02/04/2021
Title: Policy Governance
Submitted For: Bob Hart, City Manager **Submitted By:** Lana Wylie, City Secretary
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizen Engagement &
Proactive Government
Organizational Development

AGENDA ITEM

Continue the discussion on policy governance from a presentation at January 28, 2021, Council meeting.

AGENDA ITEM SUMMARY/BACKGROUND

A component of the city manager's goals for 2021 is the introduction and practice of governance. The workshop is intended to introduce policy governance to the city council (and by extension staff). The primary focus will be based on the work of John Carver with the acknowledgment of Peter Drucker and George Cuff. There is not sufficient time to cover the topic in its entirety but includes sample policies, ends discussion, and an overview of concepts.

RECOMMENDATION

N/A

WORKSHOP BUSINESS ITEM 2.

City Council Regular and Workshop Session

Meeting Date: 02/04/2021
Title: Communication Strategic Plan
Submitted For: Lee Ann Bunselmeyer, Director
Submitted By: Lee Ann Bunselmeyer, Director
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizen Engagement & Proactive
Government
Regional Cooperation
Organizational Development

AGENDA ITEM

Receive a presentation, hold a discussion, and provide staff direction on the Communication Strategic Plan.

AGENDA ITEM SUMMARY/BACKGROUND

The Communication Strategic Plan was adopted in January 2019, to enhance transparency and communication methods with residents. The Plan outlined an overall communications' philosophy, structure, audience and platforms. Through consistent and engaged communication, Corinth has the ability to grow informed participation and enhance community pride.

The priorities identified serve as an overarching goals of the communication plan. Each Priority is followed by strategies and actionable tactics that can create a more engaged and informed community.

- Priority 1: Transparency & Accountability - Citizens perceive the city as an open, credible, and responsible Organization
- Priority 2: Timely & Accurate Information - Accurate, non-biased information is provided to residents in a timely manner
- Priority 3: Public Engagement - Communication between residents and the City is two-way; residents understand their input is valued and used in decisions
- Priority 4: Tell Our Story - Define and develop a community identity, and promote the community's unique characteristics

As communications technology and platforms for citizen engagement continue to advance, the plan is expected to change to meet the emerging needs. The Plan as it was adopted was a snapshot of the City's communication goals and objectives to achieve the goals to better serve, inform, and engage the residents of Corinth.

Staff will provide an overview of the communication efforts implemented in 2020 and seek council feedback to develop the expectations for 2021.

RECOMMENDATION

N/A

Attachments



COMMUNICATIONS ANNUAL REVIEW

JANUARY 28, 2021



 Nancy Baier
Thank you for caring about protecting and caring about health safety of Corinth residents.
Like · Reply · 16w  1


 Laure Ann Krajca
It's good to see Corinth making responsible decisions to help control the spread of this virus. Great job Corinth!!
Like · Reply · 25w  9

 Chrisha Bryans
Where my essentials at??

Like · Reply · 20w   5

 Miranda Meltabarger Longoria
My little mask wearer actually loves her masks - newest fashion accessory!

Like · Reply · 20w  2

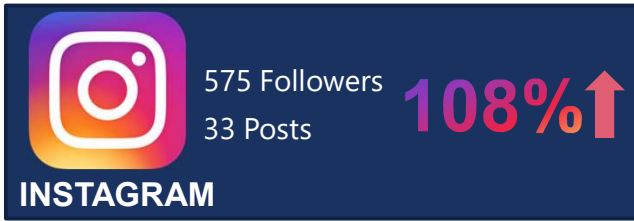
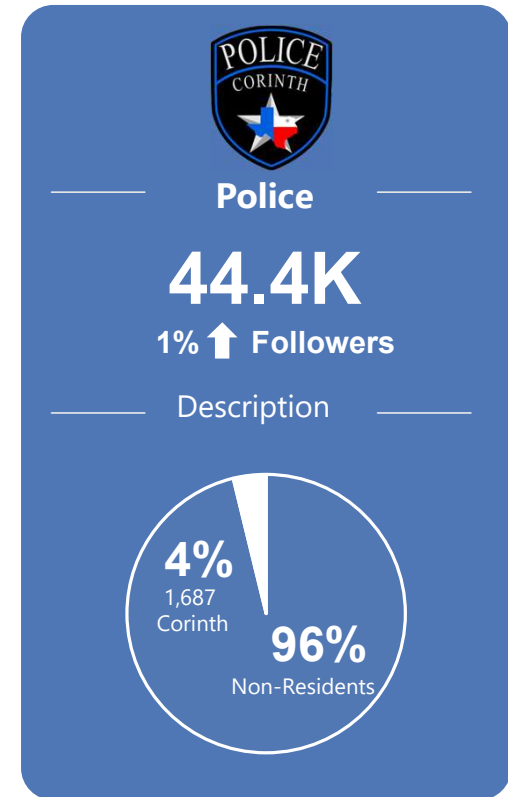
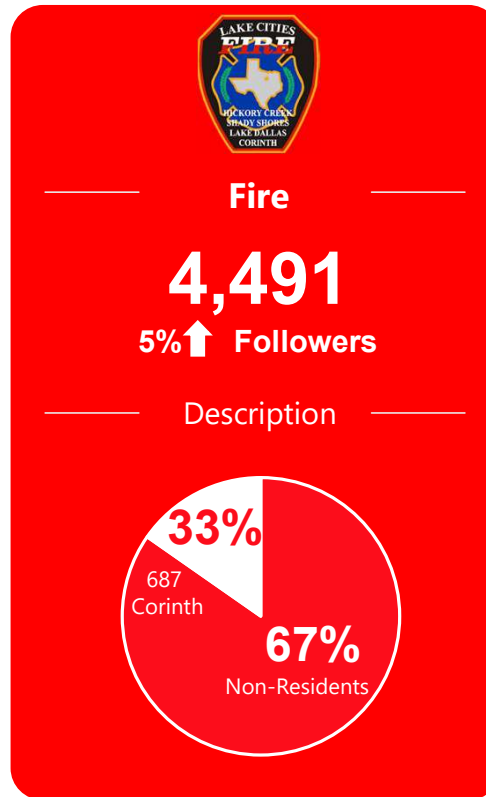
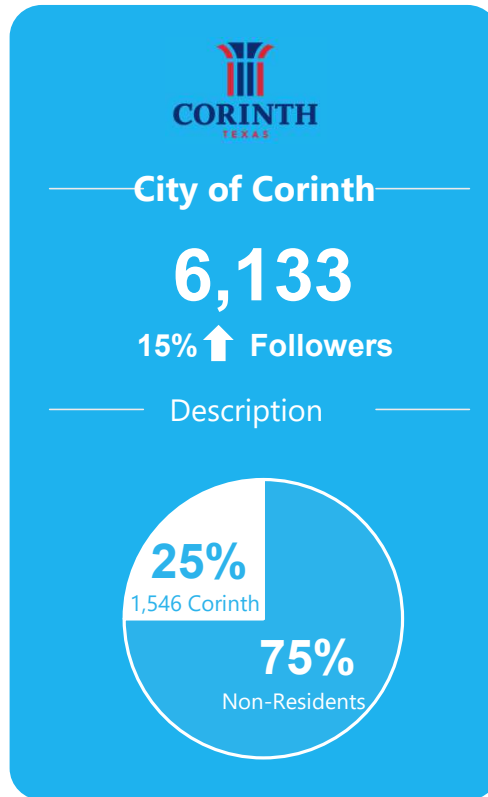
 Rick Augat
Thank you for taking some strong leadership in this. We can all see around the counties around us in the cities around us that the virus is getting more intense and more cases are coming out and it is much better to be prepared than to have to be responsive backpedaling. Thank you again for your leadership
Like · Reply · 25w  5

TELL OUR STORY

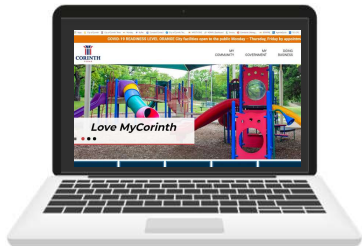
- EMPHASIS ON TRANSPARENCY & ACCOUNTABILITY,
- TIMELY & ACCURATE INFORMATION
- PUBLIC ENGAGEMENT

Community Engagement

Social Media



Community Engagement



City Website
Cityofcorinth.com

Top 5 Pages:

Utility Billing, Police, Permits, Municipal Court, & Trash & Recycling Services

Growth 20% or 81,071

Total Visits 403,071

Avg Time Spent on Site: 2 min 19 seconds
Largest User Audience: 26-34 year-old male



Mobile App
MyCorinth

Top 5 Categories:

Inappropriately Parked Vehicles, Public Streets/Sidewalks, Code Enforcement, Water Breaks, Non-Emergency Police

Growth 42% or 535

Total Downloads 1,235

Avg Monthly Visits: 508
Avg Monthly Report a Concern: 93



Bang the Table
Mycorinth.com

Top 5 Projects:

Covid-19, Golf Cart Survey, Halloween in Corinth, Envision Corinth 2040, Let's Talk Corinth

Growth 561 or 58%

Total Registrations 959

Avg Monthly Contributors: 79

Marketing Campaigns

2020 Campaigns

- Covid-19
- Census 2020
- Fire District Special Election
- Broadband

2021 Campaigns

- Agora District
- Agora Park and Event Space
- Short Term Vehicle Tax Election
- Utility Billing Platforms

NEWS RELEASE

CORINTH TEXAS

LAKE SHARON DRIVE EXTENSION GRAND OPENING

CORINTH, TX, December 4, 2020 – We are excited to share that late this afternoon, the Lake Sharon Drive Extension will officially be open to the public. The Lake Sharon Drive Project is the result of a successful collaboration between the City of Corinth, Denton County Judge Andy Eads, Commissioner Hugh Coleman, and the Commissioners Court with work completed by Wildstone Construction.

