



*** PUBLIC NOTICE ***

**NOTICE OF A CITY COUNCIL REGULAR SESSION IMMEDIATELY FOLLOWING
A WORKSHOP SESSION
OF THE CITY OF CORINTH**

**Thursday, March 5, 2020, 5:45 P.M.
CITY HALL - 3300 CORINTH PARKWAY**

CALL TO ORDER:

WORKSHOP BUSINESS AGENDA

1. Receive a presentation, hold a discussion and provide staff direction on a branding strategy for the Transit Oriented Development ("TOD") District.
2. Receive a report, hold a discussion and receive direction on the system wide review of the digital water meter system.
3. 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:

Nicole Roemer, Account Manager with Community Waste Disposal (CWD) will provide their 2019 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.

1. Consider and act on the minutes from January 23, 2020 Workshop Session.
2. Consider and act on the minutes from the January 23, 2020 Regular Session.
3. Consider and act on minutes from the February 6, 2020 Workshop Session.
4. Consider and act on the minutes from February 6, 2020 Regular Session.
5. Consider and act on the minutes from February 13, 2020 Special Session.
6. Consider and act on approval of an Interlocal Agreement between the City of Corinth and the Lake Dallas ISD to utilize the Shady Shores Elementary School to host the Corinth Recreation Department Summer Camp Program.

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

7. Consider and act on an Ordinance amending the City of Corinth Code of Ordinances, Title XVI, Fee Schedule, Chapter 170: "Planning, Engineering, and Building Fees" to amend the City's Planning, Engineering, and Building Fees.
8. Consider and take action on a request to Reconsider the motion for denial for the Enterprise Planned Development Rezoning Ordinance amending the zoning classification from C-2, Commercial to PD, Planned Development with a base district of C-2, Commercial on an ±7.12 acre tract of land legally described as Block 1, Lots 6-A1, 6-B1, and 6-C1 of the Pecan Creek Subdivision, and is situated in the William Garrison Survey, Abstract 1545 within the City of Corinth, Denton County, Texas and is more commonly known as 5150 S I-35E, Corinth, TX. (Enterprise PD Zoning) and providing direction to staff regarding dates for a future public hearing.
9. Consider and act on Ordinance No. 20-03-05-06 repealing Ordinance No. 20-02-13-04, an ordinance ordering a Joint Special Election on May 2, 2020 for the purpose of submitting a ballot proposition on the question of approving and implementing Resolution No. 20-02-06-08 designating a Multipurpose Amphitheater and related infrastructure as a Sports and Community Venue Project ("Amphitheater Project") in the City and on the question of adopting a new short term motor vehicle rental tax at a maximum rate of five percent (5%) to fund the Amphitheater Project; and providing for other matters related to the conduct of the election.

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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

CLOSED SESSION

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

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

a. Municipal Judge Contract

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.

a. Presiding Municipal Court Judge and Magistrate.

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

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

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

ADJOURN:

Posted this 28th day of February, 2020 at 11:30 a.m. on the bulletin board at Corinth City Hall.

Kimberly Pence, City Secretary
City of Corinth, Texas

WORKSHOP BUSINESS ITEM 1.

City Council Regular and Workshop Session

Meeting Date: 03/05/2020
Title: Branding Strategy for the Transit Oriented Development (TOD) District
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 a presentation, hold a discussion and provide staff direction on a branding strategy for the Transit Oriented Development ("TOD") District.

AGENDA ITEM SUMMARY/BACKGROUND

At the core of the community's vision for the future is the Transit Oriented Development ("**TOD**") District. The TOD District is focused around a future commuter rail station and an amphitheater that will enable and encourage development patterns that are compact, mixed-use and walkable. To achieve the vision of the TOD District, a Tax Increment Reinvestment Zone ("**TIRZ**") was adopted by the City Council on September 5, 2019 as a mechanism for generating revenues required to finance and construct the commuter rail station, the amphitheater and other community improvements and to attract and capture investment in Corinth's urban core.

To bring additional value to this vision for the TOD District, the Departments of Economic Development and Communications and Marketing engaged Slate Communications to propose a comprehensive and robust marketing campaign that will: (i) positively introduce Corinth to a wide range of audiences (e.g., developers, investors and prospective residents) and (ii) articulate the community's vision for this highly visible area. In response, Slate Communications crafted a list of names to brand the TOD District. The name selected to brand the TOD District is vital to the community's economic development efforts in the near- and long-term. Further, the brand must generate excitement and interest with prospective residents --- as this audience is extremely important in nurturing and sustaining a market for local retail, restaurant and related commercial opportunities.

Accordingly, staff would like to present, discuss and receive direction on the names identified by Slate Communications as strong possibilities for branding the TOD District.

RECOMMENDATION

N/A.

WORKSHOP BUSINESS ITEM 2.

City Council Regular and Workshop Session

Meeting Date: 03/05/2020
Title: Meter Reading Overview
Submitted For: Lee Ann Bunselmeyer, Director
Submitted By: Lee Ann Bunselmeyer, Director
Finance Review: **Legal Review:**
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Infrastructure Development
Citizen Engagement & Proactive Government

AGENDA ITEM

Receive a report, hold a discussion and receive direction on the system wide review of the digital water meter system.

AGENDA ITEM SUMMARY/BACKGROUND

The meter review team has identified and mapped the processes necessary for a successful meter, register and transponder update. Procedures for testing unresponsive transponders has been established and will be used when inspecting or troubleshooting billing data transmissions.

In order to ensure the integrity of the system, staff will be conducting a system wide audit of every residential and commercial account over the next few months.

RECOMMENDATION

N/A

PRESENTATION ITEM

City Council Regular and Workshop Session

Meeting Date: 03/05/2020

Title: CWD Annual Review

Submitted For: Bob Hart, City Manager

Submitted By: Kim Pence, 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 2019 Annual Review.

AGENDA ITEM SUMMARY/BACKGROUND

RECOMMENDATION

CONSENT ITEM 1.

City Council Regular and Workshop Session

Meeting Date: 03/05/2020
Title: January 23, 2020 Workshop
Submitted For: Bob Hart, City Manager
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizen Engagement & Proactive Government

Submitted By: Kim Pence, City Secretary

AGENDA ITEM

Consider and act on the minutes from January 23, 2020 Workshop Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are the minutes from the January 23, 2020 Workshop Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

RECOMMENDATION

Staff recommends approval of the January 23, 2020 Workshop Session minutes.

Attachments

Minutes

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

On this the 23rd day of January 2020 the City Council of the City of Corinth, Texas met in 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:

Members Present:

Mayor Heidemann
Sam Burke, Mayor Pro Tem
Scott Garber, Council Member
Tina Henderson, Council Member
Lowell Johnson, Council Member
Kelly Pickens, Council Member

Members Absent:

None

Staff Members Present

Bob Hart, City Manager
Kim Pence, City Secretary
Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director
Patricia Adams, Rockefeller, & Fort
Jerry Garner, Police Chief
Michael Ross, Fire Chief
Jason Alexander, Corinth Economic Development Corporation Director
Helen-Eve Liebman, Planning and Development Director
Cody Collier, Public Works Director
Ben Rodriguez, Planning and Development Manager
George Marshall, City Engineer
Cleve Joiner, Building Official
Brenton Copeland, Technology Services Assistant Manager

CALL TO ORDER:

Mayor Heidemann called the meeting to order at 5:55 p.m.

WORKSHOP BUSINESS AGENDA:

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

Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director – Today is one year since we adopted the Communications Strategic Plan. The presentation will include what we did in 2019 and what we will do in 2020.



We wanted to be transparent and get our community engaged.

Communication Priorities

- 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


We began doing news releases and attending HOA meetings. Cody, Bob and I talk about various subjects including state of the city, projects and mainly what is happening in our community.

Tell Our Story

6,355 Subscribers

News Releases

Goal is to Publish 1 per week
Published 58 since Jan 1
45% Average Open Rate



Corinth Connection

Published Monthly
49.8% Average Open Rate
20.2% Click Through Rate



HOA Meetings

Attended 5 meetings



We also began advertising in the Lake Cities Living magazine which reaches the four cities. We also had two cover features.

Tell Our Story



Magazine Advertisements

Lake Cities Living
2 Feature Articles
1 advertisement per month



GET CONNECTED. STAY ENGAGED.
No Matter Where You Are.

Facebook Instagram Twitter and Nextdoor **Corinth**

Corinth Connection is a free newsletter and resource provided to you by the City of Corinth. SIGN UP ONLINE

WWW.CITYOFCORINTH.COM



Love MyCorinth came from the boards and commissions meeting last year. A planning and zoning member mentioned it. Emily and I started a social media campaign. We handed out give-a-ways at some of our events and it started a trend because people are using the #LoveMyCorinth. We will continue pushing this into next year.



The ambassador group is phenomenal. We have talked about a variety of topics. The group gives us feedback of what is and isn't working, things we may need to do differently. The group is great at sharing information with the community. We have 12 HOA's but only five represented so we are trying to increase involvement. If you know of anyone, please send them our way.

Citizen Ambassador Program

Established April 2019

- 10 Active Ambassadors
- 5 Neighborhoods Represented
- 6 meetings to date

Topics Covered:
 Fire Practices, Budget, Economic Development, Communication Plan, Water Conservation (UTRWD)

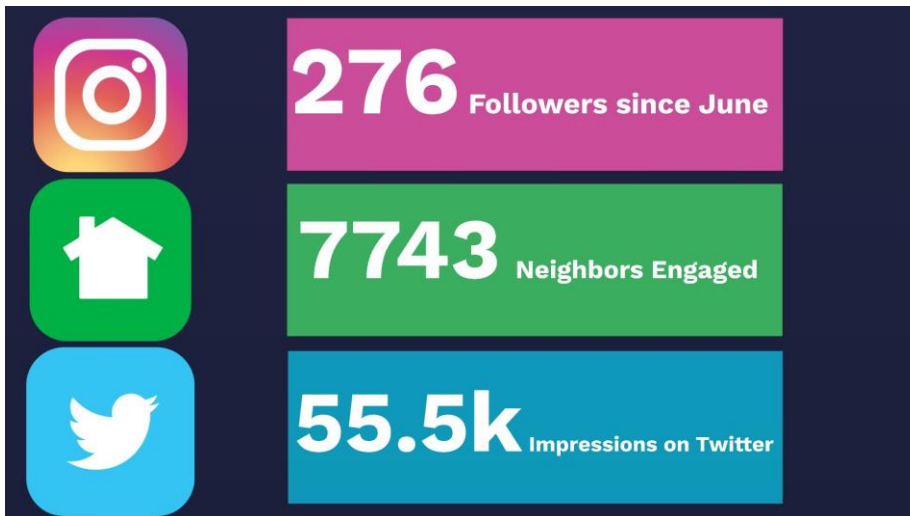


We increased our social media presence. When we started we had the city Facebook and Twitter pages. Twitter had very low interaction. The police department was the most successful page and still are. This year we created a Facebook page for KCB, helping the fire department with weekly posts. We also created Instagram, Next Door and YouTube for videos.

We have increased followers since the presentation in January 2019. We are concentrating on growing the fire department's base not just with Corinth but in the Lake Cities area.



We have the following followers on Instagram, Next Door and Twitter.




We have received really good feedback on our social media accounts. There have been a lot of positive comments about the direction the city is going. That positive feedback and the success of our social media could be seen in your boards and commission applications. I think we had more applications this year that we ever have.

We redesigned the website in May. Our project sites are popular. Brett and George added all the Capital Improvement Projects on the website and Jason adds the economic development projects so folks can review them at any time to check our status.

We had about 11,000 views per month about two years ago and are now up to 18,000. We link our newsletters and news releases to the website so I think that is what is driving

everyone back to the website.

New Website



cityofcorinth.com

Average 18,000 Views a Month

- Easier to Navigate
- Community Calendar
- Resident Resource Center
- Project Sites
- Transparency Center
- New Resident Guide
- Report a Concern
- Business Directory

We launched the MyCorinth mobile app earlier this year. The app ties to the website and you can also look at the community calendar, social media and report a concern.

MyCorinth Mobile App



- Mobile Environment
- Easy Access to Information
- City Alerts
- Community Calendar
- Report a Concern
- Business Directory

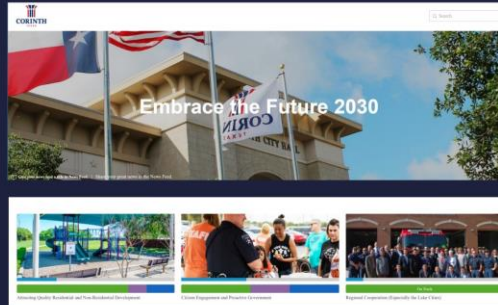
- 720 Downloads
- 956 Average Monthly Visits
- 373 Reported Concerns

Top Category:
Code Enforcement, Parked Vehicles

Envisio is active but haven't pushed it out yet. It is an interactive platform for our strategic plan. Folks can see the status of projects that are on our strategic plan. We hope to have it published out in the next 30-45 days. We will come back and discuss in depth how the system works and the reporting mechanisms we will be providing to council.

Envisio

- Interactive Platform
- Provides updates on progress on the Strategic Plan



Nixle is a texting-based system that provides community alerts. We were looking for a system for our fields, for when they were rained out. People could call in or we could text our residents. This will be beneficial for events, community updates and also notifications of utility disruptions.

Nixle

Alerts directly to your smartphone by TEXTING the following key words to 888-777

MYFIELDS

August 2019 Launch
819 Subscriptions
Field closures

MYCORINTH

March 2020 Launch
Events & community updates

MYUTILITIES

May 2020 Launch
Notifications of water, sewer, and garbage disruptions



MYCORINTH

Stay updated on special events and general community notifications

MYFIELDS

Receive real-time alerts on field closures for Corinth Community Park

MYUTILITIES

Receive notifications on water, sewer, and garbage disruptions in service that affect your residence.

In October or November we launched MyCorinth.com. This is our biggest interactive site for resident engagement. So far, I believe it was the end of October – December, we had 390 people register and have had feedback. We are averaging between 1,000 – 2,000 people looking at it on a monthly basis. We will continue with it. I think this is where we had our boar and RV survey, we had a lot of folks commenting about it.

MyCorinth.com

My Choice. My Voice. My Corinth.

- Resident Engagement
- Surveys
- Forums
- Feedback

Visitors Summary
My Corinth from 14 Aug 18 to 31 Dec 18

DAILY		MONTHLY	
TOTAL VISITS	2.9 k	MAX VISITS PER DAY	200
ENGAGED VISITORS	345	REFERRED VISITORS	1 k
		NEW REGISTRATIONS	390

Highlights

- Let's Talk Corinth
- Boat, Trailer & Recreational Vehicle Survey
- Digital Water Meter Rollout
- COMPREHENSIVE PLAN AND MASTER FABRIC PLAN

Special Events

Creating a Sense of Community

CORINTH TEXAS

- Event Committee
- Community Events
- State of the City
- Sponsors

This is our committee. They decide the rides or graphics for the events. It takes a lot of people to put on these events. We have to have feedback and interaction from police and fire. The unsung heroes are our Public Works employees. Two or three weeks before our events they are making sure the areas are ready. They are the first there and the last to leave because they're cleaning up. We couldn't do this without their support.

Special Event Committee

Finance & Admin

Lee Ann Bunselmeyer
Emily Beck
Chris Rodriguez
Angie Watson
Shea Rodgers

Public Works

Cody Collier
Melissa Dolan
Jason Cao
Gary Parker

Police

Kevin Tyson
Jimmie Gregg

Fire

Michael Ross
Chad Thiessen

Planning

Garrett Skrehart
George Marshal

Easter attendance was up. We typically have 2,500, this year we were up to 6 – 7,000. It caught us a bit unprepared but we were able to handle it because of everyone working together. Pumpkin Palooza's attendance was down, we estimated it at about 9,000. We competed with a lot of events this year. It was a great day and turnout.



We assisted with these events also.



All of our dates are set for 2020. This year, for Pumpkin Palooza, this is the city's 60th anniversary of incorporation, we discussed having a second event for this occasion. As a committee we decided to have the Pumpkin Palooza event as a two-day event. We wanted to get council's pulse as to how to move forward with the event. With Senate Bill 2 and having less money, we are looking at some of the ways we can curb cost for our special events. We entertained charging for rides and parking but when we spoke with folks attending the events, they like that it is free, especially those with families of three and four children because it doesn't break the bank.

The option we came up with is to see if council would consider us selling beer and wine at Pumpkin Palooza. We've talked with TML, we haven't discussed with the city attorney yet because we wanted to see council's reaction. TML said it would be fine, if we had a beer and wine vendor, that they have their own insurance and they list the city as an insured. We can also sell it as a city department, we are covered under the general liability under TML. There is some other red tape that we would have to go through. As a committee, we would prefer to sell it as a city because we could keep more of the money that would offset costs of the event.

If the council is okay with us selling beer and wine, we would work with the city attorney to figure out the best option for the city with the least liability and then we would bring that back to the council for further review. We also have Chief Ross and Chief Garner here and have discussed it with Public Safety to see if there would be additional impact or cause any hardship on the departments.

Michael Ross, Fire Chief – I was the primary event planner for the public safety side of the event that saw anywhere from 9,000 to 20,000 plus people when filming music videos. There were alcohol sales. It was a great event that they still have today. I have a lot of experience with it. You may have the occasional individual but for the most part, that is not why they are there, it is just an added piece to the experience and financially it went over well. It isn't anything we cannot handle.

Kelly Pickens, Council Member – What do you estimate the revenue to be if we did it ourselves? I think that would be the way to go.

Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director – We haven't inquired but we do know of other cities that recoup a good portion of their event.

Sam Burke, Mayor Pro Tem – You might be able to get a charity to sell it.

Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director – We have reached out to Carol Short to see how they handle it, she runs the Denton Arts and Jazz Festival but she hasn't responded yet. We wanted, with the council's permission, to do more research and bring it back at a later date if the council approves.

Mayor Heidemann – Sounds good

Tina Henderson, Council Member – Belle Ann on your ambassador committee would be a good resource to get to Carol.

2020 Community Events

- State of the City - Saturday, March 21
- Easter Eggstravaganza - Saturday, April 4
- Boards & Commissions - Thursday, April 30
- Fish N Fun - Saturday, May 2
- Pumpkin Palooza - Friday, Saturday, October 16 & 17
- Fire Open House - Saturday, October 24
- Tree Lighting - Monday, December 7

Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director – A new event will be the state of the city. The City Manager will give an address at 9:30 a.m. and 10:30 a.m. We plan to have a duo engagement fair with city departments with information. We will also have DCTA, CWD, iChoos, KCB and some others who have signed up to be here. It is a time for residents to hear the presentation and also ask questions. Council will have a table also.

State of the City

- NEW Event held in City Hall
- Presentation given by City Manager
- Allow Departments and local partners to engage and inform
- Reception time to connect with city staff, and council

Saturday, March 21
9am-12pm
Corinth City Hall
Address to be given
at 9:30 & 10:30



We had an increase in our sponsorships this year. A lot of it was unsolicited. We currently have the majority of these from last year who have signed up for next year's event and Twisted Cycles, which is a new organization, they have signed up to be our main stage sponsor for this year.

Scott Garber, Council Member – Would we have any issues with the beer and wine, upsetting sponsors? Do they know we may be considering it?

Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director – No, we have not reached out but we have had a lot of folks reach out to us wanting to know why we are not selling which is one of the reasons we started having conversations about it. We can definitely share to see if they are supportive of it. Most of these have already signed up with the exception of one or two. We are seeing an increase for all of our events.





Looking into our strategic plan and how we have done, these were the items listed as high priority, we have completed all of them with the exception of the development review process infographics. My focus this year was establishing the base and establishing the platform to move forward. Now that we have that done we can jump into some other things.

We will be working with Helen-Eve and her staff to see how we can assist them in developing that but everything else, as far as the letters and summaries of development plans, Helen-Eve and her staff give us quarterly updates and we are able to submit those and we have done all the branding guidelines with the logo. We also have completed all of the low priority items this year.

We are focusing this year on the medium priorities. We established a page on the MyCorinth.com for the new budget year to try to get citizen input on what they would like to see in the budget. We have already received a handful of comments and they are public for anyone to see. We will be posting statuses just like we do for the water meter audits.

We are also reviewing and coming up with all communication policies. Our social media policies for employees, boards and also reviewing our media protocol. We should have all of the medium priority items completed by August or September of this fiscal year.

High Priority

- ✓ Standard Communication Process
 - ✓ Post Meeting EBlasts
 - ✓ Consistent City Updates and Monthly E-Newsletters
 - ✓ Summaries of Major Development Projects
 - ✓ Booths at Local Events
 - ✓ Editorial Calendars
 - ✓ Brand Guidelines & Branded Collateral
 - ✓ Communication Ambassador Program
 - ✓ High-Quality Photo and Video Footage
- [Development Review Process Infographic](#)

Medium Priority

To Be Completed in 2020

- Annual Report
- Annual Budget Summaries
- Review and Standardize Media Protocol
- Meetings with Media Outlets
- Social Media Policy
- Economic Development Collateral

Low Priority

- ✓ Columns, Editorial and Paid Content Opportunities
- ✓ Ask the City Program
- ✓ Citizen Polling

Where do we go from here? My plan, with the approval of council, is to continue with the plan we have.



One of our interns has a film degree so she is helping us do some service announcements and we are about to launch some videos for the fire department which will go out next week. Our plan is to jump into the video platform.

Continue with the Plan

- Strong Social Media Presence
- Community Connections through Ambassadors and Outreach
- Capturing moments through photo and educating through video
- Develop Communication Policies
- Tell our Story!

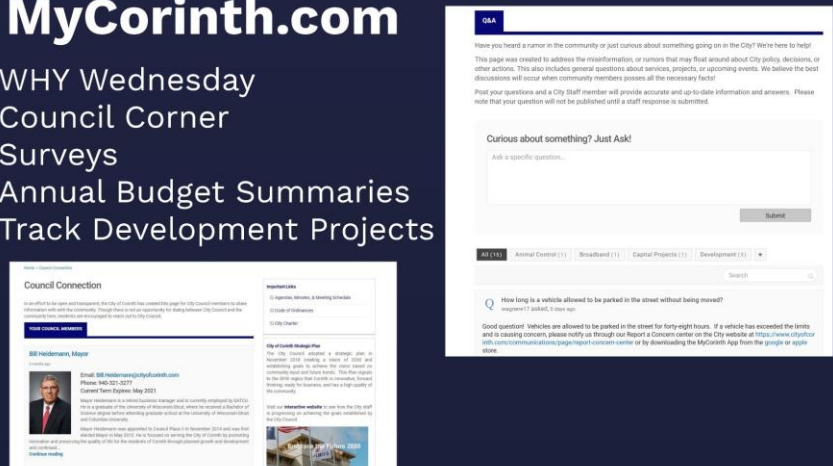


Community Safety	6%
Development	44%
Events and Activities	19%
Parks, Recreation and Open Spaces	19%
City Budget Information	13%
Transportation	0%

We did a poll on MyCorinth.com as to topics that interested everyone. It was development, followed by events, activities, parks and recreation and open spaces. We are going to try to do a better job. Planning gives us a report every quarter, we were adding them to our newsletter, and I realized we were not doing specific posts on social media so this next year we will put them on our social media. Our biggest platform that we will push information and have resident engagement will be our MyCorinth.com. With the Council Corner, it is static but we can make it as interactive as council would like. Please let me know if an engagement platform is what you would like and we can push it out.