The project began in 2017 and includes approximately 3000 linear feet of four-lane divided concrete roadway with associated drainage and water line improvements. The .59 mile section connects Lake Sharon Drive from Oakmont Drive to FM 2499. The new route serves as a direct path for travelers from FM 2499 to I-35 East.

"We appreciate everyone's patience over the last few years as we completed this project," said City Engineer George Marshall. "We want to give thanks to our leadership team and the City Council for their flexibility throughout the whole process."

Other city projects include working with TxDOT and creating an interchange for Lake Sharon Drive to extend under I-35E, as well as a realignment and widening of Dobbs Road from I-35E to Quail Run. The interchange is being run by TxDOT and has just begun the initial project scoping and Preliminary Engineering phase. The Dobbs Road realignment project is currently in the design phase.

For more information, please contact the City of Corinth at 254-835-2222.

News Release

FILL OUT THE 2020 CENSUS

The self-response deadline has been extended to September, 30 2020!

IT IS EASIER THAN EVER TO RESPOND!

Social Media

CORINTH TEXAS BEST OF TIMES

With the Red Apartment being an all-weather, the City of Corinth can continue pushing forward with its strategic plan called Corinth 2030.

Lake Cities Living

CORINTH BROADBAND SURVEY

YOUR OPINION MATTERS!

The Lake Cities have partnered with Connected Nation to search for a solution for better broadband internet in our communities! We need YOUR help! Visit the URL below or scan the QR Code to take the survey, and help gauge the needs of our area! We encourage you to take the survey at home for a more accurate representation! Thank you for your feedback!

[HTTPS://WWW.MYCONNECTEDCOMMUNITY.ORG/CORINTH](https://www.myconnectedcommunity.org/corinth)

Utility Bill Buck Slip

Corinth Cares #stayhomecorinth

STAY SAFE. STAY INFORMED.

City of Corinth COVID-19 LEVELS

July 2, 2020 COVID-19 Safety Measures Survey Results

With the recent spike in the number of cases in our community, the City of Corinth encouraged residents regarding their thoughts on wearing masks and social distancing to help slow the spread of COVID-19 in our community.

REPORT A CONCERN

The Corinth Report a Concern Center is an online and mobile means for submitting non-emergency requests.

MyCorinth.com

Tell Our Story!



Corinth Connection
Monthly Newsletter

2019

49.8% Average Open Rate
20.2% Click Through Rate

2020

20% Average Open Rate
15% Click Through Rate



News Releases

45% Average Open Rate

20% Average Open Rate
250 New Subscribers

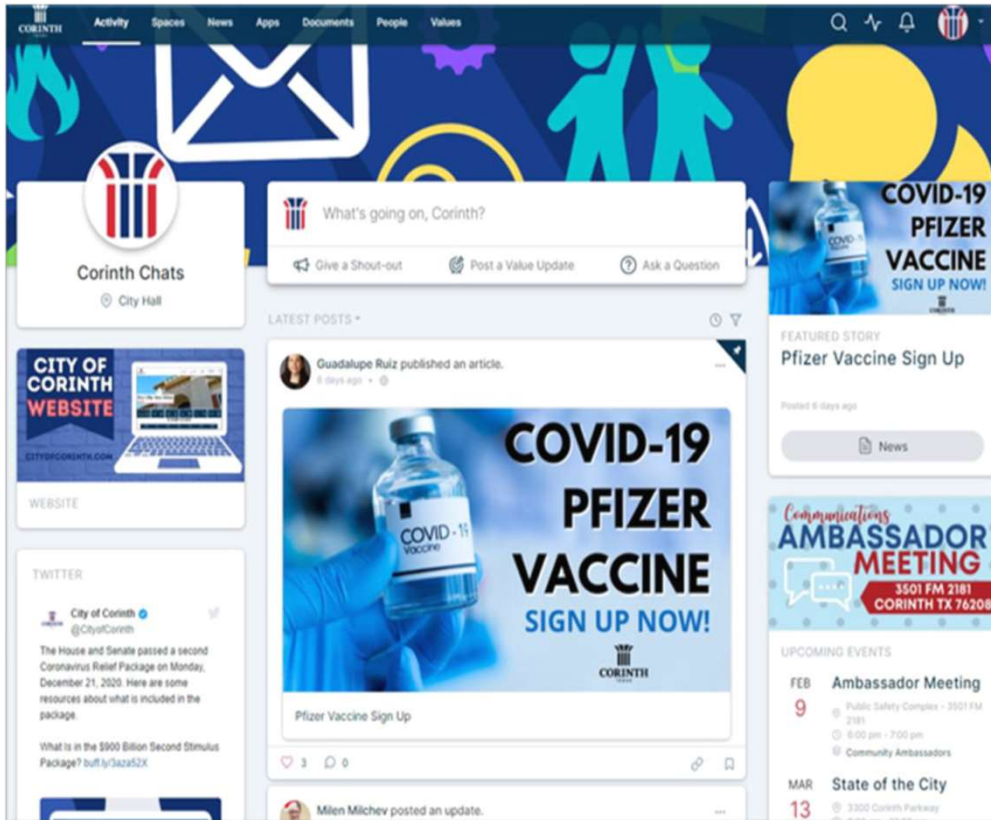


Advertisements
Lake Cities Living

2 Feature Articles
1 Advertisement per month

3 Feature Articles
1 Advertisement per month

Internal Communications



WORKVIVO-INTRANET LAUNCHED DECEMBER 2020

- Values Based Intranet
- Created an Employee Ambassador Group
- Daily Content, News Articles and Information
- Engagement Projects
- Encourages interaction among departments.



COMMUNITY EVENTS

2020 Community Events



Trunk or Treat

Sponsored Special
Edition Band

Drive – In Movie

130 Cars
700 Burgers
3 Vendors
2 Elves
1 Santa



2021 COMMUNITY EVENTS

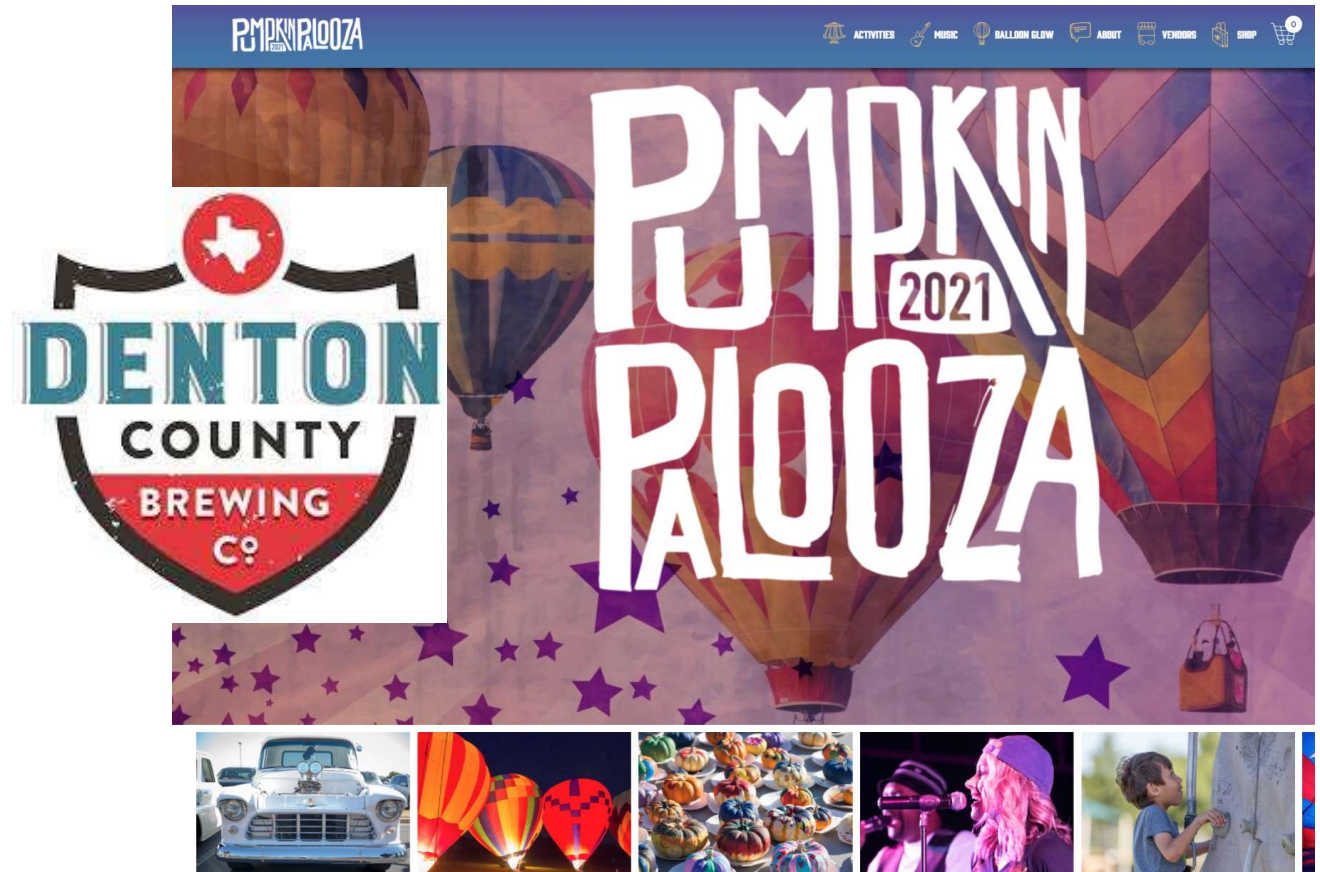
- ✓ **STATE OF THE CITY**
Saturday, March 13
- ✓ **EASTER
EGG-STRAVAGANZA**
March - Virtual