MyCorinth.com

WHY Wednesday
Council Corner
Surveys
Annual Budget Summaries
Track Development Projects



Council Connection

888 Henderson, Mayor

Phone: 940.241.3277

Current Term Expires: May 2021

Q&A

Curious about something? Just Ask!

Add a specific question...

Submit

How long is a vehicle allowed to be parked in the street without being moved?

Good question! Vehicles are allowed to be parked in the street for forty-eight hours. If a vehicle has exceeded the limits and is causing concern, please notify us through our Report a Concern center on the City website at <http://www.ci.corinth.tx.us/comunications/pages/report-concern-center> or by downloading the MyCorinth App from the google or apple stores.

Our biggest initiative is to get out of city hall. We have signed up for the Lake Dallas trunk or treat and the fourth of July celebration.

Out of City Hall

Taking steps to connect with our community, out from behind our computers!

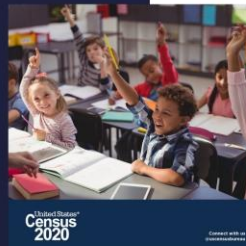


Finally, the census is a big initiative for the city and for our community. We started our social media campaign in December. Now until April we will have one to two posts per week. Our ambassadors are also pushing this out on their social media sites.

Census

The 2020 Census is vitally important to Corinth's future.

- Census Day is April 1
- Social Media Campaign
- Newsletters, News Releases
- Promotion by Ambassadors



That is our plan. If city council would like us to have any initiatives or any other direction, we will be happy to.

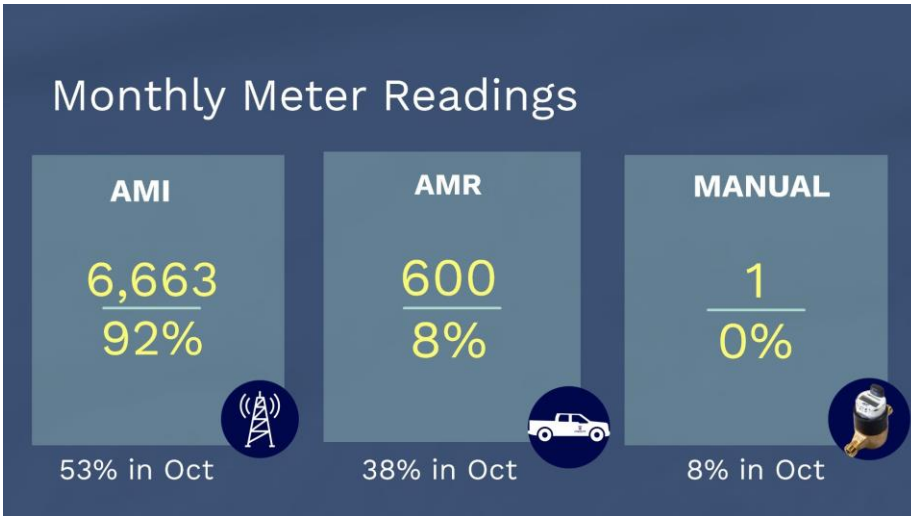
Tina Henderson, Council Member – You mentioned that we only have five of 12 HOA's represented. Can you give us a list of those who aren't represented so if we know someone, we can reach out to them.

Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director – Absolutely, the ambassadors we have now are very engaged and very dedicated. We had some HOA presidents who signed up but didn't show up to any of the meetings.

2. **Receive a report, hold a discussion and receive direction on the system wide review of the digital water meter system.**



Cody Collier, Public Works Director – We are making good progress. We selected the AMI system so we don't have to drive around and read meters. RG3 is in town, they are figuring out why the remaining AMR systems are not getting a reading.






The transponder issue, we have been seeing steady decrease. In January it increased but this should be an anomaly. It is possible the weather contributed to their failure. The new transponders are not failing. Our equipment has allowed us up to the minute data where if something isn't working, we will know when we check the dashboard.

Transponder Equipment Update

- Decrease in the number of equipment failures and corrections
 - October - 645
 - November - 241
 - December - 52
 - January - 187
- The January error ratio is 2.5%.



You can see the numbers for 2019. This picture shows the new unit, it is all one unit, no connectors or secondary component. They are working well. We swapped the older units out with these, they offer a single point so you eliminate several options for failure.

Register Equipment Update

- 2019 Register Failures - 334 Total
 - Jan - Sept - 125
 - Oct - 16
 - Nov - 80
 - Dec - 113
- 82 faulty registers were identified in January.



Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director – We have been working on the adjustments. The new audit for high consumption, accounts over 100,000 gallons, we have audited 75 accounts. For those who called in, we adjusted 54 of those accounts. If the adjustment wasn't enough or if they filed an appeal, our review committee reviewed five accounts and adjusted three. We adjusted roughly 11-12% of the total accounts.

Total Adjustments

Kensington (17 of 267)	\$ 2,994
High Consumption (75 of 170)	11,864
Account Inquiries (54 of 398)	10,493
Review Committee (3 of 5)	437

Total Adjustments
149 of 840 Accounts
\$25,788

We are in the process of reviewing the following accounts. We will have this completed by February 28th. This is about the same number of accounts we already reviewed. We think \$50,000 will be the amount we will lose if it stays the same.

Review in Progress

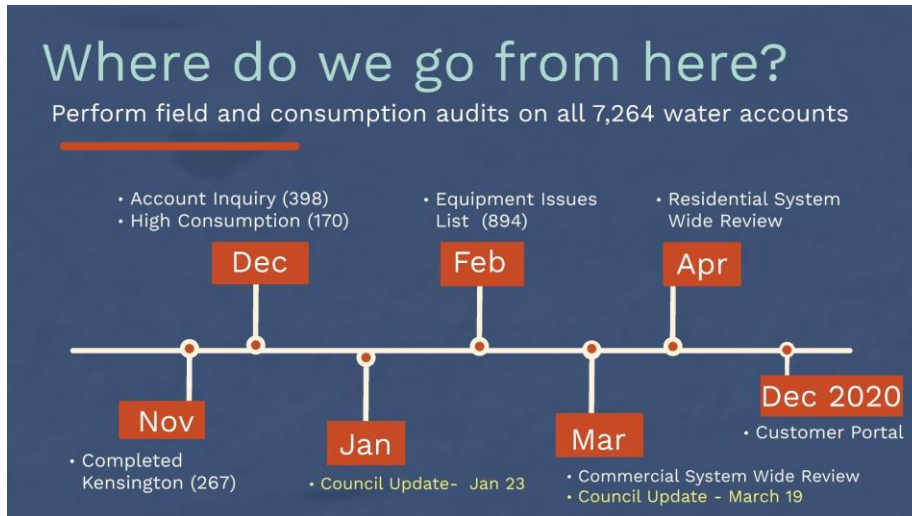
Accounts currently under review:

- 894 accounts identified with equipment Issues
- 36 Account Inquiries received from December 4

Review completion target date is February 28.



Once we finish those reviews we will report to council on March 19th to let you know how the audit has come on the additional 900 accounts. We will then start the system wide review going through every account to be sure we missed nothing. We will begin with commercial accounts and then the residential customers. As of right now we believe we will have it completed this year. Once we complete the adjustments and audit and we feel the system is at 100% we will wipe out the data on the online portal so we can start with good data. Once we have about three months of consistent reads, we will open up the customer portal for residents to login to review their consumption and set alerts. We are confident we could have that portal done no later than December 2020. If we can get it done sooner, we will strive to do that.



Scott Garber, Council Member – How many accounts were underbilled?

Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director – The accounts with faulty registers had a consumption of zero. We did not charge them for water because we didn't have the estimation procedure in place. For the 113 from December on, we started billing based on estimates based on the criteria. I don't know the dollar amounts.

Mayor Heidemann - You say our max is probably going to be around \$50,000.00?

Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director – That is what we are estimating because it is about the same count of the other accounts. We will know for sure when we come to you in March. We will have adjusted all of those with issues.



3. **Hold a discussion and provide staff direction on the implementation of a Short-Term Motor Vehicle Rental Tax.**

Jason Alexander, Corinth Economic Development Corporation Director – We have been talking about being more strategic and how we generate streams of revenue to help with Senate Bill No. 2 and also in terms of how we start to create our emerging downtown area at I-35 and Corinth Parkway.



One of those such avenues that we can do that is Chapter 334 of the Local Government Code. It is called the venue statute and it deals with positioning cities and counties to finance tourism, sports and community venues that are planned, acquired, established, developed, constructed or renovated with a variety of taxes. That can be hotel occupancy tax, sales and use tax, property tax but the one that I want to focus in on is the short-term motor vehicle rental tax.

The tax, in basic, is that it can be imposed up to 1/8% increments. It cannot exceed a total of 5% except in rare instances per Chapter 334 and it can only be imposed on motor vehicles that are being rented for 30 days or less. It cannot be used to finance municipal park systems. What is also very interesting about the tax is that it can be used for related infrastructure. The code defines that as any store, restaurant, on-site hotel, road, water or sewer facility, etc., that also includes environmental remediation.

When we start to talk about the tax and the process for implementing the tax, you have four steps here. One is, it has to have a resolution come from city council that you want to move forward with implementing the tax and that resolution has to talk about the proposed tax that is going to finance it in terms of the amount as well as the type of project. That resolution then goes to the controller, the controller is responsible for reviewing it, making sure that they are not going to be adversely impacted by the tax if it's imposed for the venue, a project and that venue project basically means any sports or community related facility.

It then comes back to city council. If the controller finds that the tax will not place them in a precarious position financially then city council can call an election. That election then goes to the voters and then the voters would have to approve the tax as well as the venue project.

Chapter 334 is very specific about the process and about the ballot language.

If the tax is approved then the ordinance would be adopted by the city that states what the tax would be. The tax revenues would be collected at the place of business. The tax revenues would have to be inserted or deposited into a venue project fund and then the tax would take effect on the date that is prescribed by the ordinance and it will expire after all the venue project funds are paid in full.

Some municipalities and counties that have the tax, you can see the list. I just want to highlight two if I may. The first one is Arlington. Arlington used a short-term motor vehicle rental tax and combined that with the hotel occupancy tax. The sales and use tax actually developed the Ranger's ballpark and then McLennan County rather recently, that is where Waco is located, they used it to redevelop the Extraco Events facility. These are some examples of the cities and counties that have the tax. You don't see Austin, Austin used it before but it expired.

Municipalities and counties with the tax

- ◆ Arlington (5%)
- ◆ Bexar County (5%)
- ◆ Cameron County (5%)
- ◆ Dallas (5%)
- ◆ Euless (5%)
- ◆ Fort Worth (5%)
- ◆ Hill Country Village (2%)
- ◆ Houston / Harris County (5%)
- ◆ Lubbock County (5%)
- ◆ McLennan County (5%) 6

How this could affect us is that with the tax, if city council decides to move forward with it, it could actually provide another source of revenue for our amphitheater which we are calling the heart and the soul of our transit oriented development district and it improves the financial capabilities of the TIRZ.

Application of the tax in Corinth

- ◆ Generates additional revenue source to fund the Amphitheater and its related infrastructure in the Tax Increment Reinvestment Zone (TIRZ) and Transit-Oriented Development (TOD) District
- ◆ Improves financial capabilities of the TIRZ

7

Allow me to delve into that a little further. We presented this to you guys a while back and in it you saw the total for the TOD projects, about \$96 million. Then you saw the total for the TIRZ projects being outside the TOD at about \$35.5 million. We are still working on the rail stop figures but the total for all of those projects was about \$131.5 million. Per David Pettit, Economic Development, he is projecting revenues from the TIRZ to be generated about \$124.3 million and we have that shortfall of about \$7.1 million.

The total for all TIRZ / TOD Projects

TIRZ (TOD) Projects	\$ 95,939,287.00
TIRZ Projects	\$ 35,546,478.00
Rail Stop Construction	To Be Determined
TOTAL FOR ALL PROJECTS	\$ 131,485,765.00
LESS PROJECTED REVENUES	\$ 124,374,355.00
ADDITIONAL FUNDING REQUESTED	(\$ 7,111,410.00)

8

If the taxes impose, at your direction, it would reduce the financial dependence on the TIRZ, meaning that we have an additional source of revenue now that could help offset some of those monies that would be required under the TIRZ for projects, including the amphitheater. Secondly, the shorting fund that we are talking about at \$7.1 million, this could also reduce that. Again, it provides another source of revenue and most importantly it improves our capabilities to construct an amphitheater and we can't discount the related infrastructure which includes retail, restaurant, public works and other related facilities that would be enhanced by the presence of the amphitheater.

Imposition of the tax can

- ◆ Reduce financial dependence on the TIRZ
- ◆ Reduce the TIRZ funding shortage
- ◆ Provide an additional revenue source
- ◆ Improve the City's financial capabilities to construct the Amphitheater
and construct related infrastructure

9

Just to highlight a little bit of that, you can see everything we have been talking about with the streets. You see Corinth Parkway, the narrowing of Corinth Parkway to create more parking. You see the parking structure, the actual amphitheater, the realignment of North Corinth Street, the construction of Main Street. Those are all the types of projects that we are talking about that could be potentially funded by this tax.



AMPHITHEATER

Tax can be used to finance Amphitheater and attract restaurant, retail and related activities

10

Here is a list of the motor vehicle rentals in Corinth currently. You see those with rental service only on your left and those with or without service on your right.

Motor vehicle rentals in Corinth

<u>Rental (with service only)</u>	<u>Rental (with or without service)</u>
◇ Caliber Collision	◇ Harley Davidson
◇ Classic of Denton	
◇ Classic Pre-Owned of Denton	
◇ Gunn Nissan	
◇ Huffines Kia and Subaru	

11

Mayor Heidemann – Is Bill Utter on the list?

Jason Alexander, Corinth Economic Development Corporation Director – I did not see Bill Utter when I looked at the list.

Mayor Heidemann – They lease cars.

Jason Alexander, Corinth Economic Development Corporation Director – We will look into it.

Lowell Johnson, Council Member – Is it short-term rental? Do they have Hertz?

Jason Alexander, Corinth Economic Development Corporation Director – It is short term rentals, 30 days or less.

Kelly Pickens, Council Member – How many cars are leased in a month in the City of Corinth?

Jason Alexander, Corinth Economic Development Corporation Director – I do not know.

Tina Henderson, Council Member – So we do not know the financial impact.

Jason Alexander, Corinth Economic Development Corporation Director – No. What I would like to leave city council with, this is an alternate source of revenue that can help us fund our amphitheater and with the other activities that we are wanting to bring to this area we could use it to enhance as well, that being retail, restaurants, so forth and so on. It can also reduce the amount of our dependence on the TIRZ to help finance some of these projects within the core of the community.

Closing thoughts

- ◆ Imposing a Short-Term Motor Vehicle Rental Tax can help finance the Amphitheater and related improvements that will enhance the use, value and appeal of the venue and increase economic opportunities
- ◆ Imposing the tax can also reduce financial dependency on the TIRZ

12

Scott Garber, Council Member – Would this in any way put Corinth rental cars at a competitive disadvantage in that the ultimate price to rent a car in Corinth would be 5% higher if we established a 5% rental tax?

Jason Alexander, Corinth Economic Development Corporation Director – If you went up to that and would be in 1/8th increments. For example, and I still haven't been able to figure out what they are using their tax on, the Hill Country Village has it at 2% and it is only at places of business. In Highland Village, I can't recall a place being there, they may have one but it would not put us at a competitive disadvantage because when you are looking at the other communities and what they have used that for, the amount of sales tax and activity that is brought in it has been substantial.

Scott Garber, Council Member – Would you rather just drive to Denton to rent a car because it is less expensive there than here?

Jason Alexander, Corinth Economic Development Corporation Director – I can't answer per se.

Kelly Pickens, Council Member – Denton doesn't have it?

Jason Alexander, Corinth Economic Development Corporation Director – I know Denton has some rental car places, but I did not see them with an actual tax.

Tina Henderson, Council Member – Would it affect Huffines and Gunn's and would it affect their business?

Jason Alexander, Corinth Economic Development Corporation Director – It could and again, it is on the place of business, just as you said, with Gunn and Huffines and it is only on 30 day or less motor vehicle rentals. The idea is to perhaps use a tax on the rental of vehicles like some other communities have to kind of help us out on some of our economic development efforts.

Scott Garber, Council Member – Most of these, from Caliber Collision all the way down to Huffines, you would be obtaining a rental car as a result of yours being wrecked or broken. I would imagine in most cases that would be insurance paying so I couldn't imagine them driving to Denton to get a rental car when there is one right there. Harley Davidson is probably the same, but this is the only dealership within 30 miles. It probably would not affect us super negatively.

Jason Alexander, Corinth Economic Development Corporation Director – I think in terms of what you are looking at discouraging people, no. I think in terms that if city council would like to move in that direction, the benefits from that could be extraordinary.

Scott Garber, Council Member – So are we suggesting 5%?

Jason Alexander, Corinth Economic Development Corporation Director – that is at the discretion of the council, but it can go up to 5%.

Kelly Pickens, Council Member – So is the average probably \$50.00 per day to rent a car? Giving \$50 per day, you're talking \$2.50 in tax per day.

Jason Alexander, Corinth Economic Development Corporation Director – You have that part, but it is on gross receipts per state law so whatever else is on there, that 5% would be applied to it. It's not just to that particular figure you gave of \$50.00 per day, for example, let's say it is \$50.00 to rent a car but then you have other features or amenities added to it.

Kelly Pickens, Council Member – If they get insurance, that is also included?

Jason Alexander, Corinth Economic Development Corporation Director – Yes, the gross receipt.

Kelly Pickens, Council Member – It probably still would not be cost prohibitive for the consumer for convenience, more than anything. If you are talking \$4.00 per day.

Lowell Johnson, Council Member- On rental if we use your \$50.00 rental as an example, the state has a 10% tax on that and then we add 5%, that would be \$7.50 per day.

Kelly Pickens, Council Member – But they are paying that 10% no matter what city.

Jason Alexander, Corinth Economic Development Corporation Director – Again, the revenues that will come from it would not be on the level of Houston or Harris County, Ft. Worth, Dallas or Euless.

Kelly Pickens, Council Member – I am curious to know how many cars are rented every month in the city of Corinth.

Bob Hart, City Manager – We need a resolution from you all to receive that.

Jason Alexander, Corinth Economic Development Corporation Director – We are thinking it will certainly create that additional stream of revenue.

Kelly Pickens, Council Member – What is our hotel tax?

Jason Alexander, Corinth Economic Development Corporation Director – It is 7%.

Lowell Johnson, Council Member – I think we have to be careful about the administrative cost on the 5%. How much is it going to cost us to collect?

Sam Burke, Mayor Pro Tem – Does the comptroller do that?

Jason Alexander, Corinth Economic Development Corporation Director – No, it is collected by us and then per state law at the place of business, we could give up to 1% the remittance fee for collection.

Sam Burke, Mayor Pro Tem – We could try it for a year and then get feedback from staff.

Bob Hart, City Manager – If we move forward and bring you the resolution, then you get the comptroller to do the study. Then you will have a much better sense to make a decision to whether or not you want to call the election. It would go on the May ballot.

Kelly Pickens, Council Member – When do we have to have all that information and decide for it to be on the May ballot?

Bob Hart, City Manager – The resolution would be on the next agenda and then the issue of the ballot.

Kim Pence, City Secretary – The ballot language has to be into Denton County by February 26th.

Jason Alexander, Corinth Economic Development Corporation Director – The timeline for the comptroller report is typically 15 days or less and I will say that the one I saw from McLennan County, they approved the resolution for them in eight days.

Mayor Heidemann - You are looking for the consensus of the council?

Jason Alexander, Corinth Economic Development Corporation Director – Yes

It was the consensus of the council to move forward with the sales tax resolution for the comptroller.

4. 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.

There were no items discussed on the Regular Session Agenda

ADJOURN:

Mayor Heidemann adjourned the meeting at 6:50 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____, 2019.

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 2.

City Council Regular and Workshop Session

Meeting Date: 03/05/2020
Title: January 23, 2020 Regular Session
Submitted For: Bob Hart, City Manager
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizen Engagement & Proactive Government

Submitted By: Kim Pence, City Secretary

AGENDA ITEM

Consider and act on the minutes from the January 23, 2020 Regular Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are the minutes from the January 23, 2020 Regular Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

RECOMMENDATION

Staff recommends approval of the January 23, 2020 Regular Session minutes.

Attachments

Minutes

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

On this the 23rd day of January 2020 the City Council of the City of Corinth, Texas met in Regular Session at the Corinth City Hall at 7:00 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

Members Present:

Mayor Heidemann
Sam Burke, Mayor Pro Tem
Scott Garber, Council Member
Lowell Johnson, Council Member
Tina Henderson, Council Member
Kelly Pickens, Council Member

Members Absent:

None

Staff Members Present

Bob Hart, City Manager
Kim Pence, City Secretary
Jerry Garner, Chief of Police
Patricia Adams, Rockefeller, & Fort
Helen-Eve Liebman, Planning and Development Director
Ben Rodriguez, Planning and Development Manager
George Marshall, City Engineer
Cleve Joiner, Building Official
Jason Alexander, Economic Development Corporation Director
Brenton Copeland, Technology Services Assistant Manager

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

Mayor Heidemann called the meeting to order at 7:00 p.m. Councilmember Garber delivered the Invocation and Boy Scouts Pack 191 led in the Pledge of Allegiance and the Texas Pledge.

Councilmember Johnson - after careful consideration and deliberation I have decided not to seek re-election on May 2, 2020. My continue studies at the University of North Texas in the field of Public Administration and Governmental Finance & Emergency Management severely limits the time I have available for Corinth city business.

I have been involved with the City for about 22 years. I have watched Corinth grow from 1200 people to where it is today. I think the future is bright here and I encourage the Council to continue to appoint people that will make the city looks its best. Appoint the best people on those Boards and Commissions. I also encourage the Council to continue to hire management and executive staff with a vision and belief Corinth can be Corinth and not a copy of another city. Do not yield to development that might not be in the best interest of the residents. It takes a blend of many things to make a city memorable. Embrace the past, be selective in future development and always be mindful to represent all regardless of race, creed, color, gender or abilities.

Mayor Heidemann – Thank you and we wish you the best and appreciate all your years of service in

many different capacities that you have served here in the City of Corinth.

PRESENTATION:

Amanda Scallon, Chairperson, Keep Corinth Beautiful presented an annual update on Keep Corinth Beautiful events and goals.

2019 Year Review:

- Board member volunteer hours recorded May – December 265.5
- Non-board member hours May – December 457
- Rebranded logo with the help from the Communications Department.