- ✓ **FISH N' FUN**
May - Virtual
- ✓ **PUMPKIN PALOOZA**
Saturday, October 16

- ✓ **FIRE OPEN HOUSE**
Saturday, October 23
- ✓ **CHRISTMAS IN CORINTH**
Monday, December 6

Pumpkin Palooza 2021

- New Website Design will “Go-Live” February 2021
- Two stages
 - Main Stage (bands)
 - Festival Stage (community)
- Corn Hole Tournament
- Event Sponsor
 - Denton County Brewing Co.
- Band Line Up
 - Idol Job (Reggae band)
 - Lost Shaker of Salt (Jimmy Buffet tribute band)



What's Next – Goals for 2021

Community Engagement Plan

- Strong Social Media Presence
- Ambassador Program
- Video Communication and PSAs
- Revitalize Monthly Newsletter
- Develop Communication Policies
- Marketing Campaigns

New Projects

- Citibot
 - Multi-channel communication platform– web chat, interactive text alerts and text chat
- Digital Ready Community Program
 - Create a Digital Asset Group (DAG)
 - Inventory Digital Assets
 - Develop a Community-wide and Internal digital engagement plan



AGORA
AT CORINTH

Creating a Digital Ready Community

Overview:

The Digital Ready Community program empowers a community to increase civic engagement, trust, and local government responsiveness by leveraging digital platforms. A team of Purdue specialists and educators guides the community in forming a digital asset group (DAG), inventorying digital assets, and drafting a community-wide digital engagement plan.



WORKSHOP BUSINESS ITEM 3.

City Council Regular and Workshop Session

Meeting Date: 02/04/2021
Title: Technology Services Update
Submitted For: Lee Ann Bunselmeyer, Director
Submitted By: Shea Rodgers, Technology Services Manager
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Infrastructure Development
Organizational Development

AGENDA ITEM

Receive a presentation and hold a discussion on the progress report for Technology Services.

AGENDA ITEM SUMMARY/BACKGROUND

Technology Services has made significant strides in the past 2-3 years to better prepare itself for cyber-security issues and be more proactive in providing services to the City and its residents. The Department will review its recent accomplishments and highlight future service IT issues.

RECOMMENDATION

N/A

WORKSHOP BUSINESS ITEM 4.

City Council Regular and Workshop Session

Meeting Date: 02/04/2021
Title: An Update and Discussion on Signature Community Gathering Space in Agora
Submitted For: Jason Alexander, Director **Submitted By:** Jason Alexander, Director
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Land Development
Infrastructure Development
Economic Development
Citizen Engagement &
Proactive Government

AGENDA ITEM

Receive an update from TBG Partners and hold a discussion on the design, construction and promotion of a signature community gathering space in Agora.

AGENDA ITEM SUMMARY/BACKGROUND

One of the key priorities in the Strategic Plan, the design and construction of a signature community gathering space in Corinth's core --- Agora --- is envisioned to complement the future commuter rail station and to catalyze investment. Towards that end, the City has engaged TBG Partners to draft designs and construction cost estimates for the park while soliciting feedback from the community.

This presentation will provide an update on these efforts to date and encourage a discussion on the same.

RECOMMENDATION

N/A.

PRESENTATION ITEM 1.

City Council Regular and Workshop Session

Meeting Date: 02/04/2021
Title: CWD Annual Review
Submitted For: Bob Hart, City Manager **Submitted By:** Lana Wylie, City Secretary
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizen Engagement & Proactive
Government
Regional Cooperation

AGENDA ITEM

Nicole Roemer, Account Manager with Community Waste Disposal (CWD) will provide their 2020 Annual Review.

AGENDA ITEM SUMMARY/BACKGROUND

RECOMMENDATION

CONSENT ITEM 2.

City Council Regular and Workshop Session

Meeting Date: 02/04/2021

Title: January 14, 2021, Workshop Session Minutes

Submitted For: Bob Hart, City Manager

Submitted By: Lana Wylie, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

Strategic Goals: Citizen Engagement & Proactive
Government

AGENDA ITEM

Consider and act on minutes from January 14, 2021, workshop session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are the minutes from January 14, 2021, 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 January 14, 2021, workshop session minutes.

Attachments

January 14, 2021 Workshop Session Minutes

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

On this, the 14th day of January 2021, the City Council of the City of Corinth, Texas, met in Special Workshop Session at the Corinth City Hall at 5:45 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place, and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

Council Members Present:

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

Staff Members Present:

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

CALL TO ORDER:

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

WORKSHOP BUSINESS AGENDA:

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

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

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

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

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



CAPITAL AND DEBT OVERVIEW



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

Why Increase Debt Issuance to \$5M

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

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

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

BOND ISSUANCE IMPACT

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

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

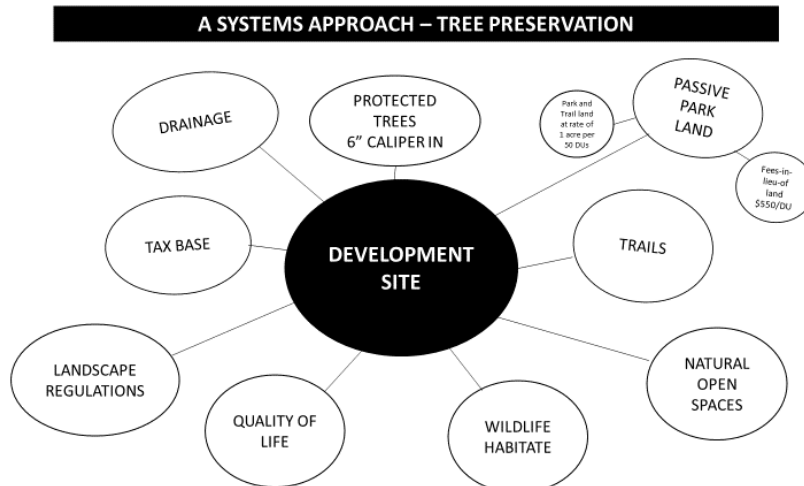
BOND ISSUANCE SCHEDULE

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

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

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

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



TREE PRESERVATION REGULATIONS DISCUSSION

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

KEY POINTS – TABLE A (Homework)

INCENTIVES

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

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

A SYSTEMS APPROACH – TREE PRESERVATION

CAST STUDIES

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

Case Study: Lake Sharon Phase III



Undeveloped Site

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



Tree Survey

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



Result

- 90% 2,474 Trees (23,000 CI) Removed from site
- 9% (2,700 CI) Saved in floodplain & in undevelopable area south of dam
- 1% (222 CI) or 74 trees to be replaced on site

Case
Study:
FM2181
VACANT
PARCEL



FM2181 just east of Acme Brick west of Parkridge Drive

Undeveloped Site

- 2.8 acres
- Heavily Wooded



FM2181 just east of Acme Brick west of Parkridge Drive

Tree Survey

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



FM2181 just east of Acme Brick west of Parkridge Drive

Result

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

CASE STUDY – ASHFORD PARK - LAKE SHARON DRIVE

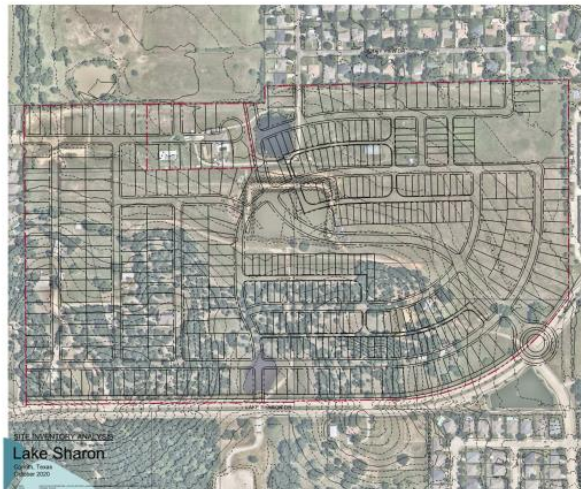
BACKGROUND

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

QUESTION

Are we on the right track?

**Ashford Park –
Site Analysis**



Ashford Park – 1st Iteration



CASE STUDY – ASHFORD PARK - LAKE SHARON DRIVE

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

CASE STUDY – ASHFORD PARK - LAKE SHARON DRIVE

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

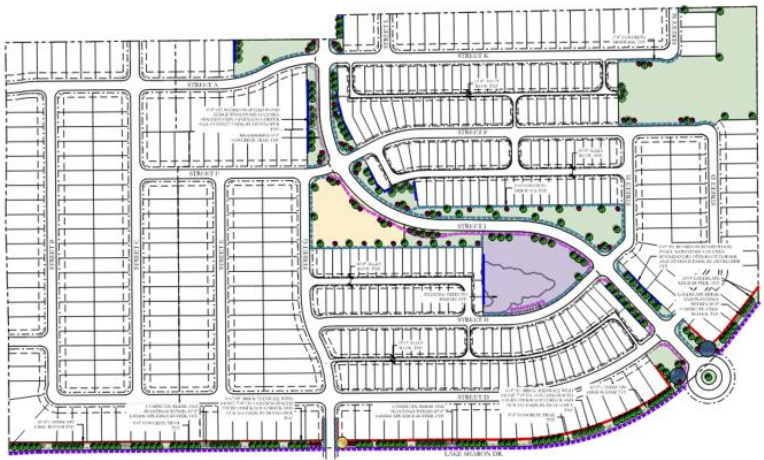
TENTATIVE CREDIT - SUMMARY	Total:		Fee: \$150.00
BONUS –GROVE/HABITAT PRESERVATION CREDIT - ADD 10% BASE CREDIT	4968.05	25% (includes the 15% base 1:1 credit)	
SLIDING SCALE CREDIT – 3:1, 2:1 & 1:1 based on size of trees/type preserved	8747.70	2.93 Multiplier	
ROW CREDIT – BASED ON 15% OF SAVED	540.00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

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

Three scenarios are shown to the right.

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

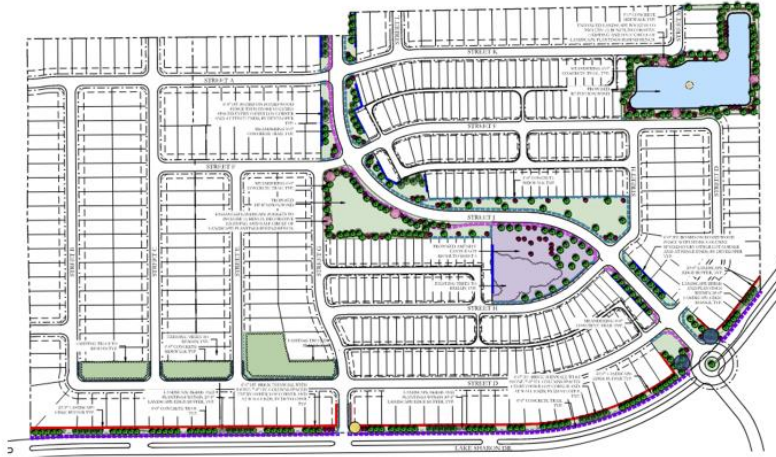
Ashford Park – 2nd Iteration



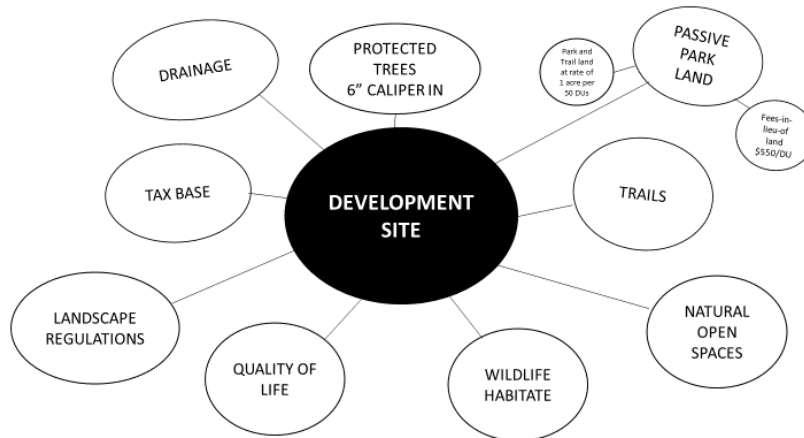
Ashford Park – 3rd Iteration



Ashford Park – 4th Iteration



A SYSTEMS APPROACH – TREE PRESERVATION



City of Corinth - Tree City USA, May of 2020

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

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

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

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

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

	<ul style="list-style-type: none"> b. Preserve 25% of existing mature trees in contiguous canopy would receive 30% credit reduction from required placement of Protected Trees. c. Preserve 30% of existing mature trees in contiguous canopy would receive 35% credit reduction from required placement of Protected Trees. d. Preserve 35% of existing mature trees in contiguous canopy would receive 40% credit reduction from required placement of Protected Trees. e. Preserve 40% of existing mature trees in contiguous canopy would receive 50% credit reduction from required placement of Protected Trees. f. Preserve 50% of existing mature trees in contiguous canopy would receive 75% credit reduction from required placement of Protected Trees.
9. Section 3.05.10. Park and Trail Dedications for Residentially Zoned land not used to as a tool to require deeded HOA open spaces to be reserved as "passive" open space e.g., tree groves for the enjoyment of the neighborhood and to retain important habitat and natural areas. Requires 1 acre/50 dwelling units	9. With the adoption of the Comprehensive Park, Recreation, and Open Space Plan (2020), it is a matter of policy that Corinth does not wish to own/receive public dedications of parkland. The City has ample public parkland. However, this is an opportunity to provide for meaningful passive "neighborhood" level passive open spaces to be owned by HOA and used to preserve Protected Tree groves and wildlife habitat. E.g., Walton Ridge and Meritage Homes example (give credit for required open space acreage AND offer additional credit (sliding scale) for trees preserved within those areas)

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

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

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

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

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

Table 16: Trees Excluded from the Protected Tree Definition

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

Approved Plant Materials

CANOPY (SHADE) TREES—HARDINESS ZONE 8

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

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

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

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

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

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

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

early voting, increased voters, and employees.

There was no closed session during the workshop session.

CLOSED SESSION

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

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

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

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

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

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

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

ADJOURN:

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

AYES:

Meeting adjourned.

Approved by Council on the _____ day of _____ 2021.

Lana Wylie, City Secretary
City of Corinth, Texas

CONSENT ITEM 3.

City Council Regular and Workshop Session

Meeting Date: 02/04/2021
Title: January 14, 2021, Regular Session Minutes
Submitted For: Bob Hart, City Manager **Submitted By:** Lana Wylie, City Secretary
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizen Engagement & Proactive Government

AGENDA ITEM

Consider and act on minutes from January 14, 2021, regular session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are the minutes from January 14, 2021, 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 January 14, 2021, regular session minutes.

Attachments

January 14, 2021 Regular Session Minutes

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

On this, the 14th day of January 2021, the City Council of the City of Corinth, Texas, met in Special 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:

Council Members Present:

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

Staff Members Present:

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

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

Mayor Heidemann called the meeting to order at 7:03 P.M. The Invocation was delivered by City Manager Hart, followed by the Pledge of Allegiance and the Texas Pledge.

PRESENTATION

1. **2020 Richard R. Lillie Texas Chapter of the American Planning Association Excellence Award Presentation.**

Helen-Eve Beadle, Planning and Development Director, shared that the City of Corinth received the Richard R. Lillie Planning Excellence Award from the American Planning's Association Texas Chapter for the second consecutive year. The award recognizes planning excellence in municipalities throughout the State. Evaluation criteria include the training of Planning Commissioners and professional staff, professional qualifications of the planning staff, breadth and currency of master plan components, and completion of other planning related projects. The goals of the program include:

- Increasing community awareness of the importance of planning
- Recognizing planning departments that meet certain professional requirements

- Recognizing planning efforts that have achieved community support
- Encouraging the funding of professional training for Planning Commissioners and staff
- Aiding economic development and community image.

The City of Corinth first earned this award in 2019.