Events:

- Arbor Day Celebration – April
- Easter Egg-stravaganza – April
- Friendship Tree Planting – July
- Pumpkin Palooza – October
- Fall Sweep & Community Clean-Up – October
- Lake Cities Trash-Off – November

Goals:

- Continue to grow our presence in the community
- Attain Silver Membership status with Keep Texas Beautiful
- Work with the community to promote Corinth's green spaces, educate residents on proper disposal and recycling and beautification projects
- KCB would also like to partner with local businesses

2020 Event Schedule:

- Corinth State of the City - March
- Easter Egg-stravaganza – April
- Community Clean-Up KTB Big Event – April
- Rain Barrel Workshop - April
- Pumpkin Palooza – October
- Lake Cities Trash-Off – November
- Fall Sweep & Community Clean-Up – TBD

Amanda Scallon, Chairperson, Keep Corinth Beautiful – thanked members of the City Council for their attendance at the events. She further thanked Chief Ross and Chief Garner for allowing them to host some of their events at their facility. Amanda also gave big kudo's to Public Works, the Communication Department, and Jason Coe and Lana Wylie for all their efforts and support of Keep Corinth Beautiful. Thanks to Bob Hart for trusting me to run this board and having the full support from the City of Corinth.

Councilmember Pickens – do you plan on doing anything for hazardous material like paint, oil etc. that people may have stored at their homes and don't know how to dispose of it?

Amanda Scallon, Chairperson, Keep Corinth Beautiful – that would be more of educating the residents of Corinth of the services that are provided. The City does have a household hazardous waste collection and that is Community Waste Disposal (CWD) and the residents would need to contact them for that particular service. When we host those type of clean-ups, we can't collect household hazardous waste because we don't have a proper way of disposing it. We can market them during one of our events.

Councilmember Pickens – In the past, they have done events where you can drive up and drop off old cans of paint and things like that. I am wondering if you can hand out the bags to place the hazardous material in during one of your events if that would help take one step out for them and all they would have to do is put it in the bag and call for CWD to pick it up.

Amanda Scallon, Chairperson, Keep Corinth Beautiful – that is a great suggestion and I will look into that and see if we can get some of those bags to hand out.

CONSENT AGENDA

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

1. Consider and act on minutes from the November 14, 2019 Workshop Session.
2. Consider and act on minutes from the November 14, 2019 Special Session.
3. Consider and act on the minutes from the December 5, 2019 Workshop Session.
4. Consider and act on minutes from the December 5, 2019 Regular Session.

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

AYES: Burke, Garber, Johnson, 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 Citizens Comments made.

PUBLIC HEARING:

5. The Corinth City Council will hold a public hearing, consider testimony, and act upon a request for a zoning change from C-2 Commercial and PD, Planned Development to PD, Planned Development #26 with a base zoning designation of C-2, Commercial on an approximate 8.267 acre tract of land legally described as lot 1, block 1 of the Happily Ever After Addition, lot 1, block 1 of the Harley Davidson Corinth Addition and Tract 5(PT) of the J.B. Thetford Survey, Abstract No. 1308A. The property is located at the southwest corner of IH 35 and Church Dr. and is more commonly known as 5900 S I-35E, 5920 S I-35E and 2816 Church Dr. (Harley Davidson PD Amendment)

Helen-Eve Liebman, Planning and Development Director - The applicant is requesting a Planned Development PD district to facilitate the development of a new restaurant/event venue as well as an enclosed storage area for motorcycles.

Harley Davidson was originally zoned as a Planned Development in 2015 to allow for the sales of motorcycles and was last amended in 2018 to allow the installation of shade canopies over portions of the parking lot and the installation of gas pumps for their private use.

Since the start of their operations the location has been a great success, as a result of this success the owners are requesting the approval to construct an attached and enclosed storage area to store motorcycles intended for sale or to store customer's vehicles under repair. Additionally, Harley Davidson purchased the adjoining property north of their existing dealership at 2816 Church Street and are requesting the ability to store motorcycles in this location. 2816 Church Street was formerly used as a wedding venue and the rezoning to allow the storage of motorcycles within the building is anticipated to generate less traffic than its former use as a wedding venue.

The owners are also requesting the ability to construct a 2,244 sqft. training facility adjacent to the existing collision center located at the rear of the property. Harley Davidson offers training courses for new motorcycle drivers and this will provide them with a space to do classroom instruction indoors.

The proposed Planned Development will also incorporate the property at the southwest corner of Church Street and the IH35 frontage road located at 5900 S IH35E by rezoning the property from C-2, Commercial to Planned Development. The owner intends for this property to be the location of a restaurant with an associated 17,710 sqft. covered event space to be used for future events such as live music, movie nights, sales events, and to serve as a community gathering place for the City.

The proposal is also seeking amendments to the City's sign code by allowing a lit sculpture on the roof of the facility that is to be shaped like a motorcycle utilizing LED lighting. The City's sign code typically does not allow signs to be placed above the roof line. This is often done by cities to prohibit billboards or other forms of large signage from being placed on the top of a building. Staff feels that the proposed sign is more artistic in nature as it does not contain any text or copy and is open to its inclusion within the PD.

Additionally, the applicant is requesting to install a water tower/cistern on the site to provide a location for additional signage on the property. The water tower has become a trademark for Harley Davidson dealerships and mimics the water tower located at the company's headquarters. Despite not meeting our sign code staff supports the applicant's request as we feel that it is an innovative way to provide signage to the location and helps create a sense of place for not only the dealership but also as a landmark for the community as a whole. Staff wishes to encourage creative and innovative proposals that have the potential to enhance the Community's aesthetics as viewed from the Interstate.

Staff discovered today, in the Concept Plan you are looking at as well as in the regulations, the existing masonry screening wall that is along the southern property boundary and all of the western property boundary is identified and labeled as privacy wood fence. Should you make a motion, that the PD regulations as well as the Concept Plan be changed to identify that the existing masonry screening wall will remain in that location.

Public notices were mailed to all residents within 200 feet of the proposed change on November 25, 2019. At the time of packet creation there were no letters in support or in opposition to the proposed change.

Notice of the public hearing was published in the November 27, 2019 edition of the Denton Record Chronicle.

The Comprehensive Plan designates the future land use of this area as predominately Commercial with a small portion encompassing 2816 Church Street being identified as residential. However, the properties have been occupied as nonresidential uses and are currently zoned commercial.

Staff believes that the proposal complies with the City's Comprehensive Plan.

At the Planning and Zoning Commission meeting on December 16, 2019 the Commission voted to recommend their approval (3-Yes; 1-No)

Staff recommends approval as presented.

Jeff Crannell, CCM Engineering, 2570 FM 407, Suite 209 Highland Village – I am the civil engineer on this project. I think Helen – Eve covered all the major components. We are basically taking an existing PD for updates and adjacent land to merge into one PD. We hope to expand a little bit and merge more of what the current facility has.

Mark Angeli, 6501 Redbud Drive, Flower Mound, Applicant – we are excited about the project. The classroom building has become quite popular for safety training. We are excited about the restaurant we want people that come out to dealership to stop by the restaurant and hope if it is good, they will come back. The pavilion and open space, it gets hot in Texas and rains in Texas, with that cover we can have a lot of parking there and events, primary on Saturday. We have chili cookoffs, and occasional wedding and music. We currently do have music on Friday nights and Saturday, now we have a cover and will help with the sound also.

Councilmember Burke – you were intending to have the masonry wall continued, correct?

Mark Angeli, 6501 Redbud Drive, Flower Mound, Applicant – yes, that was a mistake on our part.

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

Marina Mata, 2803 Chapel Place – against the restaurant, we all know that with a restaurant comes a bar. On Saturday morning at 7:00 a.m., the motorcycles start at 10:00 a.m. the music and party begin. On Sunday morning even though the business is closed, you have people show up to meet between 7:30 a.m. and 9:30 a.m. to go riding. After that the classes start and that goes on all day long until 6:00 p.m.

Jackie Tibedeau, 2801 Church Drive – this restaurant is going to become a biker bar. We don't need a restaurant or movie night or other events. These things do not serve the community, they serve the bike

riders who come to Corinth. I am against this, it is too close to my home, too much noise all week, more motorcycles through the neighborhood. We already have to listen to the noise on Saturday and now they want movie night and other things. This affects the quality of life of the people of this neighborhood.

Nancy Gulrich, 2704 Church Drive – would like Council to consider having another Public Hearing to get the word out to the neighborhood. I live there and I did not receive a letter.

George Bonting, 2600 Church Drive – I just found out yesterday that this was on the agenda to be considered. I think if more people knew this was going to happen you would have a lot more people here. I would recommend for Council to go in the neighborhood on a Saturday when business is open and make your decision after you have had that experience. To expand that is not a good business decision. I don't have a problem with them being there, but I do have a problem with the noise level that will be generated as the result of the expansion. It is already unbearable, and I can't imagine it can get any worse than that.

Mayor Heidemann closed the Public Hearing at 7:50 p.m.

Helen-Eve Liebman, Planning and Development Director – as I explained earlier, we did send notices based on the requirements. The question about the pavilion, it is my understanding there is one structure that is 17,000 square feet and another adjacent to it is a little over 5,000 square feet and they do want to use those areas as a shaded area for events, motorcycle display, farmers market and any type of outdoor area event that they could have that is sheltered from the weather. Regarding the noise, anything that is not acceptable such as loud music from a radio is prohibited from 10:00 p.m. until 7:00 a.m. If they wanted to have a special event, they could apply for that event for things to go after 10:00 p.m. timeframe.

Councilmember Garber – do we know if we received a large amount of noise complaints from that area?

Jerry Garner, Chief of Police – periodically we do receive a complaint and it is on Saturdays generally. We have not received a great volume of them.

Councilmember Garber – is it usually because of the music?

Jerry Garner, Chief of Police – it is the music or the motorcycles.

Helen-Eve Liebman, Planning and Development Director – we have had calls about the Sunday events but we had understood that they were not having classes and courses on Sunday but now it makes sense with some of the input from the residents that is more of folks that go on rides that meet up there on Sunday and I am sure there is noise associated with all of that.

Councilmember Henderson – but we don't have any control of where people meet.

Helen-Eve Liebman, Planning and Development Director – right.

Councilmember Pickens – this addition would not cause it to be louder than it is currently as far as the music. I would think that it would buffer it with it being covered but the expansion, is it going to make for louder music?

Helen-Eve Liebman, Planning and Development Director – the current code for any property along Interstate 35 concerning the noise would have to end at 10:00 p.m.

Councilmember Burke – do you have gates along the front of the facility that close after business hours?

Mark Angeli, 6501 Redbud Drive, Flower Mound, Applicant – not the entire facility.

Councilmember Burke – would you be willing to add those?

Mark Angeli, 6501 Redbud Drive, Flower Mound, Applicant – the restaurant would have access. We did put in some insulation in the roof and that will really make a difference. It would not be any louder than what we have, the acoustics would be more contained.

Councilmember Garber – currently, without us doing anything tonight, they can build a pavilion and build a restaurant?

Helen-Eve Liebman, Planning and Development Director – yes, that is correct.

Councilmember Burke – would you be ok if we added some specificity to the pavilion design to include insulating materials?

Mark Angeli, 6501 Redbud Drive, Flower Mound, Applicant – yes.

MOTION made by Councilmember Burke to approve the Ordinance amending the Harley Davidson PD with a change to require masonry fence adjacent to the residential lots instead of wood fence identified on Exhibit C in the Ordinance and change on exhibit C, item 4 allowing for a pavilion constructed with insulating roof materials of R19 or greater. Seconded by Councilmember Garber.

Helen-Eve Liebman, Planning and Development Director – the masonry screening wall where it is located will remain and the wood fences where they are currently will remain. I did not want that motion to imply that there would be masonry screening wall along the residential property.

Councilmember Burke – for point of clarification, if there are additional, they will be of masonry material, that is the intent of the motion.

Councilmember Henderson – I have an issue with the LED lighting, and I would like to ask if it would be possible for Council to be able to approve things before it gets put up? It sounds like it is going against some of our codes.

Helen-Eve Liebman, Planning and Development Director – it is not a sign, it has no text on it and that is how it would qualify as a sign. We categorize it as a sculpture, an art piece that happens to be lit and not a sign.

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

MOTION CARRIED

6. The Corinth City Council will hold a public hearing, consider testimony, and act upon and Ordinance amending the City's Unified Development Code, by amending Section 4.02.04 (B) and 4.02.08 (D) of the City of Corinth Unified Development Code to amend Sign and Fence/Screening regulations section related to fence and building permits.

Ben Rodriguez, Planning and Development Manager - Corinth Planning and Development staff are proposing an amendment to the Unified Development Code to modify or eliminate exemptions to fence permitting requirements.

The City's Unified Development Code currently provides an exemption under 4.02.04 (B) to allow for the construction/replacement of up to 50% of a fence (by linear foot) without a permit once every 2 years.

This exemption is a routine cause of contention and dispute among neighboring residents and staff has limited options for intervention, resolution, or prevention of such incidents. These disputes arise primarily due to the placement and location of fences. For example, there are instances where the fence is alleged to encroach into the neighboring property, where one neighbor is accused of modifying a fence that is the sole property of the adjoining neighbor and instances where neighbors dispute who should maintain a common fence.

When a permit is required, applicants submit a plot plan showing the location of the property lines in relation to the house and the fence if one was in place at the time of the survey. While these types of disputes are ultimately a civil matter between each party abutting the affected fence or property line, staff feels that a review of the survey for affected properties could eliminate or minimize many of these disputes.

In addition, staff has no control over the placement of fences in easements without review. Improper placement could negatively affect drainage easements and limit efficient drainage flow. A review of the plans and issuance of a permit could mitigate these impacts by pointing them out and providing corrections prior to construction and provide better enforcement regarding fence locations.

Furthermore, enforcement of the two-year timetable concerning the exception is difficult. Staff has no record of the past construction activity, so it is difficult to prove if the resident is committing an offense by building too frequently or if they have exceeded the 50% limit. Theoretically, a neighbor could ask their rear and side yard neighbors to each state that they are constructing one side of a shared fence and construct an entire new fence without a permit.

Meanwhile, this exemption has resulted in enforcement action requiring the demolition of fences that were noncompliant for reasons such as fences being built in areas where the fencing is required to remain open with tubular steel fencing. Residents could have averted this costly and difficult error had their plan undergone a permit review.

The current permit fee is \$25. The current ordinance also requires four (4) sets of plans. Staff would like this reduced to one (1) set and/or an electronic submittal. Additionally, staff is proposing to remove the exemption for constructing less than 50% of a fence without a permit and is proposing a permit be required when less than 20 feet of a fence length is removed/repaired but removing the fee associated with that permit. Any fencing work that exceeds 20 feet in length will require that a permit and fees be paid to the City.

Additionally, staff is including language that states that either metal or wooden posts are required provided the wood posts are in compliance with ASTM standards. Currently the City's code only states that wood posts are required and has no standards for the wooden posts. This change would require that either metal posts are used or wooden posts that are manufactured to an industry standard. Staff hopes that over time this will reduce the need for fence maintenance within the City as the proposed poles are of a more robust construction.

At the Planning and Zoning Commission meeting on December 16, 2019 the Commission voted to unanimously approve the proposed amendments as presented. Staff recommends approval as presented.

Mayor Heidemann opened the Public Hearing at 8:11 p.m. There were no comments made. Mayor Heidemann closed the Public Hearing at 8:12 p.m.

MOTION made by Councilmember Garber to approve as presented. Seconded by Councilmember Burke.

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

MOTION CARRIED

BUSINESS AGENDA:

7. Consider and take appropriate action regarding a Resolution of the City Council proposing the creation of the City of Corinth Fire Control, Prevention, and Emergency Medical Services District, establishing a seven-member Temporary Board of Directors for the proposed District, making appointments to the Board; and providing an effective date.

Bob Hart, City Manager – this Resolution is to establish a Temporary Board in order to call an election for voters to consider whether or not to adopt a ¼ cent sales tax to fund the fire department. This is done based on SB 235 that we were able to get passed during this last Legislated Session. The seven (7) member board is required by state law and we are recommending the six (6) Councilmembers plus myself.

MOTION made by Councilmember Henderson to approve as presented. Seconded by Councilmember Johnson.

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

MOTION CARRIED

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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

Councilmember Burke – would like a brief work session item on our noise Ordinance and possibly bring some enforceability to that.

Councilmember Johnson – would like the Planning department to look at the possibility of changing our Fence Ordinance and review the status about the tubular fence, the wrought iron fence along collectors. It was there for a reason at one time but I do think we have grown passed that reason.

Councilmember Henderson – it makes me proud to live here in Corinth, the Boy Scouts had excellent questions and the staff was great and it was very interesting to me. I also would like to thank you Lowell and I have enjoyed serving with you. I also thought Amanda Scallon did a great job on her presentation.

This to me has been one of our best meetings tonight.

Mayor Heidemann thanked the staff for their presentations tonight.

Council recessed into Closed Session at 8:17 p.m.

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

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.

Council met in Closed Session from 8:17 P.M. until 8:34 P.M.

- a. Right-of-way consisting of 0.048 acres located at 6801 South I-35 E, Corinth, TX 76210.
- b. Right-of-way consisting of 0.177 acres located at 3404 Dobbs Road, Corinth, TX 76208.
- c. Right-of-way consisting of 1.56 acres located at 6881 South I-35E and along Dobbs Rd within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas.
- d. Right-of-way consisting of 0.821 acres located along Dobbs Road within the H. Garrison Survey, Abstract No. 511, within the City of Corinth, Denton County, Texas.
- e. Right-of-way consisting of 0.792 acres located at 2304 Quail Run Drive, Corinth, TX 76208.
- f. Surplus right-of-way (Texas Department of Transportation) at the four quadrants of the Interstate Highway 35E and Corinth Parkway Interchange:
 - 1. 1.6205 acres of land situated at the northwest corner of I-35 East and Corinth Pkwy. in the J.P. Walton Survey, Abstract No. 1389, the J.B. Thedford Survey, Abstract no. 1308, and the H. Garrison Survey, Abstract no. 507, located in the City of Corinth, Denton County Texas.
 - 2. 0.9491 acres of land situated at the northeast corner of I-35 East and Corinth Pkwy. in the J.P. Walton Survey, Abstract No. 1389, located in the City of Corinth, Denton County, Texas.
 - 3. 0.8728 acres of land situated at the southwest corner of I-35 East and Corinth Pkwy. in the H. Garrison Survey, Abstract No. 507, located in the City of Corinth, Denton County, Texas.
 - 4. 1.2275 acres of land situated at the southeast corner of I-35 and Corinth Pkwy. in the J.P. Walton Survey, Abstract No. 1389, located in the City of Corinth, Denton County, Texas.
- g. Potential acquisition of real property along and in adjacent to the Interstate Highway 35E Corridor for infrastructure, open space, and transit related facilities.

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

Council met in Closed Session from 8:34 P.M. until 9:25 P.M.

a. City Manager - annual performance and contract review.

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.

Council reconvened into Regular Session at 9:26 P.M.

SECTION 551.072:

- a. Right-of-way consisting of 0.048 acres located at 6801 South I-35 E, Corinth, TX 76210.**
- b. Right-of-way consisting of 0.177 acres located at 3404 Dobbs Road, Corinth, TX 76208.**

MOTION made by Councilmember Burke to authorize the City Manager to make a final offer on the acquisition of the 0.048 acres of land located on 6801 South I-35 as discussed in closed session and to authorize the City Manager to accept the landowner's offer on the sale of the 0.177 acres located at 3404 Dobbs Road, Corinth, Texas 76208. Seconded by Councilmember Garber.

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

MOTION CARRIED

Section 551.074:

a. City Manager - annual performance and contract review.

MOTION made by Councilmember Burke to approve a 3% cost of living increase and a 3% merit increase for the City Manager and direct him to bring back Goals for the upcoming evaluation year with 45 days for discussion and approval by Council. Seconded by Councilmember Garber.

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

MOTION CARRIED

ADJOURN:

Mayor Heidemann adjourned the meeting at 9:27 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____, 2020.

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 3.

City Council Regular and Workshop Session

Meeting Date: 03/05/2020
Title: February 6, 2020 Workshop Session
Submitted For: Bob Hart, City Manager
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizen Engagement & Proactive Government

Submitted By: Kim Pence, City Secretary

AGENDA ITEM

Consider and act on minutes from the February 6, 2020 Workshop Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are the minutes from the February 6, 2020 Workshop Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

RECOMMENDATION

Staff recommends approval of the February 6, 2020 Workshop Session minutes.

Attachments

Minutes

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

On this the 6th day of February 2020 the City Council of the City of Corinth, Texas met in 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:

Members Present:

Mayor Heidemann
Scott Garber, Council Member
Tina Henderson, Council Member
Lowell Johnson, Council Member
Kelly Pickens, Council Member

Members Absent:

Sam Burke, Mayor Pro Tem

Staff Members Present

Bob Hart, City Manager
Kim Pence, City Secretary
Emily Bowlin, Messer, Fort & McDonald
Patricia Adams, Messer, Fort & McDonald
Jerry Garner, Police Chief
Michael Ross, Fire Chief
Jason Alexander, Corinth Economic Development Corporation Director
Helen-Eve Liebman, Planning and Development Director
Cody Collier, Public Works Director
Ben Rodriguez, Planning and Development Manager
George Marshall, City Engineer
Brenton Copeland, Technology Services Assistant Manager
Chad Thiessen, Assistant Fire Chief
Shea Rodgers, Technology Services Communications Manager

Others Present:

Ples Schnitz, Alexander+Kienast+Schnitz
Brent Russell, VP & General Manager, Enterprise Holdings

CALL TO ORDER:

Mayor Heidemann called the meeting to order at 5:45 p.m.

WORKSHOP BUSINESS AGENDA:

1. Hold a discussion regarding Emergency Management Roles.

Bob Hart, City Manager – Chad is the Emergency Management Coordinator and we have been doing quite a bit of work in terms of having a committee. We are upgrading the training, we had our first caucus yesterday morning, with the weather as an example. We are starting to get to the season, we wanted to run through some of the expectations we would have for you in the event of an emergency.

Chad Thiessen, Assistant Fire Chief – We have a committee of 12. There are four of us on the committee who are in this room now. The diversity is important because when the disaster hits we are not going to go outside of our roles to run the disaster. You will run it from your expertise, so finance will take care of financial items and so on.

Texas Government Code, Chapter 418 requires cities to have an emergency management program. The director is the mayor. It does not mean you need to be an expert in emergency- management but you be available for us to push the level of the emergency and the disaster up through the state. The city's job is also to assign a coordinator. Our plan, our partnership in the county emergency management program, we work with the county. With a small city it doesn't make sense to make up our own plan. The plan is the same as you will see in Colleyville and other counties. Code 418-1015 is the exact code. When we have a disaster, emergency starts at the local jurisdiction and 99.9% of the time it is handled. Sometimes this is not the case with Fire, we utilize mutual aid in the interlocal agreements daily. We require help from Little Elm/Lewisville and we reciprocate that help every day. Police handle their emergencies 99% of the time. If it exceeds our local resources, we need to make a request to the state through the county judge and the mayor needs to make the request. The local Texas Department of Emergency Management and Disaster district coordinator is in Hurst, we would push it through, and he would talk to the chief out of the state operations center and then if okayed, we would get help from the state. Then it runs the disaster and all that may even get to a federal level depending on the size. You can see from the spot on the local incident, then it goes to the city or county mayor, up to the disaster district to the state, the governor signs it and if we need to get the president involved if it's big enough. Our emergency operations center locations, now that we have the public safety complex, we have that big room in the back. That is also our Emergency Operations Center. Next time you are there, there's some doors and closets on the north side of the room, you can see that there's computers and radios in case we need them during the disaster. It is it is set up and we're working on making it even better. The fire department administrative suite is where we conduct our weather operations, we can set the sirens off if we need to for weather. We meet in there and watch the radar and if we need to go bigger we can, we can we can handle some things from our office. The backup EOC used to be Lake Dallas and we just currently made this change to make it the DRC room here. It's a pretty hardened room. We may have to branch off into the work session room and the council chambers for space, Helen-Eve, we are going to use your room for back-up. We do need to have that redundancy in case something happens to the public safety complex building. If a tornado hits it makes our offices are incapacitated, we need to be able to move here.