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 Council Member, or any citizen desire discussion of any Item that Item will be removed from the Consent Agenda and will be considered separately.

2. **Consider and act on minutes from the December 17, 2020, workshop session.**
3. **Consider and act on minutes from the December 17, 2020, regular session.**
4. **Consider and take appropriate action on Resolution No. 21-01-14-01, a resolution of the City of Corinth, Texas approving an Interlocal Cooperation Agreement for Cooperative Purchasing with the City of Midlothian, Texas in accordance with Chapter 791 of the Texas Government Code and Chapter 271 of the Texas Local Government Code to avoid duplicative procurement efforts and to obtain volume purchasing; authorizing the City Manager to execute the Agreement and any related documents as required by the Agreement; and providing an effective date.**
5. **Consider and act on an Amendment to the fees for the Joint Election Contract with Denton County for the General and Special Elections held on November 3, 2020.**
6. **Consider and act on the ratification of a contract for architectural services between the City of Corinth and TBG Partners relating to designing landscaping and construction plans for a signature park in Agora for an amount not to exceed \$171,296.00.**
7. **Consider authorizing the appraisal the streetlight system within the city.**

Council Member Henderson – Move to approve the Consent Agenda as presented. Mayor Pro Tem Burke seconded the motion.

AYES: Burke, Garber, Holzwarth, Henderson, Pickens
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.

There were no citizen comments.

BUSINESS AGENDA:

8. Consider and act upon the Alternative Compliance Application for tree preservation on ±2.627 acres located at the southeast corner of Lake Sharon Drive and Tower Ridge Drive and just west of I-35 Frontage Road. (Magnolia Center #AC20-0002)

Ms. Mixell, Planning and Development Manager shared a presentation with the City Council for the Magnolia Center Alternative Compliance Application for tree preservation.

Magnolia Center: Alternative Compliance Request - Tree Preservation (#AC20-0002)



- Location: Near Lake Sharon Drive, Tower Ridge Drive, and west of I-35 Frontage Road
- Seeking approval of Alternative Compliance Application for Tree Preservation
- Planned Development rezoning and Preliminary Plat have already been approved
- Site Plan for Construction is under Administrative Review



Lake Sharon Drive



Tree Survey Summary

- Site is heavily treed
- Application falls under prior exemptions
 - Protected Trees are exempted from replacement calculations if trees are in certain locations
- 67 Protected Trees totaling 1,408 caliper inches
 - Proposal to remove 52 of those trees totaling 1,108 caliper inches
 - 895 of those caliper inches are being exempt
 - Remaining 213 caliper inches are to be mitigated
- Applicant is eligible to receive reduction bringing final required total to 106.5 caliper inches



Application for Alternative Compliance Tree Replacement and Fee-In-Lieu-of Replacement		
Tree Survey/Tree Protection Plan		
	Number	Caliper
A. Tree Survey: Identify total number of "Protected Trees" located on site. A Protected Tree is defined as having a trunk caliper of six inches (6") or more, measured 4'6" above natural grade. Survey shall be prepared by a Registered Landscape Architect or Certified Arborist . Trees excluded from the Protected Tree Definition are listed in UDC Section 2.09.02.B.3.b.	67	1,408"
B. Tree Protection Plan: Calculate and graphically show the following:		
a. Total Protected Trees to be removed from site	52	1,108"
b. Total Protected Trees to be preserved on site	15	300"
c. Total Protected Trees Required to be Replaced (Section 2.09.02B.3.)	10	213"
Subtotal:	10	213"
d. Total Protected Trees required to be Replaced as listed above may be reduced (if determined to meet definition of "Heavily Tree Lot" as calculated in item C., below).	10	213"
– Less 50%	5	106.5"
Total:	5	106.5"

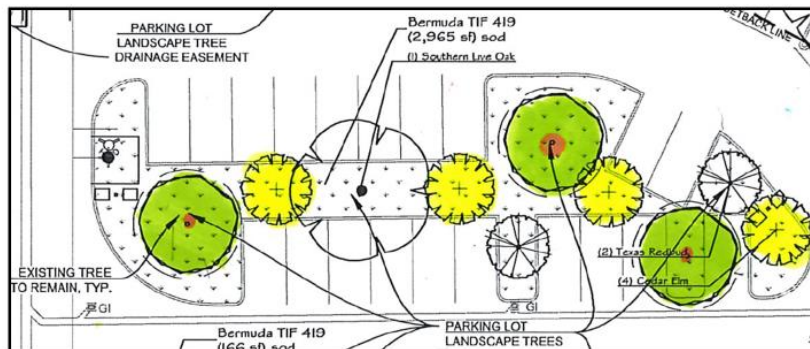


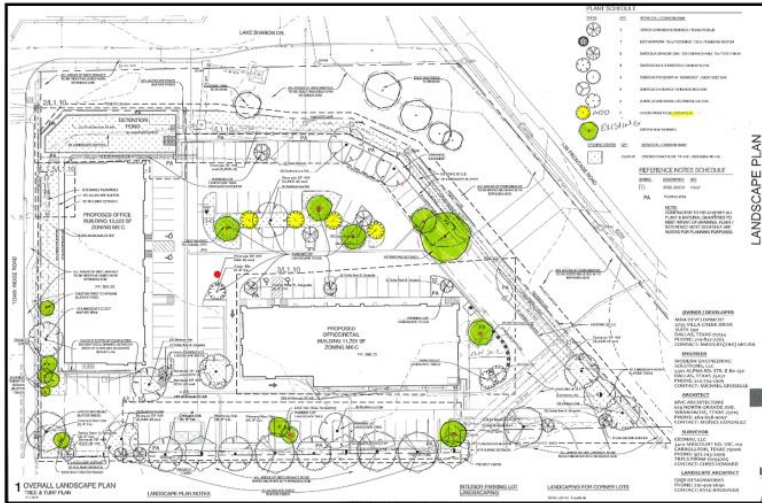
Site Plan Redesign

- Site Plan was redesigned to preserve 15 Protected Trees (300 caliper inches)
- To meet requirements, applicant is proposing:
 - Replacing four Protected Trees (12 caliper inches)
 - Offering fee-in-lieu of replacement totaling \$14,175.00
 - Fee would account for 106.5 caliper inches at \$150.00/caliper inch

Mitigation Proposal:

- (1) Add four 3" Caliper Cedar Elms totaling 12 Caliper Inches
- (2) Fee-in-Lieu-of Replacement of 106.5 Caliper Inches





D. Alternative Compliance Request: City Council may approve requests to (1) plant replacement trees and/or (2) make payment of a fee-in-lieu-of tree replacement.

	Number	Caliper Inches
1. Request: To plant "Replacement Trees" on the same property or on another property within City Limits. Note that proposed "Replacement Trees" shall be <u>shown on a Landscape Plan</u> and be <u>distinguished from other required landscaping material</u> e.g., Shall not include trees required per lot, in landscape buffers, etc., as required by other zoning and subdivision regulations.	4 - 3" CEDAR ELMS IN PARKING LOT ISLAND	12"
2. Request: Fee-in-Lieu-of Replacement of Protected Trees. Identify the criteria necessitating the request for payment of a fee in lieu of replacement fees. City Council May Approve on for developments which meet one of the following Criteria per Section 2.09.02.K.2.	CRITERIA D SELECTED	
Select one of the criteria listed below:	Caliper inches	Fee-in-Lieu-of Amount*
a. Subdivision is heavily treed and the existing tree canopy would prohibit the growth of the replacement trees		
b. Required replacement trees were to be installed, the replacement trees would be planted under the canopy of any existing trees.		
c. Required replacement trees were to be installed, the economic viability of the property is compromised. (Ex. The value of mitigated trees exceeds the value of the property.)		
d. City has no available property for additional trees to be planted	94.5"	\$14,175.00
Total:	94.5"	\$14,175.00

*Reference City of Corinth Fee Schedule

Past Practice Example

- A 2019 Project was of similar acreage size, received the same 50% reduction for being heavily treed, and fell under past exemptions of Protected Tree exclusions
 - The fee was \$70.00/caliper inch (half the fee schedule amount)
- If this rate was kept, the Magnolia Center mitigation fee would be \$7,455.00, plus replacement of the four Protected Trees (12 caliper inches)

Staff Recommendation

- Staff recommends lowering the fee-in-lieu-of totaling \$7,455.00 and the four replacement trees
 - Prior application of tree preservation standards
 - Applicant's effort to preserve trees and redesign Site Plan
 - Promote commercial development
- Applicant is available for any questions

Mayor Pro Tem Burke - Move to approve the Alternative Compliance Application for tree preservation on ±2.627 acres located at the southeast corner of Lake Sharon Drive and Tower Ridge Drive and just west of I-35 Frontage Road. (Magnolia Center #AC20-0002). Council Member Pickens seconded the motion.

AYES: Burke, Garber, Holzwarth, Henderson, Pickens
NOES: None
ABSENT: None

MOTION CARRIED

9. Consider and act on Resolution No. 21-01-14-02 to make appointments to the Board of Directors for Tax Increment Financing Reinvestment Zone Number Two, City of Corinth, Texas (TIRZ No.2).

City Manager Hart shared this was discussed during the workshop session and pertained to the agreement entered with Denton County for the TIRZ #2.

Council Member Henderson - Move to approve Resolution No.21-01-14-02 to make appointments to the Board of Directors for Tax Increment Financing Reinvestment Zone Number Two, City of Corinth Texas (TIRZ No.2). The Board Members are Michael Talley, Daniel Peugh, Kelly Sayre, Mayor Pro Tem Burke, Council Member Garber, and Council Member Holzwarth. Mayor Pro Tem Burke seconded the motion.

AYES: Burke, Garber, Holzwarth, Henderson, Pickens
NOES: None
ABSENT: None

MOTION CARRIED

10. Consider and act on Resolution No. 21-01-14-03 establishing the city's legislative agenda and priorities for the 87th Session of the Texas Legislature to include special called sessions and the interim and providing for an effective date.

City Manager Hart requested adoption of a resolution outlining the legislative priority position. It is used as a communication measure for the members of the legislature. The content is derived from the Texas Municipal League and the North Texas Commission. He shared some of the item's legislation will review.

Mayor Pro Tem Burke - Move to approve Resolution No.21-01-14-03 establishing the city's legislative agenda and priorities for the 87th Session of the Texas Legislature to include special called sessions and the interim and providing for an effective date. Council Member Henderson seconded the motion.

AYES: Burke, Garber, Holzwarth, Henderson, Pickens
NOES: None
ABSENT: None

MOTION CARRIED

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

The purpose of this section is to allow each Council Member the opportunity to provide general updates

and/or comments to fellow Council Members, 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 Council Member may direct that an item be added as a business item to any future agenda.

Ms. Henderson thanked Mr. Alexander, Economic Development Director and the City Council for the sign for the Lake Cities Chamber. She also shared a 'save the date' for Denton County Day's virtual event, tentatively for February 25th.

City Manager Hart shared the City has eleven employees out with Covid-19.

**Mayor Heidemann recessed the Regular Session at 7:29 P.M.
And immediately convened into Closed Session.**

CLOSED SESSION

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

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

- a. **Flood mitigation right of entry - ±38.825 acres located at 2455 Silver Meadow Lane, Corinth, Texas 76208.**

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. **Right-of-way consisting of 1.56 acres located at 6881 South I-35E and along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas. (M/B)**
- b. **Right-of-way consisting of .198 acres located at 6801 S I-35E and 3404 Dobbs Road along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas. (F)**
- c. **Being approximately 7 acres of land, more or less, located in the J.P. Walton Survey, Abstract No. 1389, City of Corinth, Denton County, Texas (H).**
- d. **Being approximately 13 acres of land, more or less, in the North Central Texas College Addition No. 2, Block A, Lot 1R (N).**

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.

a. Project Agora

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.

**Mayor Heidemann recessed Closed Session at 7:37 P.M.,
And immediately reconvened back into regular session at 7:37 P.M.**

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

ADJOURN:

Mayor Heidemann adjourned the meeting at 7:37 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____ 2021.

Lana Wylie, City Secretary
City of Corinth, Texas

BUSINESS ITEM 4.

City Council Regular and Workshop Session

Meeting Date: 02/04/2021
Title: Resolution Ordering a Joint General Election
Submitted For: Bob Hart, City Manager **Submitted By:** Lana Wylie, City Secretary
Finance Review: N/A **Legal Review:** Yes
City Manager Review: Bob Hart, City Manager

AGENDA ITEM

Consider and act on Resolution No. 21-02-04-09 ordering a Joint General Election with Denton County to be held on May 1, 2021, to fill the office of Mayor, and two Council Members for Place 2 and Place 5, establishing procedures for that election, and providing an effective date.

AGENDA ITEM SUMMARY/BACKGROUND

The General Election for the City Council Members is set forth by the Home Rule Charter and by the Texas Election Code and is required to be held on May 1, 2021, at which time the voters will elect persons to fill the Mayor and City Council Places 2 and 5.

The Texas Election Code authorizes the governing bodies of political subdivisions to hold joint elections and this Resolution orders a joint election and establishes and sets forth procedures for conducting the election.

RECOMMENDATION

Staff recommends approval of the resolution.

Attachments

Resolution - General Election

**CITY OF CORINTH, TEXAS
RESOLUTION NO. 21-02-04-09**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, ORDERING AND CALLING A JOINT GENERAL ELECTION WITH DENTON COUNTY TO BE HELD ON MAY 1, 2021 FOR THE PURPOSE OF ELECTING A PERSON TO FILL THE OFFICES OF MAYOR, ONE (1) COUNCIL MEMBER FOR PLACE NO. 2, AND ONE (1) COUNCIL MEMBER FOR PLACE NO. 5, TO THE CORINTH CITY COUNCIL, EACH FOR A TERM OF TWO YEARS; PROVIDING FOR THE INCORPORATION OF PREMISES; SPECIFYING THE DATE OF ELECTION; ESTABLISHING PROCEDURES FOR THE ELECTION; PROVIDING FOR ADMINISTRATION OF A JOINT GENERAL ELECTION BY DENTON COUNTY; PROVIDING FOR PUBLICATION AND POSTING OF NOTICE OF ELECTION; PROVIDING AN AGREEMENT WITH DENTON COUNTY; ESTABLISHING DATES FOR CANVASSING; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas, (the "City"), 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, Section 3.004 of the Texas Election Code, (the "Election Code"), provides that the governing body of a municipality shall be the authority to order a Joint General Election; and

WHEREAS, the City Council desires to and hereby calls a Joint General Election for the purpose of electing a Mayor and two (2) City Council members to the City of Corinth City Council, such election to be held as set forth by Charter and by the Texas Election Code; and

WHEREAS, the Joint General Election shall be held on May 1, 2021, at which time the voters will elect persons to fill the office of Mayor and City Council Places 2 and 5, of the Corinth City Council, each for a term of two (2) years; and

WHEREAS, the Texas Election Code authorizes the governing bodies of political subdivisions to hold joint elections; and

WHEREAS, the City is entering into an Interlocal Agreement for Election Services with Denton County to provide election administration meeting the requirements of the Election Code, a copy of which agreement shall be incorporated into this Resolution upon approval and execution by Denton County and the City; and

WHEREAS, the Joint General Election shall be conducted in accordance with the Election Code under the jurisdiction of the Denton County Elections Administrator (the "Election Administrator"); and

WHEREAS, Section 85.004 of the Election Code provides that an election order and the election notice must state the location of the main early voting polling place; and

WHEREAS, by this Resolution, it is the intention of the City Council to hold a joint general election, to designate early voting polling location, to set forth dates for canvassing of the Joint General Election and to establish and set forth the procedures for conducting the Election as required by the Texas Election Code and City Charter; and

WHEREAS, the City Council finds that upon the canvassing of the returns of the May 1, 2021 election, this Resolution and election order shall be enacted as set forth herein.

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

Section 1. Incorporation of Premises. The above recitals are true and correct and are hereby incorporated into the body of this Resolution as if fully set forth herein.

Section 2. Joint General Election Called. A Joint General Election, (the "Election"), is hereby ordered and called to elect a Mayor, one (1) Council member to Place No. 2, and one (1) Council member to Place No. 5, each to serve two (2) year terms on the City Council of the City of Corinth. The Election shall be held at the Corinth City Hall, 3300 Corinth Parkway, Corinth, Texas 76208, on the 1st day of May 2021, from 7:00 a.m. until 7:00 p.m.

Section 3. Application for Place on Ballot. Election Code Section 141.001, as amended, and Section 3.03 of the Corinth Home Rule Charter set forth the qualifications for a person to be eligible for a public elective office ("Qualified Persons"). Qualified Persons may file as candidates for office by filing a sworn application in the Office of the City Secretary not earlier than January 13, 2021 and not later than 5:00 p.m. on February 12, 2021 (the "Filing Period"). Applications will be accepted in the Office of the City Secretary during regular business hours during the Filing Period in accordance with the Election Code; except for February 12, 2021, on which date applications will be accepted from 7:30 a.m. until 5:00 p.m.

Section 4. Dates and Hours of Early Voting – Main Early Voting Location. The Election Administrator, Frank Phillips, shall serve as the Early Voting Clerk. Deputy early voting judges/clerks will be appointed as needed to process early voting mail and to conduct early voting. Further, the Elections Administrator and/or the Early Voting Clerk are hereby authorized to appoint the members of the Early Voting Ballot Board and the presiding judge and alternate judge in accordance with the requirements of the Election Code.