Council responsibilities, so report to City Hall when requested. When the disaster hits, if we need you guys, we are going to send an email, text or however the manager deems that he gets a hold of you, and then he will tell you where to go. We need you to approve and amend city ordinances as maybe we need to set a curfew or maybe we need some permitting or disposal or like you said earlier, we need the mayor to sign that request for additional resources and there could be some financial approvals that we need as well. During disaster and emergency meeting requires two-hour notice so it shortens quite a bit from the days to just a couple hours. We are also working on NIMS training. We are going to start requiring training and everybody is going to be retrained. It is required by law that our employees have certain training, so we have decided that all city staff from top to bottom is going to have 100, 200, 700 and 800 as a minimum. It is probably a little overboard, but that's okay. It is easier get everybody to do it instead of trying to handpick who is going to do what. The directors and assistant directors will have to take ICS 300, that is not an

online course, it is a hands-on or an in-classroom course. The EOC staff and maybe some additional directors would have to take the 400. There's a lot of additional classes that we saw out of a pamphlet and different departments will need to take different trainings. Any questions?

Mayor Heidemann - I'm happy to see that you're taking a proactive approach to doing this because we have been fortunate that we have never had a disaster at this point. It sounds like training and making everybody aware of what their roles are in this process. Thank you for taking the time and the effort.

2. Receive a report and hold a discussion on Technology Services policies and procedures.

Bob Hart, City Manager – This is from when we did the audit about two months ago. We want to do this and bring it back to you for some action in the next couple of meetings.

Shea Rodgers, Technology Services Communications Manager – I want to go over some of these policies, procedures that were put in front of you. I will give you a disclaimer that some of this stuff can go pretty in depth and get a little technical so I'm going to hit it at a pretty high level. Last year, we entered into an agreement with Fulcrum to provide us with a cyber security audit and assessment that was completed in November. You will recall one of the big things that we got hit on was a lack of policies, procedures, documentation so in addition to addressing some of the technical aspects that were reflected in that report, we've been pretty busy putting pen to paper to go over these policies. To clarify again, we are not asking you to decide on anything tonight, this is more just an informational item and then we anticipate it being on the agenda for the 20th, for you all to vote on provided you don't have any problems or questions. We will return in likely April to get a more formal update to the Fulcrum process, how far along we are in rectifying some of the issues and then again, probably sometime before six months. First, we have the incident response plan, and it's great that we're doing it tonight on the heels of the emergency management presentation because this is essentially the same thing. It operates a lot of the same way, it's just a different type of disaster, sort of natural disaster terrorist event, something like that. This is a cyber disaster. This is designed to help us mitigate the effects if something bad were to happen. The term that I'm sure the marketing folks came up with is adverse computer event. What does that mean? That's a breach of sensitive information, we have lost money, there's ransomware. In case it happens, we have this incident response plan in place to help guide us through it. It identifies an Incident Response Team, about six to eight people who are given narrow roles and responsibilities so that we don't have 10 people working on one problem and nobody working on the 99 other problems that are happening. It is supposed to guide us through, tell us how we're supposed to respond, whom to notify, etc. At the conclusion we have a report. One thing I think that gets neglected frequently is learning from these events, when a city has an adverse computer event, they'll likely want to keep it somewhat private. It's embarrassing, you don't want it out there. But the more we collaborate, the more we can learn, we can learn from other cities. We want to make sure that that's available for ourselves and for other cities. What this policy and really all the other policies and directives that we're offering to do is to highlight the end user's roles and responsibilities here. The human element is always the most easily exploitable element in the cyber security chain. They are the weakest link and so we figure the more that we educate users the more vigilant they will become. That is kind of the idea of Texas House Bill 3034 that we talked about last workshop where everyone is having to go through a new cyber security training. To be vocal about it, is see something, say something. Mr. Hart, when we were discussing this brought up Title

Nine for higher education, part of that says, even if you overhear something that would be in violation of Title Nine, you then are responsible for forwarding that information along the can't just sit on that information. If I overhear something about a data breach or a phishing attempt, a failed phishing attempt, even if it doesn't involve me, I'm now obligated to report that on it. It gives some teeth too if an individual who is responsible for an adverse computer event as a part of discipline.

Mayor Heidemann - If you get an email and you're suspicious of that email, is your process, don't open it and we send it to you?

Shea Rodgers, Technology Services Communications Manager – Absolutely, if you see an email and you're sure that it's phishing, you can delete it right away. We don't necessarily need to see it, if you're completely sure that it is. If you ever need verification, you can always forward it to myself to TechnologyServices@CityofCorinth.com and we can help verify that for you. In fact, we laud users for doing that, instead of assuming on their own behalf. In fact, Mr. Hart had a pretty suspicious email sent today and we verify that no, it was just a phishing attempt. It happens all the time and yes, I always tell users, I would gladly clear a million legitimate emails and let one slip through.

Mayor Heidemann - That would be on our iPads, right?

Shea Rodgers, Technology Services Communications Manager – Yes, you can for it to me or Brenton, technology services. We have kind of condensed five policies down into one for the sake of brevity and the first one of those Technology Services MDA, that's section 3.1. This is applicable only to Technology Services staff, obviously, but being in technology services, obviously we have access to a lot of different types of information, sensitive information, and so this kind of outlines our roles and responsibilities. Some of those include treating all information as private or confidential until told otherwise, limiting access to information so if a user from department A has requested information from department B through us, we have to get approval from the department B. They are the data owners. Finally, just because I, as the technology services manager can read all files stored on our server doesn't mean that I should be able to and so without a valid business purpose, I can't go rooting around through your email or something like that. The section of the policy kind of highlights all of that. Secure data procedures, we didn't want to really rewrite everything. There are data frameworks in place to protect different types of sensitive information, so we have PCI guidelines that covers how to treat information for like credit cards and financial information. We have HIPAA laws, which protect health information, sieges for criminal justice, there are all these frameworks in place that detail exactly how you're supposed to handle this information. We didn't necessarily want to duplicate that, but we wanted to hit some unifying aspects of them all and kind of reinforced them through this policy. One of those aspects is physical security, this idea that you don't have computers in public areas that have sensitive information so that anyone can walk up off the street and start using, that you lock an office when not in use at least lock the computer. We don't store files of sensitive information on local computers, for those on a server. We don't write credit card numbers on post it and stick it under our keyboard. Those are all big no's and this this section of policy is to highlight how we're supposed to be treating the sensitive data. Technology disposal, we already have a surplus auction disposal procedure in our purchasing policy but it's lacking when it comes to dealing with technology. We've been informally following this policy where if piece of technology a computer,

laptop, tablet, cell phone reaches the end of its life, it's given back to technology services, who then verifies all data on it has been destroyed and then goes through the disposal process. This policy just kind of codifies that. We will receive it, we will, either through software, the department of defense has a protocol that can wipe data and verify that it was destroyed, becomes irreparable or be physically destroyed, the medium is stored on hard drive. Additionally, a lot of technology has chemical elements that need to be disposed of in an ecologically friendly way, we can't just throw a monitor out into the dumpster. Or let CWD deal with it, we must recycle it properly. Internet monitoring and filtering, this is something that should be apparent to all employees regardless of organization. What you do on city computers on the city network is transparent, that at any point a supervisor may request of technology services, to know what websites you've been visiting for how long. Additionally, it gives technology services the right to block different types of websites. We have software that categorizes websites and then block by an entire category. Finally, and most importantly, this vendor third party access policy. We see frequently that vendors are a weak link in the security chain. For example, several years ago Target had a big breach. During the autopsy of the event, they found out that the bad guys got in through the AC system, which is managed by a third party. Third Party wasn't doing their bit to keep security up and so that is a glaring hole. We always like these turnkey operations where we can just say, hey, build this out for me, hand it over, set it and forget it, style job. This section of the policy is meant to highlight that cyber security is active and continuous, that we can just turn it over to third parties and be sure that they're handling it. This happens frequently where third parties will want blanket access, carte blanche, where they can connect to our servers or workstations at any time in order to troubleshoot problem. We cannot do that. In fact, they have to be invited in by city a staff member and then a city staff member, ideally, someone from technology services, will then almost babysit them to make sure that what they're doing is not compromising security, it is frustratingly common that someone from a third party, you know, trying to troubleshoot something to say, hey, turn off the firewall or something like that. It's something that we've put in place to help protect us and instead of trying to work through the problem, they're just their first go to is to just kill it. We must approve all system changes and be with them while they're working on our working our equipment either physically or remotely. And finally, no data is to leave our network without use being aware. There are business purposes where, yes, we will exfiltrate data to a vendor, but we make sure to do it in such a way that it's secure, it's not transmitting in plain text and nothing is compromised. I'll be glad to answer any questions.

Mayor Heidemann - As we start getting more, where citizens are going to be able to monitor their water meters, all this type stuff that we're providing for the residents, is that all part of this pertaining to your security?

Shea Rodgers, Technology Services Communications Manager – It does particularly the aspects of the water meter readings is done completely independent of city of Corinth's equipment. It's completely hosted in the cloud. That doesn't completely absolve us of any sort of responsibility, but nothing is physically being stored here. However, the permanent software is and so when we start opening that up to the world, we must take extra special care to make sure that those systems are hardened and that best practices are being followed. Does that answer your question?

Mayor Heidemann - Thank you very much, appreciate your input.

3. Hold a discussion regarding the performance goals for the City Manager for 2020-21.

Bob Hart, City Manager – I hope you had a chance to review the performance goals. Following the same format, this is really pulling items out of the budget and we had a staff discussion as well. I think this is reflective of the direction that you've provided, and I want to provide it for you so that we could review and get a consensus on it and then early next year I would be reporting back.

Scott Garber, Council Member - I read through it a couple times and I know that we're working on a fairly substantial number of things. Is there anything we feel that we're doing that was left off this list?

Bob Hart, City Manager – I don't think so, I have tried to stay at a fairly high level because there's a lot of elements, obviously, that tie into all of this. The cybersecurity is included, all of this is in the middle of being underway. Over the summer, we'll be starting to get ready for the next legislative session, try to pick that up.

Scott Garber, Council Member – Some of these, there doesn't appear to be a good measurement.

Bob Hart, City Manager – We will be discussing all of it. We will be getting Lynn Stucky back, TML will have some committee work going on this summer, we will be getting involved in that. Once you get started with TML, then some of what we need to measure will get more apparent. I don't know quite how to do that beyond. Until you know who the speakers are and the committee chairs.

Scott Garber, Council Member – Do you foresee us speaking at the state level on some items that would affect us?

Bob Hart, City Manager – We tentatively have it scheduled the first meeting in March, to talk through about five or six items. Part of the debate is on sales tax, the comptrollers redefining that, I think that is going to be good for us. If you go back, when Susan Combs was comptroller, she changed a lot of the rules. I think that has caused some of this now. Hagar is trying to go back to some of those earlier standards. There will be some winners and losers, I think we will win a little, but I do think it is a better playing field, some others will be a huge loser in it. San Marcos is setup so that anytime you buy from Best Buy, the sales tax goes to San Marcos, but they rebate half or three quarters of it back to Best Buy. I'm not sure that's good public policy to let one city collect all the sales tax and give it away. Coppell has done that with Amazon. I had an interesting visit with the Texas Association of taxpayers the other day, going back through all the background and the history of chapter 380 because that is what gets lumped into that and I reminded him that chapter 380 was passed before we had a ½ cent sales tax for economic development so the whole intent of that wasn't tied to that sales tax and that is how it gets painted right now. That is an example, but I think we need to talk to Lynn Stucky about that for sure. There's going to be a pretty serious assault on economic development practices. There's that there's a lot of talk about doing away with the sales tax for economic development shifting it schools. There is still the perception by the state that cities have a real anti-business attitude and so the state should preempt a lot of our regulatory ordinances. Those are the things that we want to talk about.

Scott Garber, Council Member – Our involvement would be defined as meetings with our state representative and perhaps getting the city of Corinth's voice on record at the state either in support or opposition.

Bob Hart, City Manager – Yes and I would think we would probably want to focus on about four, five or six items and communicate that clearly. If you look those interim charges, they are lots of paychecks.

Scott Garber, Council Member – That could be huge bullet point, this next year. Yeah, that's my point.

Bob Hart, City Manager – It's kind of one sentence there. I think the dust will start to clear after the March 3rd primary.

Scott Garber, Council Member – Everything else looks good.

Bob Hart, City Manager – The Youth Advisory Council, that kick off next fall. There is a whole lot of points on here. I don't want to cast it all in concrete today. If things change and emerge, we can adjust it.

Mayor Heidemann – You have a consensus. You may want to have a conversation with Mr. Burke.

Bob Hart, City Manager – I did today, and he was comfortable with what we had.

4. Receive a report, hold a discussion and provide staff direction on the creation of the Fire Control, Prevention, and Emergency Medical District.

Bob Hart, City Manager – We had intended to have a discussion here and then going through the statute, so forth, you actually have to have a public hearing, we had to have a publication so we need to have a meeting a week from tonight so that you can have the public hearing on the fire district budget. We can take care of those actions and the with the idea of discussing the rental car tax, then we can call that election. The reason for doing it, we got to get some publications in place and those have been done now, for the 13th meeting, but you have to have that election called before the 14th. Thursday is the day we can do it. I think we'll need about 15 minutes of your time so if we can meet here at 6:00p.m., I think we can have you out at 6:15p.m. We will have a meeting of the fire district board and the council.

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.

Bob Hart, City Manager – I have had some questions from some of you on number three, four, a few on five and a comment on eight. Cody, you are the first one up with RG3.

Cody Collier, Public Works Director - The basis of what we are doing, a lot of the things we purchased RG3, are for the total of about \$85,000. They all normal operating expenses that was budgeted and planned for, inspected the software, additional transponders for the new houses and

new businesses for new equipment going in the ground. The only difference that that was not planned was the \$40,000 for the additional 16, AMI collector towers that was unexpected but when we did the propagation study three and a half years ago for the radio communication, that 900-megahertz bandwidth was not heavily utilized. Since then Oncor utilizes the same bandwidth and the same technology to transmit their signals for their meter. They are basically doing the exact same thing we are doing with water meters for their electrical service. There is a lot of interference on a 900-megahertz bandwidth so it's cutting out our ability to communicate. RG3 has come in and did a propagation study; they talked with Oncor to try to get Oncor to reduce theirs, they broadcast continuously. They tried to see if they could get them to do an off time but Oncor won't do that and they don't have to so we had to put in some additional towers because it closed our range of communicating and transmitting ability from the water meter to the tower. Understanding that this wasn't anything of Corinth's fault, we didn't do anything wrong, we thought we had a set system to go and understanding this certainly wasn't necessarily his responsibility or fault either. He did work and cut the price all the way down and basically his installation costs for those towers, for all the components and everything to put them up, that \$40,000 in additional towers is the bulk of it and the remainder of the other \$45,000 roughly is normal operating expenses. Things are already budgeted for, prepared for and are expected to happen. The repair of one of the devices that attaches to the laptop malfunctioned, it had to be repaired but everything else was normal operating wear and tear that you expect to happen in addition to the system. If you have any specific questions, I'd be happy to address any of those.

Tina Henderson, Council Member – How many of those poles did we put in, for the 40,000?

Cody Collier, Public Works Director – We added 16, we had 20, so we have 36, total.

Tina Henderson, Council Member – The 16 made the \$40,000? The one on Robinson and Oakmont, that will get hit eventually. What will our cost be for that? There are wrecks there all the time, in that area.

Cody Collier, Public Works Director – Assuming it was a total loss, that pole is probably going to cost \$3,000-\$3,200, somewhere in the ballpark is what it costs. We did install bollards that are four feet in the ground and concrete steel so if somebody gets past that to hit them, that would be a tremendous impact. We have the bollards in place to protect the pole from the collision, so that should prevent it from happening.

Scott Garber, Council Member – The additional 16 towers, are they going to be installed on the stop signs?

Cody Collier, Public Works Director – They are already up there. Yes, when diagnosing we had a lot of communication problems we had been sharing with council. We had some that weren't communicating, and the owner of the company came down and he was here for about a month and doing a lot of propagation studies. That is when he identified.

Scott Garber, Council Member – He thought it was an elevation issue at first, but apparently it was miscommunication because of too much traffic.

Cody Collier, Public Works Director – Yes, that 900-megahertz bandwidth, it's not an FCC

licensed channel so a lot of people communicate on that bandwidth. When they originally did their propagation study, there wasn't a lot of traffic on it. Since Oncor and other people are on it, it's just like talking in a room full of people talking. You have to get closer to them to hear them and that's basically what's happening with the radio bandwidth.

Mayor Heidemann – Do you perceive with more people wanting to use that type of technology, that we are going to have to keep increasing the number of these towers?

Cody Collier, Public Works Director – No it's not going to be that severe. To give you an idea of how much noise there is here, obviously, there's a lot of factors that factor into radio signals. If you have a steel lid or a concrete box, a mailbox, if a car parks over it, you're lose your signal. During the summertime, when leaves return to the trees, you may drop a little bit of a signal and we are going to wait until summertime and we're not expecting that. To put in perspective, this gentleman has the same product out west somewhere near the desert where it's flat, dry, there's no interference, and his tower can pick up one of his radio transponders 18 miles away. When you get in town, a lot of topography, a lot of moisture, a lot of interference houses, vehicles, and then you add in the interference at 900-megahertz bandwidth, you quickly see how much interference there is just in a city environment. Will we have to add more? I don't anticipate that now, if it comes later, possibly. It certainly won't be many we are talking potentially one or two poles, nothing like what we have had to do. At this time, I don't see it being an issue to be concerned with, if we did I would have the exact same agreement that I have with him now where he is going to give it to us at cost.

Kelly Pickens, Council Member – What is the radius now that the signal is reaching now with a good signal?

Cody Collier, Public Works Director – Some of them will have a power pick up a transport, depending on topography, we will have some of them pick one up three quarters of a mile to a mile away. Some of them they're not picking up a quarter of a mile away. It depends on if it is sitting next to one of the transmitters from Oncor, that bandwidth is just blasted constantly. You might also have an area like Amity Village, which is a low-lying area and then you have a couple houses in the way. There are little things that happen here and there; some of you can pick up from a mile away and some of them had to set another tower within a quarter mile of each other.

Kelly Pickens, Council Member – You just filled in the gaps.

Cody Collier, Public Works Director – Yes, he took his truck and put a mounted antenna on it and he physically drove his truck and he would become a collector himself. He could watch and he would ping the system and see how many hits he was getting back and he would note that the GPS coordinate. He would drive a block up the road, hit it again and what you do is you just average it out, every time I move up, I would get a few more. If I move another block, it started dropping some, so we are going put a tower because this is the most collectible area.

Kelly Pickens, Council Member – You think that they have filled in most of the gaps.

Cody Collier, Public Works Director – Yes and the reason we are bringing this to council is

by for policy. We are letting you know that additional purchases.

Helen-Eve Liebman, Planning and Development Director - I was asked to address a few questions specifically related to the SUP or planned development for Enterprise Rent-a-Car. The reason we chose the PD, the plan development district route is one of the components that they want to do there is the used car sales that's not permitted at all in the C-2 district by right or a SUP which is why we chose that. Also, we have worked with the applicants in improved items for the site development, such as some landscape buffers along the concrete drive and adjacent to the residential area and limiting the ingress/egress to Pecan Creek. We couldn't require those items if it was straight zoned so that is why the planned development district allows for us to kind of work with them to be able to find the best use of the property and being sensitive to the neighbors adjacent to them. Another one of the items had to do with some of the lighting standards. They are complying with our lighting standards, but they have asked for a few exceptions that are highly appropriate for this particular use. One of the items is keeping the lights on an hour after close, we don't regulate business hours, so they could be open 24/7. Our base code allows 25% of the lights to be on at full blast during those off hours, so they're working with us and within our code. They are also reducing the amount of the foot candles and spillage at the property line and less than what our code requires, so that is a benefit to the residential areas as well. I was asked to identify the benefits; the first thing would be an increase in ad valorem property tax because it will be developed and in use with a nice state of the art facility. They will bring consumers to our area and use other businesses and restaurants in the community, there will be a job creation. Some of the other uses we have been approached for in this particular property or mini warehouse and multifamily and obviously those would not create jobs that this particular use would. There is the potential for the rental vehicle taxes that is on your agenda this evening as well as next week. Planning can produce a document that says what use needs to go there or what uses couldn't go there. The C-2 district has more of a moderate commercial retail district. C-1 is the most restrictive so this is the middle one and C-3 allows for a lot more uses. The uses in this C-2 district base district or more singular in nature, like pads or in strip centers. For a larger user to use the entire site, or a larger portion of the site, it would be a more intense use and we would have concerns for that type of use with it being so close to residential areas. The last question had to do with the amount of water they might use. I have worked with their consultant who has been very responsive through this whole process. It is great to have someone with that much knowledge and be able to get back to us as quick as possible. He has told us that the wash facility would probably service about 50 cars a day, around 34 gallons per cars. This is not a public facility, like a commercial carwash so it is not as intense, and they are also not regulated by a requirement of reused water. There is a lot of impervious cover on the site so there is less landscape to be watered. You can kind of say there might be a wash, no pun intended, between the landscaping irrigation and the truck wash.

Ples Schnitz, Alexander+Kienast+Schnitz - Yes, we plan to mitigate that water we are using which is about 1,700 gallons a day in wash building by using all drought resistant planting out in front of the building. We use more traditional planting along Pecan Creek to make it kind of more compatible with residential area. Out front we are using no ground cover. We are using gravel, decomposed granite, all drought resistant trees and shrubs and everything will be point irrigated. We will mitigate any amount of water we spend in that car wash just by doing that.

Tina Henderson, Council Member – Did you say C-2 did not allow used car sales and you are

wanting to change it?

Helen-Eve Liebman, Planning and Development Director - Yes, they want to have three uses here. They want to be able to lease cars, lease trucks, box trucks and have the used car sales. It works all together as all three and we have worked with them, as well as well as with our attorney to ensure that if this deal does not go through with them that someone else cannot come in there and put a used car sales lot on the entire property.

Tina Henderson, Council Member – Can we have rental cars but not car sales? I thought that property was not going to be car sales lot. The car rental is great, but it seems like we are going against what we said If we allow the car sales.