The main early voting place is located at Denton County Elections Administration, 701 Kimberly Drive, Suite A111, Denton, Texas 76208 and voting shall occur as provided herein. Early Voting hours are Monday, April 19, 2021 through Saturday, April 24, 2021 from 8:00 a.m. to 5:00 p.m., Sunday, April 25, 2021 from 11 a.m. to 4:00 p.m., and from 7:00 a.m. to 7:00 p.m. on Monday and Tuesday, April 26-27, 2021. Early Voting at Corinth City Hall, 3300 Corinth Parkway, Corinth, Texas 76208 shall occur on the same dates and times listed herein. Early voting shall be conducted by the Early Voting Clerk, at the main early voting polling location listed above.

Early voting by mail shall be conducted in conformance with the requirements of the Election Code. Ballot applications and ballots voted by mail shall be sent to: Early Voting Clerk, 701 Kimberly Drive, Suite A101, Denton, Texas 76208 (the official mailing address of the Early Voting Clerk). The

voting precincts for the Election shall be designated by their respective county precinct numbers.

Early voting by personal appearance shall be conducted at the times on the dates and at the locations designated herein and on **Exhibit “A”** hereto (**described below**) in accordance with this section. Early voting location and times may be changed, or additional early voting locations may be added by the Denton County Elections Administrator without further action of the City Council or amendment to this Resolution, as is necessary for the proper conduct of the Election.

Section 5. Governing Law and Qualified Voters. The Election shall be held in accordance with the Constitution of the State of Texas and the Election Code, and all resident qualified voters of the City shall be eligible to vote at the election.

Section 6. Publication and Posting of Notice of Election. Notice of the election shall be given as required by the Election Code, and the Charter of the City of Corinth. Notice shall be provided by posting a notice containing a substantial copy of this Resolution in both English and Spanish at Corinth City Hall on the bulletin board used for posting notices of the meetings of the City Council and by publication of such notice one time in a newspaper of general circulation published within the City; the date of the publication to be not earlier than the 30th day or later than the 10th day before the Election day. The notice shall contain information as provided by the Election Administrator regarding polling places and early voting and such other matters as required by law.

Section 7. Denton County to Conduct Election / Election Contract. The Election shall be conducted in accordance with the Election Code under the jurisdiction of the Denton County Elections Administrator (the “Election Administrator”), pursuant to an Election Services Contract between the City and Denton County, and other participating entities, if any, as described therein, (the “Contract”), a copy of which Contract shall be incorporated herein as **Exhibit “A”** upon its final approval and execution by the City. Voting shall be by electronic method.

The Mayor, the City Manager or designee, is authorized to amend or supplement any and all contracts for the administration of the Election and any Special Election, including without limitation the Election Services Contract, to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Election Administrator and in accordance with the Election Code. In the event that no election is necessary, the City Secretary shall notify the County and shall present the City Council a Resolution or Ordinance cancelling the election.

Section 8. Canvass of Election. Pursuant to Section 67.002 of the Election Code, the City Council will canvass the election not earlier than May 4, 2021 and not later than May 12, 2021. Notice of the time and place for canvass shall be posted on the official bulletin board of the City in the same manner as required by the Open Meetings Act for City Council meetings in accordance with Chapter 551 of the Local Government Code.

Section 9. Necessary Actions. The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Election Code or other applicable law in carrying out and conducting the election, whether or not expressly authorized herein.

Section 10. Severability. If any section, article, paragraph, sentence, clause, phrase or word in this Resolution or application thereof to any person or circumstance is held invalid or unconstitutional by

a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Resolution, and the City Council hereby declares it would have passed such remaining portions of this Resolution despite such invalidity, which remaining portions shall remain in full force and effect.

Section 11. Effective Date. This Resolution shall be effective upon its adoption.

PASSED AND APPROVED this 4th day of February, 2021.

CITY OF CORINTH

Bill Heidemann, Mayor

ATTEST:

Lana Wylie, City Secretary

APPROVED AS TO FORM:

Patricia Adams, City Attorney

EXHIBIT "A"
JOINT ELECTION AGREEMENT
BETWEEN THE CITY OF CORINTH, TEXAS AND DENTON COUNTY

Incorporated by Reference Upon Approval and Execution by the City of Corinth

City Council Regular and Workshop Session

Meeting Date: 02/04/2021

Title: Resolution Designating a Central Community Gathering Space and Related Infrastructure Venue Project

Submitted For: Jason Alexander, Director **Submitted By:** Jason Alexander, Director

City Manager Review: Approval: Bob Hart, City Manager

Strategic Goals: Land Development
 Infrastructure Development
 Economic Development
 Citizen Engagement & Proactive Government
 Regional Cooperation

AGENDA ITEM

Consider and act on a Resolution of the City Council of the City of Corinth, Texas designating a central community gathering space and related infrastructure as a venue project (the "Venue Project") and designating a method of financing the Venue Project, a new short-term motor vehicle rental tax at a rate not to exceed five (5) percent, in accordance with the provisions of Chapter 334 of the Texas Local Government Code, as amended.

AGENDA ITEM SUMMARY/BACKGROUND

Chapter 334 of the Texas Local Government Code, as amended, allows municipalities and counties to impose a wide variety of taxes as methods to finance tourism, sports and community venues. One of those taxes is the seldom used short-term motor vehicle rental tax. The short-term motor vehicle rental tax requires the approval of voters --- and the tax cannot exceed five (5) percent and can only be imposed on motor vehicle rentals of thirty (30) days or less. If the tax is approved, the revenues generated may be used to finance the venue and its related infrastructure (e.g., "any store, restaurant, on-site hotel, concession, automobile parking facility, area transportation facility, road, street, water or sewer facility, park, or other on-site or off-site improvement that relates to and enhances the use, value, or appeal of a venue, including areas adjacent to the venue, and any other expenditure reasonably necessary to construct, improve, renovate, or expand a venue, including an expenditure for environmental remediation"). Also, if the tax is approved, it becomes effective by ordinance (municipality) or order (county) --- and it expires after all bonds and other obligations are paid in full.

Imposition of a short-term motor vehicle rental tax in Corinth can generate additional revenue to finance the central community gathering space and its related infrastructure while simultaneously reducing financial dependence on the Tax Increment Reinvestment Zone (TIRZ) to stimulate private and public investment within the community's urban core. In addition, the imposition of the tax can enhance economic development efforts to attract, expand and retain businesses --- and in particular --- restaurants and retailers that benefit from the proximity to the multi-purpose amphitheater and the future transit stop.

The businesses with on-site motor vehicle rentals that may be impacted by the imposition of a short-term motor vehicle rental tax include:

With Service Only

- Caliber Collision
- Classic of Denton
- Classic Pre-Owned of Denton
- Gunn Nissan of Denton
- Huffines Kia of Corinth

With or Without Service

- Harley-Davidson

In sum, imposition of a short-term motor vehicle rental tax in Corinth can prove extremely beneficial with respect to attracting new investment to the urban core and creating a thriving mixed-use district focused around a transit stop in support of the goals of the Strategic Plan and the TIRZ.

However, before the City can call an election on the imposition of a short-term motor vehicle rental tax, the City Council must first approve a resolution designating the venue project and the method for financing the venue project among other things. A resolution designating the central community gathering space and its related infrastructure as a venue project and designating a new short-term motor vehicle rental tax as the method for financing is attached for the City Council's consideration and action. Further, it should be noted that the City Council must determine a rate for the short-term motor vehicle rental tax. The short-term motor vehicle rental tax can be imposed in increments of one-eighth (1/8) of one percent, but the rate cannot exceed a maximum of five (5) percent.

RECOMMENDATION

Staff recommends that the City Council approve the Resolution as presented and impose a short-term motor vehicle tax at a rate not to exceed five (5) percent in accordance with the provisions of Chapter 334 of the Texas Local Government Code, as amended.

Attachments

Resolution - Creating Venue Project
Exhibits

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, DESIGNATING A CENTRAL COMMUNITY GATHERING SPACE AND RELATED INFRASTRUCTURE AS A SPORTS AND COMMUNITY VENUE PROJECT, (THE “VENUE PROJECT”), AT THE PROPOSED LOCATION OF 3221 CORINTH PARKWAY, CORINTH, TEXAS 76208, AND DESIGNATING A METHOD OF FINANCING THE VENUE PROJECT, A SHORT TERM MOTOR VEHICLE RENTAL TAX AT A RATE OF 5%, IN ACCORDANCE WITH CHAPTER 334 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR THE DESIGNATION OF A CENTRAL COMMUNITY GATHERING SPACE AND RELATED INFRASTRUCTURE AS A SPORTS AND COMMUNITY VENUE PROJECT; PROVIDING A METHOD OF FINANCING THE VENUE PROJECT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas, (the “City”), 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 Texas Local Government Code; and

WHEREAS, Chapter 334 of the Texas Local Government Code authorizes a municipality to provide for the planning, acquisition, establishment, development and construction of sports and community venue projects and associated taxes to fund such venue projects, if approved by the voters of the municipality; and

WHEREAS, Section 334.021 of the Texas Local Government Code requires a municipality, by resolution, to designate venue projects, including related infrastructure, and the proposed method of financing such venue projects; and