Helen-Eve Liebman, Planning and Development Director - It was my understanding that they would like to do all three and that all three had proven to be successful in other communities such as Fort Worth, Plano. Is it Arlington?

Ples Schnitz, Alexander+Kienast+Schnitz - Alliance.

Helen-Eve Liebman, Planning and Development Director - The concept works with all three uses and staff had the same concern with solitary uses but as it's all put together, it does make sense for this property.

Scott Garber, Council Member – Are the used vehicles that are being sold the ones that you would be leasing? Or are you purchasing vehicles that will be sold?

Brent Russell, VP & General Manager, Enterprise Holdings – There are vehicles that come out of our rental fleet. We will rent them, from six months to maybe a year or two. They are all our previously owned cars. They will go through a 109-point inspection, we are very concerned with brand and safety. They are all very well kept, very nice cars. One of the things that came up in discussion was do we take trade ins. We do take trades as just as a service but it's not very frequent that we turn around and sell those trades on our lot. Just to drive home the point of quality, we agreed that we will not resell trades that were more than four years and they also would have to meet all the existing requirements that we have on our fleet. Just as a sense of comparison, the average used car driving around the metroplex is about 10 to 11 years old. The cars that we are going to be reselling, they are previously our cars, they are very well kept. We own more cars than anybody in the world, but we only sell about 15% of retail. The irony here is many of the used cars you see at other car lots were once Enterprise cars.

Ples Schnitz, Alexander+Kienast+Schnitz – Just a point of clarification for the council members, C-2 allows used car sales in conjunction with new car sales and they don't sell new cars. The distinction is not car sales in general, it's just used car sales.

Kelly Pickens, Council Member – What's the clarification on the agreement made when Huffines moved locations because that was my understanding too that, their previous location would not be another car lot, that it would be used in another capacity. So, what is the clarification and justification on now letting car sales go on that property? I understood that the property would not be used in that manner.

Helen-Eve Liebman, Planning and Development Director - You're not alone. We included the agreement in the packet and it was a voluntary agreement where Huffines gave up their legally non-conforming rights to this site, which means they would be vacating their business to go into the other business but that they could not claim that they had the ability to do their Huffines in that location. It was never deed restricted that there could never ever be any car sales or auto related uses on that property. It just said they were giving up their non-conforming rights.

Kelly Pickens, Council Member – I guess my question is, is that's how I understood it and like you said a lot of other people understood it so when the city got behind Huffines moving to that new location, it was with the understanding that we wouldn't have now, an additional car lot.

Helen-Eve Liebman, Planning and Development Director – Right and I'm pretty sure the agreement does say in the very end, that it does not prohibit the planning and zoning commission or city council from considering a new application and that's what this is, it's a new zoning request for these uses. It's a whole new facility. They're not trying to use anything that was already there because its non-conforming.

Lowell Johnson, Council Member - There's four of us sitting on this council today that understood that assurance and presented that assurance to the public. That was not going to happen. Carmax, immediately after, the Huffines event, decided they wanted to buy the property between Gunn and Huffines to sell used automobiles. They eventually went to Denton, but it was under that same assurance, understanding that we weren't going to let that happen because we didn't want any more automobile businesses on the I-35 corridor because there were plenty in Denton already. I have another question related to this, is this business in the TIRZ? I cannot remember exactly how the lines are, so if we allow them to do this and they buy this property, that sets the value for that property for the length of the TIRZ, correct? The city can collect ad valorem taxes versus the increase in value that goes to the TIRZ, is that correct?

Bob Hart, City Manager – With the improvements they are going to be tearing down the buildings in rebuilding and so you are going to go back to the value that was set on January 1 of this year which is essentially a vacant used so that on January 1 in the next couple of years, you will have Enterprise there and so you will have that incremental value of what they have built. That is what goes back into the TIRZ.

Lowell Johnson, Council Member - But it doesn't go back into the general fund, correct? Does it stay that way for the life of the TIRZ? Does it not? Any other incremental value that they have, that they gang on that property goes into the TIRZ?

Bob Hart, City Manager – That's correct.

Lowell Johnson, Council Member – Okay, so right now, at January 2019, the value of that property was \$2,300,000 on tax rolls, when I looked it up. There are three tracks that were involved in that. Do the math, that's \$12,000 something dollars, that will be going into the general fund out of their total tax for 30 something years. If they increase their value, a whole bunch, there is only \$12,000 going into the general fund, the rest of it goes in the TIRZ. Just think about that as we process this through. We made promises to a whole bunch of citizens that we won't let

that happen and the argument of location being a factor that that's the only thing could ever go there, we don't know that. It is a mile from the exit, I understand that. There are some other mitigating factors that go with that, but we don't know that and if there's a sales tax generating business that comes in there, the 2% that they generate off a \$5 million in sales let's say or a group that generates \$100,000 a year. I have no idea how many real cars you guys are going to lease but that rental car tax is bracket, isn't it? We can't just use it the general fund doesn't it go to specific items.

Bob Hart, City Manager – It will go to and that is also what you have on the agenda it would go in and support the transit-oriented development area and the amphitheater.

Lowell Johnson, Council Member – So it is not going into the general fund, it is going into a special fund. Okay and then vehicle inventory tax would go the same way, which is the sales stuff, the quotes, the property tax that we collect off the car when its sold. Is it going into the TIRZ also, your vehicle inventory tax, that everybody pays when they buy a car? It's a percentage on personal property that goes to the county and then the county rebates it.

Bob Hart, City Manager – The TIF would only collect on the ad valorem tax. The extra taxes that you are talking about, yes that would go to the general fund.

Jason Alexander, Corinth Economic Development Corporation Director - Correct because the TIRZ is only tied to the property tax increases.

Lowell Johnson, Council Member – So and we know from experience that our other dealers in town, that the vehicle inventory tax is not a huge number. Bill Utter I think is our champion, and it's not a lot of money.

Bob Hart, City Manager – I think what we were looking at, when this comes came up, one is, this does help with the TOD effort and anything we can do to take pressure off the TIF, to divert money into the into the TOD, so it's a supplemental, then that becomes important. In dealing with the 10 or 12 acres that we have targeted. That adds quite a bit of value for us. The other issue is what happens with the property, the inquiries that we are getting, and this has been for a couple years, the economy's decent. It's all around multifamily housing and we do not think that is a good place for that yet. Or, the mini warehouse, we do not want to see that. You start to kind of back into this and this seemed like a really good use from a staff perspective. We felt like it would add value to what we are trying to do within the TIF and within the TOD.

Lowell Johnson, Council Member – But we don't, again, you don't know what you don't know. You can't predict the future.

Bob Hart, City Manager – That's exactly right and I do agree with that, but I do know who's coming in and asking.

Lowell Johnson, Council Member – Have we had any mini warehouses come in and want to do a development there?

Helen-Eve Liebman, Planning and Development Director – Yes sir.

Lowell Johnson, Council Member – Where is that in the process?

Helen-Eve Liebman, Planning and Development Director – We are looking for tax generating, any type of commercial bringing folks in, that is the type use we are looking for. It wasn't just this site it is all along I35.

Lowell Johnson, Council Member – We have turned them away before.

Kelly Pickens, Council Member – Who is at Bill Utter now? Would they still stay there?

Mayor Heidemann – Hertz.

Brent Russell, VP & General Manager, Enterprise Holdings – We actually work with Bill Utter. We work out of a satellite location; we support it from a location at James Woods and then also from a location at Caliber.

Kelly Pickens, Council Member – Would you keep them there? Or would you have them all go into the central unit?

Brent Russell, VP & General Manager, Enterprise Holdings – We will use this central facility.

Kelly Pickens, Council Member – So we are not adding to the rental car necessarily, because we are taking away the rental capacity that you have at Bill Utter now and so we are not adding we are just consolidating.

Brent Russell, VP & General Manager, Enterprise Holdings – We are trying to consolidate and better support it, if you will. As it was a satellite at Bill Utter at Caliber and at James Woods, it is hard to provide the services and the support because you have your people, your staff and your car scattered all over the place. We would have in one central place

Kelly Pickens, Council Member – Okay, got it.

Mayor Heidemann – Any other questions? Thank you very much appreciate your input.

Bob Hart, City Manager – Item five, I just want to make sure that is for trees that are on public property, it is a little bit of a clean-up so we can do the Tree City, USA. And then on item eight, Patricia is providing a motion for, presumably for Sam to make. It will follow the tradition so to speak, just to say that you would have actually taken action not to place the street tax on the ballot and that you actually had a vote to do that not just a consensus. Within the way we have talked about it in the workshop.

Patricia Adams, Messer, Fort & McDonald - The issue is a decision has never been made not to call that election and so we are at the point now where you either call it or you let it lapse. If you let it lapse, then it is going to be a year from the expiration before you could have another election to reinstitute it. Staff has told you that was kind of the plan, and you have not raised any

real objection to that, but we have not yet had that decision. That is the purpose for that, so you can look at that and decide that yes, you are good with that being renewed. It's not that you could never renew it but there is a year waiting period before it expires.

Tina Henderson, Council Member – You're confident that if we do that, our streets are going to have the budget and the money for our streets if we are taking that away from our streets?

Bob Hart, City Manager – We are going to have to have a revenue stream going back through that, Lee Ann and I are talking about bringing to you, a portion of the sales tax dedicated to that or perhaps the franchise is dedicated to it or some combination. But the idea is we would we bring in the ½ cent and the issue is where does it go. If it goes to fire it does free up some capacity somewhere else but in our looking at how do you think about putting together financial plan to deal with SB2. I think this gives us a little greater flexibility, but we are going to have to turn around and shift on the streets. I am concerned about it; we must identify the funds to go back and do that. What I'm looking at suggesting to you is if we dedicate a penny or two on the property tax plus a part of the franchise fees and that has been our early discussions. The sales tax is going to be important for us particularly if the contract is not renewed, then that sales tax becomes valuable and that's part of the way SB2 is read.

Lowell Johnson, Council Member – How much are we losing in franchise tax?

Bob Hart, City Manager – Right now we are probably not going to lose more than about \$60,000. Our initial guess was quite a bit more but that is what it appears. We are just now kind of in that point of when we are starting to get the reporting, under the legislature.

Lowell Johnson, Council Member – And how much does ¼ cent maintenance bring in for street maintenance last year? \$250,000 or something like that.

Bob Hart, City Manager – I think it is closer to \$400,000.

Tina Henderson, Council Member – It scares me because it doesn't matter what we have in our city, if our streets aren't good and we can't take care of them then everything deteriorates. We can have all types of entertainment, but we have to have streets in good condition to get you there.

There was no Closed Session.

CLOSED SESSION

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

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.

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

ADJOURN:

Mayor Heidemann adjourned the meeting at 6:54 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____, 2019.

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 4.

City Council Regular and Workshop Session

Meeting Date: 03/05/2020

Title: February 6, 2020 Regular Session

Submitted For: Bob Hart, City Manager

Submitted By: Kim Pence, City Secretary

City Manager Review: Approval: Bob Hart, City Manager

Strategic Goals: Regional Cooperation

AGENDA ITEM

Consider and act on the minutes from February 6, 2020 Regular Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are the minutes from the February 6, 2020 Regular Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

RECOMMENDATION

Staff recommends approval of the February 6, 2020 Regular Session minutes.

Attachments

Minutes

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

On this the 6th day of February 2020 the City Council of the City of Corinth, Texas met in Regular Session at the Corinth City Hall at 7:00 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

Members Present:

Mayor Heidemann
Sam Burke, Mayor Pro Tem, Arrived at 7:30 p.m.
Scott Garber, Council Member
Lowell Johnson, Council Member
Tina Henderson, Council Member
Kelly Pickens, Council Member

Members Absent:

None

Staff Members Present

Bob Hart, City Manager
Kim Pence, City Secretary
Jerry Garner, Chief of Police
Patricia Adams, Rockefeller, & Fort
Helen-Eve Liebman, Planning and Development Director
Ben Rodriguez, Planning and Development Manager
George Marshall, City Engineer
Jason Alexander, Economic Development Corporation Director
Brenton Copeland, Technology Services Assistant Manager

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

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

CONSENT AGENDA

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

1. Consider and act on minutes from the January 9, 2020 Workshop Session.
2. Consider and act on minutes from the January 9, 2020 Regular Session.
3. Consider approval of RG3 metering system infrastructure costs and annual software renewal expenditure.

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

AYES: Burke, Garber, Johnson, 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 Citizens Comments made.

PUBLIC HEARING:

- 4. The Corinth City Council will hold a public hearing, consider testimony, and act upon an Ordinance amending the zoning classification from C-2, Commercial to PD, Planned Development with a base district of C-2, Commercial on an ±7.12 acre tract of land legally described as Block 1, Lots 6-A1, 6-B1, and 6-C1 of the Pecan Creek Subdivision, and is situated in the William Garrison Survey, Abstract 1545 within the City of Corinth, Denton County, Texas and is more commonly known as 5150 SI-35E, Corinth, TX.(Enterprise PD Zoning).**

Helen-Eve Liebman, Planning and Development Director - The applicant is requesting a Planned Development district to facilitate the development of a pick-up truck, car, and truck rental facility with associated used car sales.

The facility will house three (3) different but related uses, including pick-up truck and car rentals, box/flatbed truck rentals and used car sales. The applicant intends to demolish the existing structures and build a new facility to suit their specific needs and is intended to reflect similar facilities Enterprise has within the metroplex in both Plano and Southlake.

Additionally, the applicant is providing additional landscaping buffers and vegetation than what would be normally required under the Unified Development Code in an effort to mitigate any impact of any facility on the surrounding neighborhoods and proposed to maintain the wood fence that is there.

Staff has added language to the Planned Development that would prohibit the use of the property by a stand-alone used car dealership by stating that used car sales must be in conjunction with auto and truck rentals. Finally, staff has included language that limits the age of used cars sold on-site to the previous four (4) model years, with all other vehicles being sold off-site. Staff believes this language will help ensure that a quality inventory of cars is on-site.

The property is the location of the former Huffines Kia/Subaru dealership and has been vacant since Huffines moved to their new location on IH35 in February 2019. At the time Huffines was going through the process of zoning for their new location the owners for this tract filed an affidavit of release of nonconforming land use with Denton County. This rezoning application does not claim any nonconforming land use rights as it is a new zoning application for consideration, and the affidavit did not restrict the Planning and Zoning Commission or City Council from reinstating that use on the property.

Additionally, the property is in a less than ideal location with access being a challenging factor for the use

of the land by other commercial users, as one must Exit IH35 in Denton over a mile away in order to access this site. The limited access makes the location less than ideal for other non-residential uses such as retail, restaurants or offices. Due to the limited access the use of the property is mostly viable to those uses which do not need direct access such as mini-storage, multi-family, or car dealerships.

Since access to the location is limited staff believes that the applicant's proposal represents an appropriate use for the property.

Public notices were mailed to all residents within 200 feet of the proposed change on January 8, 2020. At the time of packet creation there were no letters in support or in opposition to the proposed change.

Notice of the public hearing was published in the January 12, 2020 edition of the Denton Record Chronicle.

The Comprehensive Plan designates the future land use of this area as Commercial and the proposal complies with the City's Comprehensive Plan.

At the Planning and Zoning Commission meeting on January 27, 2020 the Commission voted to unanimously recommend approval on the condition that regulations be added prohibiting the use of outdoor speakers on the property. That regulation has been added to the proposed ordinance included in this packet.

It also came up at the Planning and Zoning Commission meeting that residents would like to see the trees remain. The applicant has done a tree survey and is working to preserve as many of those as possible.

Staff recommends approval as presented.

Plez Schnitz, Schnitz Architect, Dallas, Texas - Helen-Eve did an excellent job of explaining what we are trying to do. There are times that commercial interests collide with residential interests particularly on freeway property. We were very careful when we planned the layout of this to protect the interest of our residential neighbors. Some of the other aspects that are not so clearly seen in the site layout is the operations facility. There are two distinct operators in this facility, one is leasing leg and one is the sales leg. The leasing leg is open from 7 am until 7 pm and we were careful to put all their activities behind the building in between the residential lots and the building so at 7 pm all activity stops the lights go down and we try to create a quiet dark environment back there.

All the sales are open from 10 am, until 10 pm and that activity is on the other side of the building so we are taken every opportunity we could to mitigate that collision I spoke of. One thing we did fail to notice, we added additional buffer behind the lots on Aspen Street but Helen – Eve reminded me we would have to put a masonry concrete wall there, and we are prepared to do that.

Councilmember Henderson – would you consider still coming in with the car rental but not the car sales?

Brent Russell, Enterprise Representative – given the size of the property and the scope of the project economically, we would not be able to make it the project without all three business lines in production.

Mayor Heidemann opened the Public Hearing at 7:28 p.m.

Ben Priddy, 2403 Aspen Street – the masonry wall was part of our main concern and that is going to be there. I would request that it be an 8 foot versus the 6ft.

Nettie Zeams, 2401 Aspen Street – They have agreed to leave the trees. If they remove the pipe fence,

they need to be sure no one drives through our yard.

Plez Schnitz, Schnitz Architect, Dallas, Texas – we are going to put up an 8ft. masonry fence up and we have 3ft. berms in that landscape area so no one will be able to drive through there.

Mayor Heidemann closed the Public Hearing at 7:50 p.m.

Helen-Eve Liebman, Planning and Development Director – just to clarify, should you make a motion to approve, the two items that we are adding is the screening wall to be 8 ft. along the southern property boundary and the trees would remain.

MOTION made by Councilmember Garber to approve the item with the two additions, first the 8 ft masonry screening wall between this property and the adjoining properties along the southern boundary and in addition the trees on the property will remain especially the old growth trees, there were two oaks and two willows. Seconded by Councilmember Burke.

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

MOTION FAILED

BUSINESS AGENDA:

5. Consider and act on approval of a Public Tree Care Ordinance which provides for principles, best management practices, and tree management on all publicly owned property.

Cody Collier, Public Works Director - The City of Corinth has been working with Tree City USA since late 2018 to become members. We have met all previous requirements including establishing arbor day events, tree plantings, publicizing events, budgeting the required \$2.00 per capita, and establishing a Tree Preservation Ordinance in 2019 (Planning Department) for tree preservation. The final component is approval of Tree City USA's model ordinance presented herein. Upon successful adoption of this ordinance, Corinth will then apply for full member status and receive recognition as a member of the Tree City USA community.

Staff recommends approval of this Ordinance.

MOTION made by Councilmember Johnson to approve a public tree care Ordinance as presented. Seconded by Councilmember Henderson.

Councilmember Johnson – I appreciate all the work you have done on this.

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

MOTION CARRIED

6. Consider and act on a Resolution ordering a Joint General Election with Denton County to be held on

May 2, 2020 to fill the offices of one Council Member for Place 1, One Council Member for Place 3 and One Council Member for Place 4; establishing procedures for that election and providing an effective date.

Bob Hart, City Manager – this item is to call the election for May 2, 2020 and establishing procedures for the election.

MOTION made by Councilmember Henderson to approve the Resolution as presented. Seconded by Councilmember Johnson.

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

MOTION CARRIED

7. Consider and act on a Resolution of the City Council of the City of Corinth, Texas designating a multi-purpose amphitheater and related infrastructure as a venue project (the "Amphitheater Venue Project") and designating a method of financing the Amphitheater 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.

Jason Alexander, Economic Development Director - the item before you is a request to call an election for the Short-term motor vehicle rental tax. 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 multi-purpose amphitheater and its related infrastructure while simultaneously reducing financial dependency 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

With or Without Service
Harley-Davidson

Classic of Denton

Classic Pre-Owned of Denton
Gunn Nissan of Denton
Huffines Kia of Corinth
Huffines Subaru of Corinth

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 multi-purpose amphitheater 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.

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.

Councilmember Johnson – are you comfortable with going to 5% ?

Jason Alexander, Economic Development Corporation – staff recommends going to the 5%. It is consistent with that of other communities.

Councilmember Henderson – have you ran the numbers to see what that would bring us?

Jason Alexander, Economic Development Corporation – I have tried to do some research of the numbers but because of confidentiality I was unable estimates from businesses in order to run those numbers. I can share with you is that for 2019, the Comptroller brought in almost \$291.2 million dollars on their 10% imposition alone.

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

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

MOTION CARRIED

- 8. Consider and take action on the renewal of the Street Maintenance Sales Tax.

Bob Hart, City Manager – we are asking for clarity from the Council on this item. You can consider calling an election to renew the street maintenance tax or you can consider calling an election for the Fire District for fire services. These are both General Fund activities. This has been placed on the agenda to

provide for that clarity for the record moving forward.

Councilmember Burke – does the staff have a recommendation and why?

Bob Hart, City Manager – our recommendation was that the Council vote not to proceed with calling the election for street maintenance tax and we will come back next week and ask Council to consider calling an election for the sales tax for the fire district. They are both needed but in our strategic analysis going forward, we think there will be advantages having that ¼ cents sales tax for the fire, that gives us some flexibility particularly under some of the restrictions with SB2. So our recommendation is to allow the street maintenance tax to lapse and ask the voters to consider shifting that ¼ cent for the fire district.

Councilmember Henderson – so they are both out of the general fund and our streets will still be well maintained?

Bob Hart, City Manager – as part of our budget, we intend to bring back a recommendation so that there is some revenue stream that is still going back to streets.

Councilmember Johnson – what percentage of our streets that we are still using the sales tax on?

Cody Collier, Public Works Director – you can use the tax for maintenance, rehabilitation, equipment, maintenance efforts, materials, anything related to maintenance preservation of your roads. Anything dedicated to the cause of maintenance and preservation of your streets. We are working right on a project with the Town of Shady Shores and we are also looking at doing Riverview this year. Right now, we have about \$1.5 million is close to the fund balance in that account. Historically, we have been using \$200,000 to \$300,000 a year.

MOTION made by Councilmember Burke to not renew the street maintenance sales. Seconded by Councilmember Pickens.

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

MOTION CARRIED

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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

Councilmember Garber – I’m not sure if the vote can be changed, however, I would like it to go on record under business item #4, my vote was in opposition for approval instead of in favor.

Bob Hart, City Manager – CWD will have their Driver Appreciation luncheon tomorrow at 11:30 at Angelina’s in Corinth.

There was no Closed Session.

CLOSED SESSION

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

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 meeting at 7:50 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____, 2020.

Kimberly Pence, City Secretary
City of Corinth, Texas

CONSENT ITEM 5.

City Council Regular and Workshop Session

Meeting Date: 03/05/2020
Title: February 13, 2020 Special Session
Submitted For: Bob Hart, City Manager
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Regional Cooperation

Submitted By: Kim Pence, City Secretary

AGENDA ITEM

Consider and act on the minutes from February 13, 2020 Special Session.

AGENDA ITEM SUMMARY/BACKGROUND

Attached are the minutes from the February 13, 2020 Special Session. The minutes are in draft form and are not considered official until formally approved by the City Council.

RECOMMENDATION

Staff recommends approval of the February 13, 2020 Special Session minutes.

Attachments

Minutes

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

On this the 13th day of February 2020 the City Council of the City of Corinth, Texas met in Special Session at the Corinth City Hall at 6:18 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

Members Present:

Mayor Heidemann
Sam Burke, Mayor Pro Tem,
Scott Garber, Council Member
Lowell Johnson, Council Member
Tina Henderson, Council Member
Kelly Pickens, Council Member

Members Absent:

None

Staff Members Present

Bob Hart, City Manager
Michael Ross, Fire Chief
Kim Pence, City Secretary
Emily Bowlin, Rockefeller, & Fort
Helen-Eve Liebman, Planning and Development Director
Jason Alexander, Economic Development Corporation Director
Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director
Brenton Copeland, Technology Services Assistant Manager

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

Mayor Heidemann called the meeting to order at 6:18 p.m. Councilmember Garber delivered the Invocation and led in the Pledge of Allegiance and the Texas Pledge.

CONSENT AGENDA

All matters listed under the Consent Agenda are 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.

There was no Consent Agenda items.

CITIZENS COMMENTS:

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

There were no Citizens Comments made.

BUSINESS AGENDA:

1. Consider and act on an Ordinance ordering an Election to be held on May 2, 2020 for the purpose of approving and implementing Resolution No. 20-02-06-08 designating a Multipurpose Amphitheater Venue Project and adopting a short term rental vehicle tax at a rate of five percent; providing other matters relating to the conduct of the election; and providing an effective date.

Bob Hart, City Manager – we are going to recommend proceeding to call this election. The last day to call an election is February 14th. After you have called it, you have until March 30 to cancel and pull it from the ballot. We would come back at the next Council meeting to discuss the strategy to fund the TOD and the TIRZ so that we can plan moving forward and as a result of that discussion you may not want to keep this on the ballot. I do recommend that we call the election tonight to reserve that option.

MOTION made by Councilmember Garber to approve the Ordinance ordering an Election to be held on May 2, 2020. Seconded by Councilmember Pickens.

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

MOTION CARRIED

2. Consider and act on an Ordinance to order, call and hold a Joint Special Election to consider a ballot proposition approving the City of Corinth Fire Control, Prevention and Emergency Medical Services District and adopting a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention and emergency medical services, a ballot proposition authorizing the City Council to be appointed as the permanent Board of Directors of the District upon approval at election, and on other matters related to the election.

Bob Hart, City Manager - On January 23, 2020, the City Council proposed the creation of the City of Corinth Fire Control, Prevention and Emergency Medical Services District and appointed the members of the City Council of Corinth and the City Manager of Corinth to serve collectively as the Temporary Board of the District. The Temporary Board has adopted a fire control, prevention, and emergency medical service plan and after holding a public hearing, the board adopted a two-year budget plan on February 13, 2020.

The Temporary Board adopted an Order calling the May 2, 2020 election to allow the voters to determine whether the City of Corinth Fire Control, Prevention and Emergency Medical Services District should be created, a sales and use tax of ¼ of 1% should be adopted for the purpose of funding District programs, and authorizing the City Council to serve as the Permanent Board of the District. This item is for the City Council to order the election for the District jointly with the Temporary Board of Directors of the District.

MOTION made by Councilmember Burke to approve the Ordinance to call and hold a Joint Special Election. Seconded by Councilmember Henderson.

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

MOTION CARRIED

COUNCIL COMMENTS & FUTURE AGENDA ITEMS

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

There were no Council comments made.

There was no Closed Session.

CLOSED SESSION

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

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 meeting at 6:25 p.m.

AYES: All

Meeting adjourned.

Approved by Council on the _____ day of _____, 2020.

Kimberly Pence, City Secretary
City of Corinth, Texas

City Council Regular and Workshop Session

Meeting Date: 03/05/2020

Title: Interlocal Cooperative Agreement Between Corinth and Lake Dallas ISD Shady Shores Elementary School

Submitted For: Cody Collier, Director

Submitted By: Cody Collier, Director

City Manager Review: Approval: Bob Hart, City Manager

Strategic Goals: Citizen Engagement & Proactive Government
Regional Cooperation

AGENDA ITEM

Consider and act on approval of an Interlocal Agreement between the City of Corinth and the Lake Dallas ISD to utilize the Shady Shores Elementary School to host the Corinth Recreation Department Summer Camp Program.

AGENDA ITEM SUMMARY/BACKGROUND

The City of Corinth has hosted our annual Sumer Camp Program at the Ronnie Crownover Middle School since its construction. This year, The Recreation Department budgeted to host two summer camps, due to increased popularity of the program. The Lake Dallas ISD's Shady Shores Elementary was made available to us last year and was a great success since Crownover was not available due to construction activities. Staff worked with LDISD to secure an agreement to utilize their school to host our additional program at no charge from the LDISD. Wes Eversole (LDISD Superintendent) and Jennifer Bryant (Shady Shores Elementary Principal) have both been extremely helpful and very kind to the City of Corinth and opening their doors to assist us.

RECOMMENDATION

Staff recommends approval of the Interlocal Agreement between Corinth and the LDISD for use of the Shady Shores Elementary School to host our Summer Camp Program for 2020.

Attachments

LDISD Agreement

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE CITY OF CORINTH AND
LAKE DALLAS INDEPENDENT SCHOOL DISTRICT FOR
JOINT USE OF CERTAIN RECREATIONAL FACILITIES
AT THE SHADY SHORES ELEMENTARY SCHOOL SITE**

THIS AGREEMENT is made and entered into by and between the Lake Dallas Independent School District, duly organized and authorized under the laws of the State of Texas, (hereinafter "LDISD"), and the City of Corinth, a political subdivision located in Denton County, Texas, duly organized and authorized under the laws of the State of Texas, hereinafter "CITY", for the joint use of certain facilities located at the Shady Shores Elementary School site located within the city limits of Corinth, the nature and scope of which is more fully described herein.

WHEREAS, LDISD and CITY are governmental entities, both of whom have the authority to enter into this Agreement individually as provided for in Chapter 791 of the Texas Government Code, the Interlocal Cooperation Act (the "Act"), in order to maximize the benefits derived from each taxpayer dollar; and

WHEREAS, LDISD and CITY mutually desire to be subject to the provisions of the Act and to jointly participate in the use of certain facilities at the Shady Shores Elementary School site located within the city limits of Corinth (hereinafter "Facility or Facilities"), such use being more fully described herein; and

WHEREAS, LDISD and CITY agree that any and all payments made in connection with the governmental functions provided for by this Agreement shall be made from current revenues available to the paying party and that the payments received are adequate and fairly compensate the parties for the services performed; and

WHEREAS, a valid governmental purpose is served by the joint use of the Facilities; and

WHEREAS, it is deemed to be in the best interests of LDISD and CITY to enter into this Agreement for joint use of the Facilities.

NOW, THEREFORE, LDISD and CITY, for the mutual consideration hereinafter stated, agree and understand as follows:

I.
INCORPORATION OF PREMISES

All matters and recitations stated in the preamble of this Agreement are true and correct and are hereby incorporated by reference into the provisions of this Agreement for all purposes.

II.
USE OF THE FACILITIES

2.01. For the purposes and consideration herein stated, CITY's use of the Facilities shall be governed by the following terms and conditions:

- A. Use of Indoor Areas.** LDISD shall provide an office exclusively for use by authorized employees of CITY's Department of Parks and Recreation (hereinafter "Authorized Employees"), such use to include the storage of supplies. CITY shall have access to the small gymnasium, restrooms and playground at the Facility. CITY shall be allowed to place two (2) cabinets in the small gymnasium for storage of sports equipment in accordance with Subsection K of this section. LDISD shall provide CITY with a duplicate set of keys, and/or an entry badge, in order to allow City entry into the Facilities, including without limitation, the outside entry door and the small gymnasium doors of the Facility. Authorized Employees shall be allowed access to the Facility during regular summer camp hours and a reasonable time before and after such hours for set-up and/or clean up.
- B. Authorized Employees.** A CITY employee shall be deemed an "Authorized Employee" after such employee has been screened and approved by the City. CITY shall provide LDISD with written documentation that all CITY employees who will be allowed access to the Facility have been properly screened and approved.
- C. Use of Outdoor Areas.** CITY shall have access to the playground located at the Facility when there are no regularly scheduled LDISD activities or special activities scheduled by LDISD. LDISD shall provide written notice of regularly scheduled activities at least sixty (60) days prior to the beginning of the term of this Agreement and shall provide written notice of special activities at least sixty (60) days prior to the date of each such event. All CITY activities shall be concluded by approximately 6:00 p.m. LDISD shall maintain the playground and outdoor areas.
- D. Routine Maintenance and Repair.** LDISD shall provide a schedule of routine maintenance and repair work that will occur in the gym when such work will conflict with CITY's authorized hours of operation in the Facility. LDISD shall use reasonable efforts to schedule routine maintenance and repair work so as to minimize the impact on CITY's use of the Facility.
- E. Unscheduled Maintenance and Repair.** Notwithstanding the foregoing, the parties agree and understand that unscheduled maintenance or repair work on the Facility may be necessary. For such unscheduled work, LDISD shall notify CITY in writing of the date and time that the work will commence as soon as reasonably practicable. LDISD shall not be liable for any

damages sustained by CITY if any maintenance or repair work, whether scheduled or unscheduled, interferes with CITY's use of the Facilities.

- F. Notice of Schedule Changes/Conflicts.** When practicable, both LDISD and CITY shall provide thirty (30) days' advance written notice of any substantial changes to either party's schedule. Each party agrees to make every effort not to disrupt scheduled activities of the other party. However, both CITY and LDISD agree that in the event of a scheduling conflict, LDISD shall have the sole discretion to resolve such conflict after reasonable consideration of alternatives available to the respective parties involved and other factors deemed relevant by LDISD.
- G. Utilities and Custodial Services.** All costs for utilities and regular custodial services shall be provided by LDISD at no cost to CITY. Regular custodial services shall mean those routine janitorial services provided throughout the Facility which are required as a result of normal daily usage, such as sweeping, mopping, dusting, and sanitizing of the Facility. CITY will perform basic daily cleaning of the portions of the Facility used by the City, to include sweeping the gym floor and emptying trash bins. LDISD shall provide a large broom for CITY's use.
- H. Damages.** CITY shall be responsible for any and all damages to the Facility and to LDISD property located within the Facility that is incurred during, or which arises out of, CITY's use of the Facilities. CITY shall notify LDISD of incidents involving personal injury or property damage that occur during CITY's use of the Facility within 24 hours of such occurrence. Notice shall be in writing and shall be on forms provided by LDISD.
- I. Insurance.** CITY shall provide an acceptable certification of insurance to LDISD prior to the start of summer camp.
- J. Security.** CITY shall secure its property within the Facility. LDISD shall not be liable for damage to or the disappearance of CITY property stored within the Facility. CITY shall properly lock and secure all exterior doors in accordance with LDISD policies and procedures.
- K. Equipment.** CITY shall provide all equipment (e.g., tables, chairs, etc.) and sports equipment for CITY activities at the Facility. CITY shall store all such equipment in the cabinets placed in the small gymnasium or in a storage area designated by LDISD for such purpose. LDISD owned equipment, such bleacher controls, may be made available for use upon CITY's written request and approval by LDISD.

**III.
TERM/ACCESS TO FACILITIES/TERMINATION**

The term of this Agreement shall commence on May 27, 2020 and shall end on July 29, 2020, unless terminated earlier as provided herein. City shall have all City equipment removed from the Facilities no later than July 29, 2020 (hereinafter "Term"). In accordance with the terms of this Agreement, City shall be allowed access to and use of the Facilities Monday through Friday of each week during the Term, from approximately 7:00 a.m. until approximately 6:00 p.m. daily. Additionally, LDISD shall allow CITY to have access to the Facilities on May 22, 2020 from 4:00 p.m. through 8:00 p.m. for a parent meet-and-greet. Either party may terminate this Agreement, either in whole or in part, upon breach of any term or provision of this Agreement by giving at least thirty (30) days' written notice of such breach to the other party. Provided, however, that if the party receiving the notice of breach cures the default within thirty (30) days from the date of the written notice, then the Agreement shall remain in effect until otherwise terminated as provided herein.

**IV.
CONSIDERATION**

This Agreement is entered into in consideration for the mutual promises and covenants contained herein, as well as such other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

**V.
HOLD HARMLESS**

To the extent allowed by the Constitution and statutes of the State of Texas, and without waiving any immunity or limitation of liability, CITY agrees to and shall release, defend, indemnify and hold harmless LDISD, its officers, agents, contractors and employees from and against any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury or death of any person, or for damages to any property, real, personal, or mixed, arising out of or in connection with the PROJECT, where the injury or death or damage is caused by the negligence of CITY, its officers, agents, or employees, except that CITY assumes no liability for the sole negligent acts of LDISD, its officers, agents, or employees.

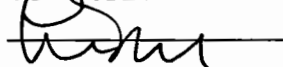
**VI.
ASSIGNABILITY**

CITY shall not assign or alienate in any form or manner any interest in this Agreement and shall not transfer any interest in this Agreement (whether by assignment, novation or otherwise) without the prior written consent of LDISD.

**VII.
NOTICE**

All notices or communications required under this Agreement or desired to be given by the parties hereto shall be sent in writing and shall be deemed sufficiently given on the date when same is hand-delivered; or if by U.S. mail, three business days after deposit in the United States mail, sufficient postage prepaid; or by date of delivery if by registered or certified mail with return receipt requested, addressed to the recipient at the address set forth below:

To LDISD:



Lake Dallas Independent School District

To CITY:

City Manager
City of Corinth
2003 S. Corinth Street
Corinth, Texas 76205

**VIII.
MODIFICATION**

No waiver or modification of this Agreement or of any covenant, condition, limitation herein contained shall be valid unless in writing and duly executed by the party to be charged therewith. No evidence of any waiver or modification shall be offered or received in evidence in any proceeding, either judicial or administrative, arising between the parties hereto out of or affecting this Agreement, or the rights or obligations of the parties hereunder, unless such waiver or modification is in writing, duly executed. The parties further agree that the provisions of this section will not be waived except as specifically provided herein.

**IX.
SEVERABILITY**

If any of the terms, sections, subsections, sentences, clauses, phrases, provisions, covenants, conditions or any other part of this contract are for any reason held to be invalid, void or unenforceable, the remainder of the terms, sections, subsections, sentences, clauses, phrases, provisions, covenants, conditions or any other part of this contract shall remain in full force and effect and shall in no way be affected, impaired or invalidated. Further, the parties agree to make a good faith effort to renegotiate an agreed provision to fulfill the purposes and intent of any invalid, unenforceable, or void provision.

**X.
GOVERNING LAW AND VENUE**

This Agreement shall be construed under and governed by, and in accordance with the laws of the State of Texas, and all obligations of the parties hereto, created by this

Agreement are performable in Denton County, Texas. Venue of any suit or cause of action under this Agreement shall lie exclusively in Denton County, Texas.

**XI.
INTEGRATION**

This Agreement embodies the complete and entire agreement of the parties hereto superseding all oral or written previous and contemporary agreements between the parties relating to matters herein and, except as otherwise provided herein, cannot be modified without written agreement of the parties.

**XII.
NONWAIVER OF TERMS AND CONDITIONS**

One or more instances of forbearance by either party in the exercise of its respective rights or remedies herein shall in no way constitute a general waiver or relinquishment of the exercise of such rights or remedies.

**XIII.
HEADINGS**

The headings contained in this Agreement are for informational purposes only and shall not in any way affect the substantive terms or conditions of this Agreement.

IN WITNESS WHEREOF, the Lake Dallas Independent School District has caused this Interlocal Agreement to be executed by its duly authorized Superintendent, on this 17th day of February, 2020; and the City of Corinth, Texas has caused this Interlocal Agreement to be executed by its duly authorized Mayor on this the _____ day of _____, 2020.

LAKE DALLAS INDEPENDENT SCHOOL DISTRICT

CITY OF CORINTH, TEXAS

BY: [Signature]

BY: _____
Bill Heidemann, Mayor

ATTEST:
BY: [Signature]

ATTEST:
BY: _____

APPROVED AS TO FORM:
BY: _____

APPROVED AS TO AFORM:
BY: _____

City Council Regular and Workshop Session

Meeting Date: 03/05/2020
Title: Planning and Development Fee Schedule Update
Submitted For: Helen-Eve Liebman, Director **Submitted By:** Ben Rodriguez, Manager
Finance Review: N/A **Legal Review:** N/A
City Manager Review:
Strategic Goals: Land Development
Economic Development

AGENDA ITEM

Consider and act on an Ordinance amending the City of Corinth Code of Ordinances, Title XVI, Fee Schedule, Chapter 170: "Planning, Engineering, and Building Fees" to amend the City's Planning, Engineering, and Building Fees.

AGENDA ITEM SUMMARY/BACKGROUND

The Planning and Development Department is proposing a comprehensive update to our fee schedule for items such as zoning change requests, plats, and building permits.

The current fee schedule was adopted in August 2002, and inflationary pressures since then have made the cost of providing services to our customers to exceed the fees generated by these services. Staff has performed a comparison of other cities throughout the metroplex to ensure that the fees proposed are comparable to market rates, while also ensuring that the City is being fairly compensated for the staff time and costs involved with providing these services to our residents and development partners.

Staff also took into consideration the efforts of the state legislature in promoting affordable housing and is not proposing increases to its residential permitting fee costs for new construction. Additionally, staff strove to maintain a balance between covering the City's costs while also proposing fees that are not burdensome to the point where applicants are discouraged from applying for permits. Staff believes the proposed fees will assist in compensating the City for its costs while encouraging compliance through applications and inspections.

Alcohol permit fees have not been collected in Corinth and the comparison chart illustrates that the majority of cities collect them in accordance with the Texas Alcohol and Beverage Commission's (TABC) allowances. Staff is recommending the addition of the alcohol permit fees to the fee chart.

Supporting Documents:

- Proposed ordinance
- Development fee comparison
- Estimated fees generated from alcohol permits
- Alcohol permit fee comparison

RECOMMENDATION

Staff recommends approval as presented.

Attachments

Development Services Fee Update
Development Fee Comparison

Estimated Alcohol Permitting Fee Revenue
Alcohol permit fee comparison

ORDINANCE NO. 20-03-06-_____

PLANNING, ENGINEERING, & BUILDING FEE UPDATE

AN ORDINANCE OF THE CITY OF CORINTH, TEXAS AMENDING THE TITLE XVI “FEE SCHEDULE,” CHAPTER 170 “PLANNING, ENGINEERING, AND BUILDING FEES” OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

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

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

WHEREAS, the City incurs certain costs related to inspection services, review services, and other governmental services provided in the daily course of municipal business; and

WHEREAS, the City seeks to recover a portion of those costs from the beneficiaries of such services; and

WHEREAS, the City periodically reviews the costs of such services for the purpose of assuring its fees are fair, reasonable, and consistent with the actual costs incurred; and

WHEREAS, the last comprehensive update to the City’s zoning, platting, and building fees was conducted in August, 2002, and inflationary impacts on the actual cost to provide these services has exceeded the revenue generated by said fees; and

WHEREAS, the City has determined it is in the public interest to raise its fee schedule to make said fees consistent with the City’s actual costs; and

WHEREAS, upon review and consideration of the foregoing factors, the City Council has determined that the City’s planning, engineering and building permitting fees should be amended as set forth below;

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

**SECTION 1.
INCORPORATION OF PREMISES**

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

**SECTION 2.
AMENDMENTS**

2.01. That the City of Corinth, Texas Code of Ordinances, Title XVI: - “Fee Schedule”, Chapter 170 “Planning, Engineering and Building Fees” is hereby amended to be read as follows and all other provisions of Title XVI – “Fee Schedule” not expressly amended hereby shall remain in full force and effect without amendment:

“Chapter 170: Planning, Engineering, and Building Fees

(A) <u>Zoning:</u>	
1. Zoning Changes (other than PD)	49.9 acres or less \$750 50 acres or more \$1,200
2. Planned Development Zoning	\$500.00 plus \$50.00/acre (Maximum: \$2,000.00) plus 100% of legal and engineering costs
3. Zoning Verification Letter	\$50
4. Specific Use Permits:	\$300 + \$5 per acre
5. Conceptual or Detailed Site Plans (each)	\$250 + \$10 per acre, plus 100% of legal and engineering costs.
(B) <u>Platting:</u>	
1. Subdivision Preliminary Plat	\$200.00 plus \$5/lot or \$30/acre, whichever is greater, plus 100% of engineering costs
2. Subdivision Final Plat, Conveyance Plat, & Plat Vacation	\$300.00 plus \$5/lot or \$25.00/acre, whichever is greater, plus 100% of engineering costs and county filing fees
3. Subdivision Replat	\$350.00 plus \$5/lot or \$25.00/acre, whichever is greater, plus 100% of engineering costs and county filing fees
4. Minor Plat & Amending Plat	\$400.00 plus 100% of engineering costs and county filing fees
(C) <u>Commercial Construction:</u>	
1. Building Permit	\$0.75 Per Square Feet

2. Plan Review Fee	65% of Building Permit Fee
3. Certificate of Occupancy (new occupant or change of use)	\$100.00
4. Reinspection (red tag)	\$75.00
5. Reinspection tag (outside normal business hours)	Minimum four hours @ \$47.00/hour
6. Commercial Remodel or Tenant Finish	\$0.50 per square foot
(D) Residential Construction:	
1. Building Permit	\$0.75 Per Square Foot
2. Plan Review	65% of Building Permit Fee
3. Residential garage not constructed at the same time as the main building	\$0.40 per square foot
4. Residential accessory building or patio cover, barns, stables, sheds:	
a. 100 sq. ft. or less	No fee
b. Over 100 sq. ft. to 200 sq. ft. (over 200 sq. ft. use residential garage fee)	\$50
5. Fireplaces, woodburning stoves, ham radio antenna, retaining walls, deck and similar small permits	\$75
6. Any repair, alteration, or remodeling of a residence requiring inspection, to include garage conversions	\$0.40 per square foot
7. Reinspection (red tag) (for all construction)	\$75.00
(E) Electric, Plumbing and Mechanical:	
1. Electrical work:	
a. Residential buildings	\$75.00/building
b. Commercial buildings	\$75.00 per unit or building
c. Apartment buildings	\$75.00 per unit
2. Plumbing work:	
a. Residential buildings	\$75.00/building
b. Commercial buildings	\$75.00 per unit or building
c. Apartment buildings	\$75.00 per unit
3. Heating, ventilating and air conditioning:	
a. Residential buildings	\$75.00/building

b. Commercial buildings	\$75.00 per unit or building
c. Apartment buildings	\$75.00 per unit
(F) <u>Miscellaneous Processes:</u>	
1. Swimming pools, hot tubs, spas:	
a. In-ground	\$550
b. Above-ground	\$200
2. Sign permit fees:	\$150 plus \$1.00/each sq. ft. over 50 sq. ft.
a. Sign permit, temporary, banner	\$150.00
b. Sign removal, recovery fee, 1—50 sq. ft.	\$25.00**
c. Sign removal, recovery fee, over 50 sq. ft.	\$50.00**
d. Annual renewal of temporary signs	Same as sign permit
e. Sign plan review	65% of permit fee
f. Variance request to City Council	\$150
3. House moving permit (when structure is to be located in city)	\$75
4. Demolition permit	\$50
5. Concrete pouring	\$50
6. Automatic lawn sprinkler:	
a. Residential	\$75
b. Commercial	\$150
7. Fence permits:	
a. Residential	\$25
b. Commercial	\$75
8. Conversion of a residential structure	\$0.40 per square foot – Minimum \$30
9. Change street name	\$200.00 plus cost of signage
10. Abandonment of public easements/R.O.W.	\$100.00 plus 100% of legal and engineering costs and county filing fees
11. Floodplain development permit	\$500.00 plus 100% of engineering costs
(G) <u>Health Inspections:</u>	
1. Nonconventional private sewer systems	Contracted 3rd party cost + \$25 processing fee
2. Day care center inspection	Contracted 3rd party cost + \$25 processing fee