WHEREAS, Section 334.022 of the Texas Local Government Code requires the City to send this Resolution designating the Venue Project as a sports and community venue project pursuant to Chapter 334 of the Texas Local Government Code, and its proposed method of financing, to the Texas Comptroller for the Comptroller to perform an analysis to determine if approval and implementation of the Resolution will have a significant negative festival impact on state revenue; and

WHEREAS, Section 334.001(5) of the Texas Local Government Code defines a “sports and community venue project” as a venue and related infrastructure that is planned, acquired, established, developed, constructed, or renovated under Chapter 334 of the Texas Local Government Code; and

WHEREAS, Section 334.001(4) of the Texas Local Government Code defines “venue” as an arena, coliseum, stadium, or other type of area of facility that is planned for civic or community use and for which a fee for admission is charged or is planned to be charged; and

WHEREAS, Section 334.001(3) of the Texas Local Government Code defines “related infrastructure” as any store, restaurant, on-site hotel, concession, automobile parking facility, area transportation facility, road, street, water or sewer facility, park, or other on-site or off-site improvement that relates to and enhances the use, value, or appeal of a venue, including areas adjacent to the venue, and any other expenditure reasonably necessary to construct, improve, renovate, or expand a venue, including an expenditure for environmental remediation; and

WHEREAS, once the Texas Comptroller has determined that this Resolution does not have a significant negative fiscal impact on state revenue, the City Council may call and hold an election to ascertain whether to authorize the Venue Project and adopt a short-term motor vehicle rental tax at a rate of 5% to finance the Venue Project, after giving notice of such election as required by Chapter 4 of the Texas Elections Code; and

WHEREAS, the City Council has determined it appropriate to proceed with the process as outlined in Chapter 334 of the Texas Local Government Code for the planning, acquisition, establishment, development and construction of a sports and community venue project, the proposed Venue Project, as further described and depicted in Exhibits “A” and “B”, attached hereto and incorporated as if fully set forth herein; and

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

Section 1. Incorporation of Premises. The above recitals are true and correct and are hereby incorporated into the body of this Resolution as if fully set forth herein.

Section 2. Designation of Venue Project. The City Council of the City of Corinth has determined it necessary and appropriate to designate a central community gathering space and related infrastructure, the Venue Project, with a proposed location of 3221 Corinth Parkway, Corinth, Texas 76208, and further described and depicted in Exhibits “A” and “B”, as a sports and community venue project pursuant to Section 334.021 of the Texas Local Government Code.

Section 3. Method of Financing Venue Project. The City Council of the City of Corinth hereby proposes a short-term motor vehicle rental tax, authorized by Section 334.102 of the Texas Local Government Code, at a rate of 5%, to fund the Venue Project, upon approval of a majority of qualified voters at an election called and held under Section 334.024 of the Texas Local Government Code.

Section 4. Cumulative Repealer. This Resolution shall be cumulative of all other resolutions and shall not repeal any of the provisions of such resolutions except for those instances where there are direct conflicts with the provisions of this Resolution. Resolutions, or parts thereof, in force at the time this Resolution shall take effect and that are inconsistent with this Resolution are hereby repealed to the extent that they are inconsistent with this Resolution.

Section 5. Severability. If any section, article, paragraph, sentence, clause, phrase or word in this Resolution or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Resolution, and the City Council hereby declares it would have

passed such remaining portions of this Resolution despite such invalidity, which remaining portions shall remain in full force and effect.

Section 6. Effective Date. This Resolution shall be effective upon its adoption.

PASSED AND APPROVED this _____ day of _____, 2021.

CITY OF CORINTH

Bill Heidemann, Mayor

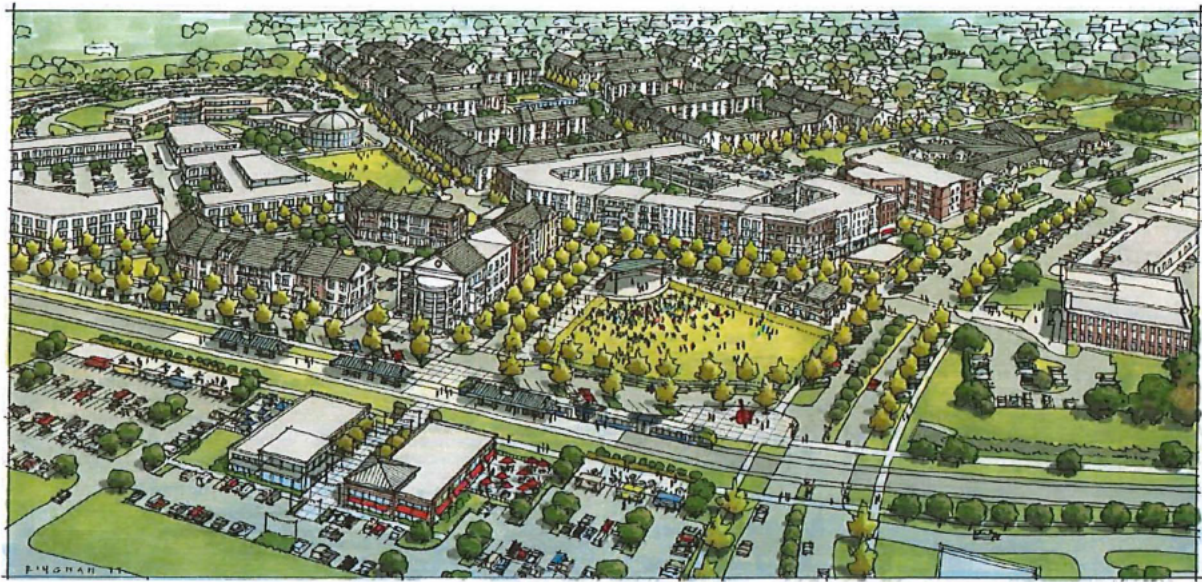
ATTEST:

Lana Wylie, City Secretary

APPROVED AS TO FORM:

Patricia A. Adams, City Attorney

Exhibit A
Rendering of Completed Project



View of Corinth Village



Master Planning
VILLAGE SQUARE AT CORINTH



Exhibit B
Proposed Site for Venue Project

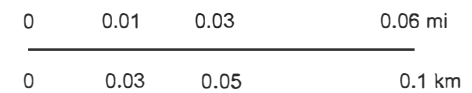
Planned Venue Project - City of Corinth



1/22/2020, 3:48:15 PM

3221 Corinth Parkway, Corinth, Texas

1:2,257



Esri, Inc., City of Naperville, Illinois, City of Corinth

10.490 Acres

Being all that certain lot, tract or parcel of land situated in the J. Walton Survey, Abstract Number 1389, City of Corinth, Denton County, Texas, and being part of that certain tract of land described in deed to Pinnell-Ford L. C. recorded in Clerk's File Number 97-R0046701 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" G&A capped rebor set on the south line of Walton Road said point being N 88°27'24" W, 908.67 feet, S 11°37'51" E, 36.02 feet and N 88°28'14" W, 444.78 feet from the easterly northeast corner of said Pinnell-Ford L. C. tract;

THENCE S 11°37'51" E, 587.41 feet, to a 1/2" capped rebor (G & A) set being on the north line Corinth Parkway according to that certain called 3.761 acre tract of land described in deed to The City of Corinth recorded in Volume 4564, Page 2044 of the Real Property Records of Denton County, Texas, being in a curve to the left;

THENCE Southwesterly, continuing along the north right-of-way line of North Corinth Parkway and with the arc of said curve having a radius of 2542.00 feet, a central angle of 01°14'24", whose chord bears S 65°33'52" W, 55.01 feet, on arc length of 55.01 feet, to a Carter & Burgess capped rebor found;

THENCE S 81°35'49" W, 152.91 feet, continuing along said line, to a capped rebor (C & B) found;

THENCE continuing along the north line of said Corinth Parkway along the arc of a curve to the left having a central angle of 04°59'04", a radius of 2590.00 feet and on arc length of 225.31 feet whose chord bears S 59°13'48" W, 225.24 feet to a point on the east line of that certain tract of land described in deed to the City of Denton recorded in Clerk's File Number 93-R0058458 of the Real Property Records of Denton County, Texas, (formerly the M.K.T. Railway) said point being S 56°44'50" W, 0.85 feet from a Carter & Burgess capped rebor found for witness, and being in a curve to the right;

THENCE Northwesterly, along the east line of said City of Denton tract and with the arc of said curve having a radius of 1937.96 feet, a central angle of 08°57'01", whose chord bears N 42°07'12" W, 302.42 feet, on arc length of 302.73 feet, to a 1/2" capped rebor (G & A) found;

THENCE N 37°34'09" W, 675.17 feet, continuing along said line, to a 1/2" capped rebor (G & A) set on the south line of Walton Road;

THENCE S 88°28'14" E, 891.27 feet, along the south line of Walton Road, to the POINT OF BEGINNING and containing approximately 10.490 acres of land.