3. Nursing home cafeteria inspection	Contracted 3rd party cost + \$25 processing fee
4. School cafeteria inspection	Contracted 3rd party cost + \$25 processing fee
5. Restaurant inspection	Contracted 3rd party cost + \$25 processing fee
6. Convenience store inspection	Contracted 3rd party cost + \$25 processing fee
7. Grocery store inspection	Contracted 3rd party cost + \$25 processing fee
8. Swimming pool inspections	Contracted 3rd party cost + \$25 processing fee
9. Temporary food vendor inspections	Contracted 3rd party cost + \$25 processing fee
10. Mobile food vendor inspections	Contracted 3rd party cost + \$25 processing fee
11. Health complaints/investigation	Contracted 3rd party cost + \$25 processing fee
12. Reinspection fee	Contracted 3rd party cost + \$25 processing fee
13. Court appearances/on-site meetings (per session)	Contracted 3rd party cost + \$25 processing fee
(H) <u>Other inspections and fees:</u>	
1. Inspections outside of normal business hours	\$47.00/hour (Minimum charge – four hours)
2. Inspections for which no fee is specifically indicated	\$47.00/hour (Minimum charge – one-half hour)
3. For use of outside consultants for plan checking and inspections, or both	Actual costs incurred by the City**
4. Alcohol permit	50% of TABC Fee (Per State Law)
5. Contractor Registration (When applicable per State Law)	\$50 per year
6. Fee in Lieu of Replacement Trees	\$150 per caliper inch
7. Engineering Inspections	3% of the valuation of all public and private improvements
8. Park land dedication	\$550.00 per dwelling unit

<u>(I) Appeals/Variance processes:</u>	
1. Board of Adjustment	\$150.00
2. Subdivision Ordinance Variance	\$200.00
3. Board of Construction appeals	\$150.00
<i>** When Outside services are required, such as outside plan review, demolition/sign removal services, landfill disposal, etc. the actual cost incurred by the City plus a 10% processing fee will be charged. **</i>	

**SECTION 3.
CUMULATIVE REPEALER**

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

**SECTION 4.
SAVINGS**

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

**SECTION 5.
SEVERABILITY**

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

**SECTION 6.
EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and publication as required by law. The City Secretary is directed to publish the caption of this Ordinance as required by the City Charter and state law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
CORINTH, TEXAS ON THIS 6th DAY OF MARCH 2020.**

APPROVED:

Bill Heidemann, Mayor

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

Patricia A. Adams, City Attorney

Process	Corinth	Proposed	Denton	McKinney	Lewisville	Flower Mound	Frisco	Allen
Zoning:								
1. Zoning Changes (other than PD)	0—5 acres \$400.00 5.1—15 acres \$600.00 15.1+ acres \$700.00 50ac tract = \$700	49.9 acres or less \$750 50 acres or more \$1,200 50ac tract = \$1,200	\$8,594 50ac tract = \$8,594	\$500 + \$15/ac up to 250ac; \$8/ac over 250 50ac tract = \$1,250	up to .5 ac - \$150 .5 to 4 ac - \$250 5 to 24 ac - \$400 25 to 49 ac - \$750 50 to 99 ac - \$1,000 100+ ac - \$1,500 50ac tract = \$1,000	0 to 5 acres \$500 + \$25/acre 5 to 20 acres \$750 + \$25/acre 20 to 50 acres \$1000 + \$20/acre 50 + acres \$1250 + \$15/acre (Plus cost of notices) 50ac tract = \$2,000	49.9 acres or less \$750 50 acres or more \$1,200 50ac tract = \$1,200	\$500.00 + \$10.00/acre 50ac tract = \$1,000
2. Planned Development Zoning	\$500.00 plus \$50.00/acre (Maximum: \$2,000.00) plus 100% of legal and engineering costs 50ac tract = \$2,000	Unchanged	\$12,829 up to 25 ac. \$38/acre after 25 ac. 50ac tract = \$13,779 + \$1,280 = \$15,059	\$1,000	N/A	Single Family 0 to 5 acres \$700 + \$25/acre 5 to 20 acres \$950 + \$25/acre 20 to 50 acres \$1200 + \$20/acre 50 + acres \$1450 + \$15/acre Multi-Family and Non-Residential 0 to 5 acres \$1000 + \$25/acre 5 to 20 acres \$1250 + \$25/acre 20 to 50 acres \$1500 + \$20/acre 50 + acres \$1750 + \$15/acre (Plus cost of notices) 50ac SF Tract - \$2,200 50ac MF/Non-Res Tract - \$2,500	\$1,200 + \$10 per acre or portion thereof 50 ac tract = \$1,700	\$500 + \$10/acre 50ac tract = \$1,000
Zoning Verification Letter	N/A	\$50	\$101 + \$34 for each request (Copies of C/O, Code Violations etc.)	\$50	N/A	\$25	\$50	N/A
3. Specific Use Permits:								
Private Clubs	\$500.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of legal and engineering costs	Suggest this is removed, we are the only City of those researched that charge a separate, higher fee for private clubs.	N/A	N/A	N/A	N/A	N/A	N/A
All Other SUP	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of legal and engineering costs 50ac tract = \$350	\$300 + \$5 per acre 50 ac tract = \$550	\$8,810 50 ac tract = \$8,810	\$300 50ac tract = \$300	up to .5 ac - \$150 .5 to 4 ac - \$250 5 to 24 ac - \$400 25 to 49 ac - \$750 50 to 99 ac - \$1,000 100+ ac - \$1,500 50ac tract = \$1,000	0 to 5 acres \$500 + \$25/acre 5 to 20 acres \$750 + \$25/acre 20 to 50 acres \$1000 + \$20/acre 50 + acres \$1250 + \$15/acre (Plus cost of notices) 50ac tract = \$2,060	\$300 + \$10 per acre or any portion thereof 50ac tract = \$800	\$350.00 plus \$10.00 per acre Existing Structure - \$250 50ac tract = \$850
8. Conceptual or Detailed Site Plans (each)	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of legal and engineering costs Chipotle (2ac) = \$110 Coserv (55ac) = \$375	\$250 + \$10 per acre Chipotle (2ac)= \$270 Coserv (55ac)= \$800	\$4,866 + \$2,880 Chipotle (2ac) = \$7,746 Coserv (55ac)= \$7,746	\$250 Chipotle (2ac)= \$250 Coserv (55ac)= \$250	less than 1 ac - \$250 1 to 5 ac - \$400 5 to 25 ac - \$400 + \$30 per ac. 25+ ac - 750+ \$30 per ac. Chipotle (2ac)= \$250 Coserv (55ac)= \$4,866	All/Except Multi-Family \$500 + \$25/acre Multi-Family \$500 + \$10/Dwelling Unit Chipotle (2ac)= \$550 Coserv (55ac)= \$1,875	\$100 per acre or portion thereof Chipotle (2ac)= \$200 Coserv (55ac)= \$5,400	\$250 Chipotle (2ac)= \$250 Coserv (55ac)= \$250
9. Variances								
a. Subdivision variances (P and Z and Council)	\$150.00	\$200	\$250		\$350	\$100	\$150 + postage costs for notification	\$100
b. Fence variances (P and Z and Council)	\$150.00	Unchanged	N/A	N/A	N/A	N/A		\$100

Platting:								
1. Subdivision Preliminary Plat	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of engineering costs 200 lot subdivision = \$400	\$200 + \$5 per lot Multi-Family/Non-res - \$200 + \$30 per acre 200 lot subdivision = \$1,200 50 acre MF/Commercial = \$1,700	10 lots - \$5,492 50 lots \$6,156 100 lots \$7,483 100+ lots \$8,810 200 lot subdivision \$8,810 + \$8,400= \$17,210	\$325 + \$5/lot 200 lot subdivision = \$1,325	Single Family - \$200 + \$5 per lot Multifamily - \$200 + \$30 per acre 200 lot subdivision = \$1,200 50 acre MF/Commercial = \$1,700	Single Family Residential \$500 + \$10/lot Multi-Family and Non-Residential \$500 + \$15/acre 200 lot subdivision = \$2,500 50 acre MF/Commercial = \$1,250	Single Family \$100 + \$15 per lot 200 lot subdivision = \$3,100	SF-\$250 + \$15 per lot MF-\$250+ \$7.50 per unit Non-res.- \$150 + \$15/ac. 200 lot subdivision = \$3,250
2. Subdivision Final Plat	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of engineering costs and county filing fees 200 lot subdivision = \$400 50 acre Commercial/MF = \$350	\$300 + \$5 per lot \$300 + \$25 per acre 200 lot subdivision = \$1,300 50 acre Commercial/MF = \$1,675	10 lots - \$5,632 50 lots \$6,366 100 lots \$7,763 100+ lots \$9,161 200 lot subdivision \$9,161 + \$8,400= \$17,561 50 acre commercial \$5,632 + \$1975= \$7,607	\$325 + \$10/lot 200 lot subdivision = \$2300 50 acre commercial/MF (3 lots) \$355	Single Family - \$200 + \$5 per lot Multifamily/non-res - \$200 + \$30 per acre 200 lot subdivision = \$1,200 50 acre commercial/MF = \$1,700	Single Family Residential \$500/plat + \$15/lot Multi-Family and Non-Residential \$500/plat + \$20/acre 200 lot subdivision = \$2,500 50 acre commercial/MF = \$1,500	Single Family \$100 + \$20 per lot Multi-Family \$100 + \$ 5 per unit Non-Residential \$100 + \$40 per acre or portion thereof 200 lot subdivision = \$4,100 50 acre commercial= \$2,100 200 unit MF = \$1,100	SF-\$350 + \$25 per lot MF- \$350+\$10 per unit Non-res.-\$200+\$25/ac 200 lot subdivision = \$5,350 50 acre commercial = \$1,550 200 unit MF= \$2,350
3. Subdivision Replat	\$100.00 plus \$1.50/lot or \$5.00/acre, whichever is greater, plus 100% of engineering costs and county filing fee 200 lot subdivision = \$400 50 acre Commercial/MF = \$350	\$300 + \$5 per lot \$300 + \$25 per acre 200 lot subdivision = \$1,300 50 acre Commercial/MF = \$1,675	10 lots - \$5,632 50 lots \$6,366 100 lots \$7,763 100+ lots \$9,161 200 lot subdivision = \$9,161 + \$960 = \$10,121 50 acre commercial = \$5,632 + \$960 = \$6592	\$325 + \$15/lot 200 lot subdivision = \$2300 50 acre commercial/MF (3 lots) \$355	Single Family - \$200 + \$5 per lot Multifamily - \$200 + \$30 per acre 200 lot subdivision = \$1,200 50 acre commercial/MF = \$1,700	\$350/plat + \$20/number of lots created* *Plus legal notices Not comparable	Single Family \$100 + \$20 per lot Multi-Family \$100 + \$ 5 per unit Non-Residential \$100 + \$40 per acre or portion thereof 200 lot subdivision = \$4,100 50 acre commercial= \$2,100 200 unit MF = \$1,100	SF-\$350 + \$25 per lot MF- \$350+\$10 per unit Non-res.-\$200+\$25/ac 200 lot subdivision = \$5,350 50 acre commercial = \$1,550 200 unit MF= \$2,350
4. Minor Plat	\$100.00 plus 100% of engineering costs and county filing fees 200 lot subdivision = \$100 50 acre Commercial/MF = \$100	These are approved at staff level, no meetings required. Suggest \$400 with no per lot requirement Or \$350 with \$10 per lot.	Residential - \$300 Non-Residential- \$1,327 200 lot subdivision = \$300 + \$320 = \$620 50 acre Commercial = \$1,327 + \$320 = \$1647	\$325 + \$15/lot 200 lot subdivision = \$2300 50 acre commercial/MF (3 lots) \$355	Single Family - \$200 + \$5 per lot Multifamily/commercial - \$200 + \$30 per acre 200 lot subdivision = \$1,200 50 acre commercial/MF = \$1,700	\$250/plat + \$10/lot \$300/plat + \$15/acre 200 lot subdivision = \$2,250 50 acre commercial/MF = \$1,050	Single Family \$100 + \$20 per lot Multi-Family \$100 + \$ 5 per unit Non-Residential \$100 + \$40 per acre or portion thereof 200 lot subdivision = \$4,100 50 acre commercial= \$2,100 200 unit MF = \$1,100	\$150 per plat
Commercial Construction:								
1. Building Permit	\$0.75 Per Square Feet Burger King = \$2,714.25 Chipotle = \$2,242.55	Unchanged	\$1.48 per square foot	Based on value of project	Based on Project Valuation	1,000 sq. ft. or less - \$300.00 1,001 sq ft or more - \$200.00+\$0.10/sq. ft.	Based on valuation of project	Based on valuation of project

2. Plan Review Fee	65% of Building Permit Fee Burger King = \$1,764.26 Chipotle = \$1,457.66	Unchanged	\$222	\$200	Currently no plan review fee	50% of comm building permit.		25% of permit Multi-family \$112.50 per unit.
3. Certificate of Occupancy (new occupant or change of use)	\$100.00	Unchanged	\$75	\$100	\$100	\$100	\$100	\$100
4. Reinspection (red tag)	\$75.00	Unchanged	\$50	\$47/hour	1st-\$50 2nd- \$75 3rd+ - \$100	\$100	Res - \$30 Com - \$35	1st - \$50 2nd - \$75 3rd- \$100
5. Reinspection tag (outside normal business hours)	Minimum four hours @ \$47.00/hour (\$188)	Unchanged	\$183/hr, 2 hour min. (\$366)	Minimum two hours @ \$47.00/hour (\$94)	Top of range overtime rate for a building inspector plus 18%	\$60/hr 2hr min. (\$120)	\$150	\$50/hr, 2 hour min. (\$100)
6. Commercial Remodel or Tenant Finish	\$0.50 per square foot	Unchanged	\$1.48/sqft \$50 Min	Based on value of project	Based on Project Valuation	75% of Comm building permit	Based on project valuation	Finish out - based on valuation +25% plan review Remodel- based on valuation -30% discount
Electric, Plumbing and Mechanical:								
1. Electrical work:								
a. Residential buildings	\$20.00/building	\$75	\$50	\$25 + \$.03 per sqft	\$0.35 per sqft (\$50 min)	\$60	\$30 + \$4.75 per appliance	\$75
b. Commercial buildings	\$40.00/building	\$75	\$50	\$25 + \$.03 per sqft	\$0.35 per sqft (\$100 min)	\$60	\$30 + \$4.75 per appliance	\$75
c. Apartment buildings	\$20.00/building; (minimum \$40.00)	\$75	\$50	\$25 + \$.03 per sqft	\$0.35 per sqft (\$100 min)	\$60	\$30 + \$4.75 per appliance	\$75
2. Plumbing work:								
a. Residential buildings	\$20.00/building	\$75	\$50	\$25 + \$2.50 per fixture	\$0.35 per sqft (\$50 min)	\$75	\$30 + \$7 per fixture	\$75
b. Commercial buildings	\$40.00/building	\$75	\$50	\$25 + \$2.50 per fixture	\$0.35 per sqft (\$100 min)	\$75	\$30 + \$7 per fixture	\$75
c. Apartment buildings	\$20.00/building; (minimum \$40.00)	\$75	\$50	\$25 + \$2.50 per fixture	\$0.35 per sqft (\$100 min)	\$75	\$30 + \$7 per fixture	\$75
3. Heating, ventilating and air conditioning:								
a. Residential buildings	\$20.00/building	\$75	\$50	\$15 base fee + additional fees depending on AC/Heating type and size	\$0.35 per sqft (\$50 min)	\$150	\$30 + 13.25 per unit + \$7 per vent	\$75
b. Commercial buildings	\$40.00 Unit/building	\$75	\$50	\$15 base fee + additional fees depending on AC/Heating type and size	\$0.35 per sqft (\$100 min)	\$150	\$30 + 13.25 per unit + \$7 per vent	\$75
c. Apartment buildings	\$20.00/Unit; (minimum \$40.00)	\$75	\$50	\$15 base fee + additional fees depending on AC/Heating type and size	\$0.35 per sqft (\$100 min)	\$150	\$30 + 13.25 per unit + \$7 per vent	\$75
Residential Construction:								

		Unchanged					1 to 1999 Square Feet \$150 for the first 300 SQFT plus \$0.50 for each additional 1 SQFT 2000 to 2499 Square Feet \$1000 for the first 2000 SQFT plus \$0.37 for each additional 1 SQFT 2500 to 2999 Square Feet \$1,185 for the first 2500 SQFT plus \$0.35 for each additional 1 SQFT 3000 to 3499 Square Feet \$1,360 for the first 3000 SQFT plus \$0.34 for each additional 1 SQFT 3500 to 3999 Square Feet \$1,530 for the first 3500 SQFT plus \$0.33 for each additional 1 SQFT 4000 to 4499 Square Feet \$1,695 for the first 4000 SQFT plus \$0.32 for each additional 1 SQFT	
1. Building Permit	\$0.75 Per Square Foot 2,500 sqft = \$1,875		\$0.89 Per Square foot \$1.42 per Square foot (Multi Family) 2,500 sqft = \$2,225	\$.68 per square foot 2,500 sqft = \$1,700	\$0.56 per square foot 2,500sqft = \$1,400	2,000 sq. ft. or less - \$1,150.00 2,001 to 2,500 sq. ft. - \$1,300.00 2,501 to 3,000 sq. ft. - \$1,450.00 3,001 to 4,000 sq. ft. - \$1,600.00 4,001 to 5,000 sq. ft. - \$1,750.00 5,001 to 7,500 sq. ft. - \$1,900.00 7,501 to 10,000 sq. ft. - \$2,050.00 Multifamily - \$500/unit 2,500 sqft = \$1,450	2,500sqft = \$1,185	\$0.42/square foot 2,500 sqft = \$1050
2. Plan Review	65% of Building Permit Fee	Unchanged	50% of building permit fee	\$100	No plan review fee	\$100	N/A	\$.10/ square foot
3. Residential garage not constructed at the same time as the main building	\$0.40 per square foot	Unchanged	\$.25 per square foot	\$.68 per square foot	\$100	\$100	\$75+ \$.59 per sqft	
4. Residential accessory building or patio cover, barns, stables, sheds:								
a. 120 sq. ft. or less	No fee	Change to 100sq ft or less to match code	\$.25 per square foot	\$.68 per square foot	\$100	\$100	\$50	\$25
B. Over 120 sq. ft. to 200 sq. ft.	\$25	Change to 100sq ft to 200ft to match code Increase fee to \$50	\$.25 per square foot	\$.68 per square foot	\$100	\$100	\$50	\$50
5. Fireplaces, woodburning stoves, ham radio antenna, retaining walls, deck and similar small permits	\$75	Unchanged	Retaining wall (\$1.08/foot) Fees not found for rest	Based on value of project	Retaining Wall (\$45) Canopies/covers (\$100) Deck (\$45)	Retaining Wall- \$150 Patio Cover- \$200 Miscellaneous - \$175	\$75+.59 per sqft Or \$75+ \$25 for each element	Fireplace - \$90 Patio- \$200 misc. \$59
6. Any repair, alteration, or remodeling of a residence requiring inspection, to include garage conversions	\$0.40 per square foot	Unchanged	\$.25 per square foot	\$.68 per square foot	\$0.56 per square foot	1—500 sq. ft. - \$450.00 501—1000 sq. ft. - \$600.00 1001—1500 sq. ft. - \$850.00 1501—2000 sq. ft. - \$1,000.00 in excess of 2000ft, defaults to new building fee.	\$75+ \$.45 per sqft	\$.42 per square foot + \$.10 per sqft plan review fee.
7. Reinspection (red tag) (for all construction)	\$75.00	Unchanged	\$50	\$47/hour	1st-\$50 2nd- \$75 3rd+ - \$100	\$100	Res - \$30 Comm - \$35	1st- \$50 2nd- \$75 3rd - \$100

Miscellaneous Processes:								
1. Swimming pools, hot tubs, spas:								
a. In-ground	\$550	Unchanged	\$357	Based on value of project	\$300	\$350		\$150
b. Above-ground	\$200	Unchanged	\$50	Based on value of project	\$300	\$200		\$50
2. Sign permit fees:	\$150 plus \$1.00/each sq. ft. over 50 sq. ft.	Unchanged	\$137-60sqft \$206- 120sqft \$274- 250 sqft \$343- 251+ sqft.	Based on value of project	\$100	Ground, Wall, Awnings, Neon - \$100 Special Events - \$20 Model Home - \$50	\$150	Wall - \$100 lit/\$50 unlit
c. Sign permit, temporary, banner	\$150.00	Unchanged	Same as normal signs	Based on value of project	\$50	\$100 (Bi annual)	\$75	Banner- \$30
d. Sign removal, recovery fee, 1—50 sq. ft.	\$25.00**	Unchanged	N/A	N/A	N/A	\$50	N/A	N/A
e. Sign removal, recovery fee, over 50 sq. ft.	\$50.00**	Unchanged	N/A	N/A	N/A	\$50	N/A	N/A
f. Annual renewal of temporary signs	Same as sign permit	Unchanged	N/A	N/A	N/A	\$100 (Bi annual)	N/A	Temporary sign - \$100/yr \$100/yr for model home signs
g. Conditional sign permit	Same as sign permit	Unchanged	N/A	N/A	N/A	N/A	N/A	N/A
h. Investigative fee	Equal to amount of sign fee	Unchanged	\$36/hr	N/A	N/A	N/A	N/A	N/A
i. Sign plan review	65% of permit fee	Unchanged	N/A	N/A	N/A	N/A	N/A	
j. Appeals to City Manager of decision of Building Official	\$150.00	Unchanged/Remove	\$250	N/A	N/A	N/A	N/A	N/A
k. Variance request to City Council	\$150.00	Unchanged	\$250	N/A	N/A	N/A	N/A	N/A
** Outside services required, such as wrecker, at actual cost plus 10% processing fee.								
3. House moving permit (when structure is to be located in city)	\$50.00	\$75	\$575	N/A	N/A	\$100		\$50
4. Fuel tank installation	\$100.00	Unable to find comparables, recommend removal	N/A	N/A	N/A	N/A		
5. Demolition permit	\$50	Unchanged	Residential - \$50 Non-Residential-\$471	\$15	\$50.00	\$150	\$50	\$50
6. Concrete pouring	\$25.00	\$50	Parking lots: 1-50 spaces - \$395 51-100 - \$538 101-250 - \$970 251-500 - \$1,835		Driveway - \$50 Comm Flat Work - \$100	\$50	\$75	
7. Automatic lawn sprinkler:								
a. Residential	\$25	\$75	\$118.00		\$100	\$60	\$30 + \$7/fixture	\$75
b. Commercial	\$75	\$150	\$249.00		\$150	\$60		\$10/zone (\$500 max)
8. Fence permits:								
a. Residential	\$25.00	Unchanged	\$44		\$50	\$60	\$20	\$25
b. Commercial	\$75	Unchanged	\$.71 per Linear Foot		\$100	\$60	\$20	\$40

9. Conversion of a residential structure	\$0.40 per square foot – Minimum \$30	Unchanged	\$1.48/sqft Min \$50 \$222 plan review fee		Project valuation if converting to commercial	Commercial fee if converting to commercial.		Fee based on project valuation.
10. Change street name	\$100.00 plus cost of signage	\$200 + cost of signs (Occurs very rarely)	N/A			\$300 + Cost of signage	\$200 + Cost of signage	
11. Abandonment of public easements/R.O.W.	\$100.00 plus 100% of legal and engineering costs and county filing fees	Unable to find many comparables. Recommend that it remain unchanged		\$100 (alleys)	\$150			
12. Floodplain development permit	\$100.00 plus 100% of engineering costs	\$500 + Engineering Costs. The City mostly send these out for 3rd party to review. However the City Engineer still reviews as well and these take a considerable amount of staff time to review, and address comments with applicant.	(LOMR) Without CLOMR - \$11,840 Following CLOMR - \$1,280	\$3,000- Initial submittal \$1,000 subsequent submittals				
13. Helicopter permit	\$100.00 (must meet FAA requirements)	Suggest this is removed, and looked at as concrete flatwork instead	N/A	N/A	N/A	N/A		N/A
14. Annexation	\$100.00 plus 100% of legal and engineering costs and county filing fees	No longer applicable, no land left to annex into City. Recommend it remain unchanged.	\$6,206	\$325		Cost of legal notices		
Appeals process:								
1. Board of Adjustment (No fee on fence appeal)	\$150.00	Unchanged, Removing fee waiver for fence appeal, as this still requires public hearing and public noticing in the newspaper and mailed notices to nearby residents.	\$250	\$50	\$100 (Each request)	\$100	\$150	\$100
2. Planning and Zoning Commission	\$150.00	P&Z is not the appeal body. Recommend removal.	N/A	N/A	N/A	N/A	N/A	N/A
3. Board of Construction appeals	\$150.00	Unchanged		N/A	N/A	N/A	N/A	\$100

		Health permit fees are being amended to reflect our true third party inspector costs plus processing fees. Recommend adding categories for temporary vendors, mobile vendors (food trucks), on-site visits, and reinspections.							Concession Stand- \$150 (2wk to 6mo) Temporary food stand (less than 14 days)- \$100 Mobile food establishment- \$150
Health Inspections:				Mobile food- \$150 Commissary - \$500 Temp Health Permit -\$75	Temporary food - \$50+10/day Mobile Vendor: \$300 per vheicle or \$200 per cart	Temporary food establishment -\$40 Snow Cone Stands (6mo.)- \$60			
1. Nonconventional private sewer systems	\$210.00	Contracted 3rd party cost + \$25 processing fee	N/A						
2. Day care center inspection	\$100.00	Contracted 3rd party cost + \$25 processing fee	\$324	\$300	\$350	\$300	\$300	\$200	
3. Nursing home cafeteria inspection	\$100.00	Contracted 3rd party cost + \$25 processing fee	\$324	\$300	\$350	\$300	\$500	\$300	
4. School cafeteria inspection	\$100.00	Contracted 3rd party cost + \$25 processing fee	\$487	\$300	\$0	\$300	\$0	\$300	
5. Restaurant inspection	\$100.00	Contracted 3rd party cost + \$25 processing fee	\$162, up to 1000sqft \$487, 1000sqft+	\$300	\$350	\$300	\$500	\$300	
6. Convenience store inspection	\$100.00	Contracted 3rd party cost + \$25 processing fee	\$162- No Deli \$324- With Deli	\$250	\$250	\$300	\$250	\$200	
7. Grocery store inspection	\$250.00	Contracted 3rd party cost + \$25 processing fee	\$324 up to 12,000sqft \$487 12,000sqft+	\$400	\$350	\$300	\$650	\$400	
8. Swimming pool inspections	\$50.00	Contracted 3rd party cost + \$25 processing fee	\$162 application fee \$162 Annual Permit	\$500	\$150 per pool	\$250	\$225 per pool	\$150 per body of water	
9. Health complaints/investigation	\$50.00	Contracted 3rd party cost + \$25 processing fee	\$50		N/A	Full reinspection - 50% of permit Follow up- \$50			
10. Court appearances (per session)	\$50.00	Contracted 3rd party cost + \$25 processing fee	N/A		N/A				
Park land dedication	\$550.00/dwelling unit	This will need to be looked at in greater detail in the next round of revisions. City needs to do analysis of land values in area, and park construction costs.					60% of land value + average cost of park improvements proportioned out to est. population size of development.	\$645 per residential unit	
Other inspections and fees:									
a. Inspections outside of normal business hours	\$47.00/hour (Minimum charge – four hours)* \$188	Unchanged	\$183/hr, 2 Hr min.			\$60/hr -2hr min.	\$150	\$50/hr 2 hr min	
b. Reinspection fees assessed under provisions of Section 305.8	\$75.00	Unchanged	\$50			\$100	Res - \$30 Comm - \$35	1st- \$50 2nd- \$75 3rd - \$100	

c. Inspections for which no fee is specifically indicated	\$47.00/hour (Minimum charge – one-half hour)* \$188	Unchanged	N/A			\$60		\$50/hr
d. For use of outside consultants for plan checking and inspections, or both	Actual costs**	Unchanged	Actual costs**					

Est. Alcohol Permit Fees:

Business	Permit Type	Orig. Permit Date	Renewal Date	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Total
Don Camillo	RM (Mixed Beverage w/ food)	2/3/2017	2/2/2021		\$ 1,500		\$ 750		\$ 750		\$ 750		\$ 750		\$ 4,500
Oakmont CC	RM (Mixed Beverage w/ food)	10/28/2004	10/27/19 <i>Pending Renewal</i>		\$ 750		\$ 750		\$ 750		\$ 750		\$ 750		\$ 3,750
Ashton Gardens	RM (Mixed Beverage w/ food)	6/22/2010	6/21/2020	\$ 750		\$ 750		\$ 750		\$ 750		\$ 750		\$ 750	\$ 4,500
Chipotle	RM (Mixed Beverage w/ food)	12/6/2019	12/5/2021			\$ 1,125	\$ 1,500		\$ 750		\$ 750		\$ 750		\$ 4,875
Combs Coffee	BG/FB (Beer/wine with Food & Bev.)	4/22/2019	4/21/2021		\$ 175		\$ 175		\$ 175		\$ 175		\$ 175		\$ 875
CVS	BQ (Wine/Beer off-premise)	6/15/2017	6/14/2021		\$ 60		\$ 60		\$ 60		\$ 60		\$ 60		\$ 300
Aldi	BQ (Wine/Beer off-premise)	9/3/2015	7/14/2021		\$ 60		\$ 60		\$ 60		\$ 60		\$ 60		\$ 300
7-11 (IH35)	BQ (Wine/Beer off-premise)	2/4/2014	2/3/2022			\$ 60		\$ 60		\$ 60		\$ 60		\$ 60	\$ 300
7-11 (2181)	BQ (Wine/Beer off-premise)	7/15/2019	7/14/2021		\$ 60		\$ 60		\$ 60		\$ 60		\$ 60		\$ 300
Walgreens	BQ (Wine/Beer off-premise)	9/24/2009	9/23/2021		\$ 60		\$ 60		\$ 60		\$ 60		\$ 60		\$ 300
The Barrel Room	G (Winery)	1/14/2015	1/13/2021		\$ 75		\$ 75		\$ 75		\$ 75		\$ 75		\$ 375
Good Spirits (Albertsons)	BQ (Wine/Beer off-premise)	3/29/2002	3/28/2020			\$ 60		\$ 60		\$ 60		\$ 60		\$ 60	\$ 300
Total				\$ 750	\$ 2,740	\$ 1,995	\$ 3,490	\$ 870	\$ 2,740	\$ 870	\$ 2,740	\$ 870	\$ 2,740	\$ 870	\$ 20,375

Alcohol Fees	Corinth	Proposed	Denton	McKinney	Lewisville	Flower Mound	Frisco	Allen
<u>Beer/wine permits</u>								
New Application Fee	N/A		\$162	N/A	N/A	N/A	N/A	N/A
Permit cost	N/A	50% of TABC Fee (State Law)	50% of TABC Fee (State Law)	50% of TABC Fee (State Law)	50% of TABC Fee (State Law)	50% of TABC Fee (State Law)	\$87.50 per year	\$0 (Currently do not charge a fee, but may begin charging after new revenue restrictions)
<u>Mixed Beverage</u>								
New Application Fee	N/A		\$162	N/A	N/A	N/A	N/A	N/A
Permit cost	N/A	50% of TABC Fee (State Law)	50% of TABC Fee (State Law)	50% of TABC Fee (State Law)	50% of TABC Fee (State Law)	50% of TABC Fee (State Law)	\$0 years 1-3; \$1,125 year 4; \$750 years 5-6; \$375 year 7+	\$0 (Currently do not charge a fee, but may begin charging after new revenue restrictions)
Bars			\$324	N/A	N/A	N/A	N/A	N/A

City Council Regular and Workshop Session

Meeting Date: 03/05/2020
Title: Reconsider motion for denial for the Enterprise Planned Development Rezoning Ordinance.
Submitted For: Bob Hart, City Manager **Submitted By:** Helen-Eve Liebman, Director
Finance Review: N/A **Legal Review:** N/A
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Land Development

AGENDA ITEM

Consider and take action on a request to Reconsider the motion for denial for the Enterprise Planned Development Rezoning Ordinance amending the zoning classification from C-2, Commercial to PD, Planned Development with a base district of C-2, Commercial on an ±7.12 acre tract of land legally described as Block 1, Lots 6-A1, 6-B1, and 6-C1 of the Pecan Creek Subdivision, and is situated in the William Garrison Survey, Abstract 1545 within the City of Corinth, Denton County, Texas and is more commonly known as 5150 S I-35E, Corinth, TX. (Enterprise PD Zoning) and providing direction to staff regarding dates for a future public hearing.

AGENDA ITEM SUMMARY/BACKGROUND

A written request from Council Member Kelly Pickens has been received for the Corinth City Council to reconsider the motion made for denial on the Enterprise Planned Development Rezoning Ordinance that was acted on February 6, 2020. In Council Member Pickens’ request, she asked, “If we could, could we place the Enterprise development as a future agenda item? I would like to have the ability to discuss this further.” Section 30.104 of the City of Corinth Code of Ordinances outlines the procedure for City Council reconsideration as:

Section 30.104 - RECONSIDERATION.

*A motion to reconsider any action of the Council can be made at any time within 30 days after the action was taken. Such a motion can only be made by a member who voted with the majority to take or authorize such action. It can be seconded by any member. In order to comply with the Texas Open Meetings Act and other applicable law and ordinance, any Council member who wishes to make such a motion at a meeting succeeding the meeting where the action was taken shall notify the City Manager to place the item to be reconsidered on the Council agenda in sufficient time to comply with the Texas Open Meetings Act and any other applicable law or ordinance. No question shall be twice reconsidered, except by unanimous consent of the Council, except that action related to any contract may be reconsidered at any time before the final execution thereof.
(Ord. 99-08-05-25, passed 8-5-99; Am. Ord. 01-01-18-03, passed 1-18-01; Am. Ord. 06-09-11-21, passed 9-11-06)*

RECOMMENDATION

Staff recommends approval of the motion to be reconsidered, direct staff to place the motion reconsideration item on the March 19, 2020 City Council Workshop Business Agenda for discussion, proceed with public hearing and notification requirements as outlined in the City of Corinth Unified Development Code, and for the motion reconsideration item to be placed on the April 2, 2020 City Council meeting agenda for a public hearing and business agenda for consideration and action.

City Council Regular and Workshop Session

Meeting Date: 03/05/2020
Title: Ballot Proposition for a New Short-Term Motor Vehicle Rental Tax
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 Ordinance No. 20-03-05-06 repealing Ordinance No. 20-02-13-04, an ordinance ordering a Joint Special Election on May 2, 2020 for the purpose of submitting a ballot proposition on the question of approving and implementing Resolution No. 20-02-06-08 designating a Multipurpose Amphitheater and related infrastructure as a Sports and Community Venue Project (“Amphitheater Project”) in the City and on the question of adopting a new short term motor vehicle rental tax at a maximum rate of five percent (5%) to fund the Amphitheater Project; and providing for other matters related to the conduct of the election.

AGENDA ITEM SUMMARY/BACKGROUND

Chapter 334 of the Texas Local Government Code, as amended, permits 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 short-term motor vehicle rental tax. It is a tax, however, that requires the approval of voters before it can be imposed on motor vehicle rentals of 30 days or less and 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, the City Council approved Resolution No. 20-02-06-08 on February 6, 2020 which designated the multi-purpose amphitheater and its related infrastructure as a venue project and designated a new short-term motor vehicle rental tax as a method for financing the venue project. Also, in accordance with the provisions of state law, the Texas Comptroller of Public Accounts performed an analysis to "determine if approval and implementation of the resolution will have a significant negative impact on state revenue" and provided the City with written notice of the results. The Texas Comptroller of Public Accounts determined that the approval and implementation of Resolution No. 20-02-06-08 will not have a negative impact on state revenue.

Accordingly, the City Council, in approving Ordinance No. 20-02-13-04, on February 13, 2020, ordered an election for the Short-Term Motor Vehicle Rental Tax to be held on May 2, 2020. The purpose of this agenda item is to confirm the City Council's desire to present the ballot proposition designating a Multipurpose Amphitheater and related infrastructure as a venue project and adopting a new short-term motor vehicle rental tax at a maximum rate of five (5) percent to the eligible voters of Corinth on May 2, 2020. Per the Denton County Elections Administration, the City Council has until March 6, 2020 to decide whether to present the ballot proposition identified above to eligible voters of Corinth.

RECOMMENDATION

Staff recommends that the City Council move forward with placing the proposition on the May 2, 2020 ballot.

Attachments

Ordinance

ORDINANCE NO. 20 - 02 - 13 - 04

AN ELECTION ORDER OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, ORDERING A JOINT SPECIAL ELECTION BETWEEN THE CITY OF CORINTH, TEXAS, (“CITY”), AND DENTON COUNTY, TEXAS, (“COUNTY”), TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF CORINTH, TEXAS, A BALLOT PROPOSITION ON THE QUESTION OF APPROVING AND IMPLEMENTING RESOLUTION NO. 20 - 02 - 06 - 08 DESIGNATING A MULTIPURPOSE AMPHITHEATER AND RELATED INFRASTRUCTURE AS A SPORTS AND COMMUNITY VENUE PROJECT, (“AMPHITHEATER VENUE PROJECT”), AND ADOPTING A NEW TAX, A SHORT TERM MOTOR VEHICLE RENTAL TAX AT A MAXIMUM RATE OF FIVE PERCENT (5%), TO FUND THE AMPHITHEATER VENUE PROJECT, PURSUANT TO CHAPTER 334 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR THE DATE OF ELECTION AND PURPOSE OF ELECTION; PROVIDING AN ELECTION NOTICE; PROVIDING FOR THE ADMINISTRATION OF A JOINT ELECTION AND APPROVAL OF A JOINT CONTRACT FOR ELECTION SERVICES WITH COUNTY; PROVIDING FOR EARLY VOTING; PROVIDING THE METHOD OF VOTING; PROVIDING GOVERNING LAW AND QUALIFIED VOTERS; REQUIRING POSTING OF NOTICE; PROVIDING FOR CANVASSING OF RETURNS AND NECESSARY ACTIONS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Chapter 334 of the Texas Local Government Code, as amended, (the “Act”), authorizes a municipality to designate various sports and community-related capital improvements and related infrastructure as a “venue” and to designate a method of financing the planning, acquisition, establishment, development, and construction of the venue subject to: (1) a determination by the Texas Comptroller (“Comptroller”), that approval and implementation of the venue project will not have a significant negative fiscal impact on state revenue; and (2) approval by a majority of the qualified voters of the City of Corinth, Texas, voting at an election on the matter; and

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

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

WHEREAS, the multipurpose amphitheater that will be constructed pursuant to the Comptroller’s and voters’ approval of the Amphitheater Venue Project, further defined in Exhibit “A”, attached hereto and incorporated as set forth fully herein, is intended for civic and community use and the City plans to charge a fee for admission to the multipurpose amphitheater, pursuant to Sections 334.001(4) and 334.044 of the Act; and

WHEREAS, Section 334.001(3) of the Act 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, before calling an election on the matter, the Act requires a municipality to adopt a resolution providing for the planning, acquisition, establishment, development, construction and renovation of the Amphitheater Venue Project and the proposed method of financing the project and that the Comptroller provide written notice to the City that implementation of Resolution No. 20 - 02 - 06 - 08 will not have a significant negative fiscal impact on state revenue; and

WHEREAS, on February 6, 2020, the City Council adopted Resolution No. 20 - 02 - 06 - 08 authorizing the designation of a multipurpose amphitheater and related infrastructure as a venue project pursuant to Section 334.001 of the Act, the Amphitheater Venue Project, and designating a method of financing the project, a tax at a rate not to exceed 5% on the gross rental receipts from the short-term rental of motor vehicles in the City, as and to the extent authorized by Subchapter E of the Act; and

WHEREAS, by letter dated February 10, 2020, the Comptroller notified the City of the Comptroller’s determination that approval and implementation of Resolution No. 20 - 02 - 06 - 08 would not have a significant negative fiscal impact on state revenue; and

WHEREAS, since the Comptroller determined that Resolution No. 20 - 02 - 06 - 08 does not have a significant negative fiscal impact on state revenue, the City Council of Corinth may call and hold an election to ascertain whether to authorize the Amphitheater Venue Project and adopt a short term motor vehicle rental tax at a maximum rate of 5% to finance the project, after giving notice of such election as required by Chapter 4 of the Texas Elections Code; and

WHEREAS, in accordance with the Act, the City of Corinth wishes to order a special election by the qualified voters of the City of Corinth, Texas, on the question of approving and implementing Resolution No. 20 - 02 - 06 - 08 designating the Amphitheater Venue Project as a venue project and designating the method of financing the project; and

WHEREAS, the City Council of Corinth desires to hold a joint election with Denton County and to enter into a Contract for Election Services whereby the special election will be administered by the Denton County Elections Administrator; and

WHEREAS, Section 41.001 of the Texas Election Code, as amended, establishes May 2, 2020, as a “uniform election date” for the purposes of conducting a special election; and

WHEREAS, Chapter 67 of the Texas Election Code requires the City Council of Corinth to canvass election results as provided herein.

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

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

Section 2. Special Election Called; Location, Date, and Time of Special Election. The City Council of Corinth, Texas, hereby calls a joint special election with Denton County, Texas, as prescribed by Chapter 334 of the Texas Local Government Code and the Texas Election Code, and the election shall be held at the Corinth City Hall, 3300 Corinth Parkway, Corinth, Texas 76208, on the 2nd of May, 2020, from 7:00 a.m. until 7:00 p.m.

Section 3. Purpose; Proposition. The purpose of this Special Election is to consider one ballot proposition: whether to approve and implement Resolution No. 20 - 02 - 06 - 08 authorizing the City of Corinth, Texas, to provide for the planning, acquisition, establishment, development, construction, renovation and financing of a new multipurpose amphitheater and related infrastructure at the location of 3221 Corinth Parkway, Corinth, Texas 76208, the Amphitheater Venue Project, and to designate the Amphitheater Venue Project as a sports and community venue project and to impose a short term motor vehicle rental tax on the gross rental receipts from the short-term rental of motor vehicles within the City of Corinth, Texas, at a maximum rate of 5%, for the purpose of financing the Amphitheater Venue Project, pursuant to applicable law. Pursuant to Section 334.101 of the Local Government Code, short term rental is defined as “an agreement by the owner of a motor vehicle to authorize for not longer than 30 days the exclusive use of that vehicle to another for consideration.”

Section 4. Election Notice. 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 Ordinance 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 5. Ballot Language. Voting on the date of the Special Election, and early voting therefor, shall be by the use of a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the Special Election shall conform to the Texas Election Code, as amended, so as to permit the electors to vote "For" or "Against" the Propositions. Said ballots shall have printed therein such provisions, markings, and language as may be required by law, and the Propositions shall be set forth on said ballots in substantially the following form and language:

**CITY OF CORINTH SPECIAL ELECTION
May 2, 2020
OFFICIAL BALLOT
CITY OF CORINTH PROPOSITION A**

FOR _____

AGAINST _____

“Authorizing the City of Corinth, Texas, to provide for the planning, acquisition, establishment, development, construction, renovation and financing of a new multipurpose amphitheater and related infrastructure at the location of 3221 Corinth Parkway, Corinth, Texas 76208, the Amphitheater Venue Project, and to designate the Amphitheater Venue Project as a sports and community venue project within the City of Corinth, Texas, and to impose a new short term rental tax on the gross rental receipts of the short term rental of motor vehicles within the City of Corinth, Texas, at a maximum rate of five percent (5%), for the purpose of financing the Amphitheater Venue Project.”

Section 6. Denton County to Conduct Joint Special Election; Approval of 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 County, and other participating entities, if any, as described therein, (the “Contract”), a copy of which Contract shall be incorporated herein as Exhibit “B” upon its final approval and execution by the City.

The Mayor, the City Manager or designee, is authorized to amend or supplement any and all contracts for the administration of the 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 7. Early Voting. The main early voting place is located at 701 Kimberly Drive, Suite A101, Denton, Texas 76208 and voting shall occur as provided herein. Early Voting hours are Monday, April 20, 2020 through Saturday, April 25, 2020 from 8:00 a.m. to 5:00 p.m. each day. Additional Early Voting hours are Monday, April 27, 2020 and Tuesday, April 28, 2020 from 7:00

a.m. until 7:00 p.m. each day. 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 "B" 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 8. Election Administrator; Early Voting Clerk. 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.

Section 9. Method of Voting. The Election Administrator is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct the election. Voting at the Election shall be by use of electronic system ballots. Preparation of the official ballots for the Election shall conform to the requirements of the Texas Election Code, and in so doing shall permit the voter to vote for or against each proposed amendment to the City Charter.

Section 10. Governing Law; 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 11. Publication and Posting of Notice of Election. Notice of the election shall be given as required by the Election Code, the Local Government Code, and the Charter of the City of Corinth.

Section 12. Necessary Actions. The Mayor and City Secretary 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 Local Government Code, the Election Code, and the City Charter in carrying out and conducting the election, whether or not expressly authorized herein.

Section 13. Canvass of Election. Pursuant to Section 67.002 of the Election Code, the City Council shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the 11th day after election day and not earlier than the later of: (1) the third day after election day; (2) the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or (3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

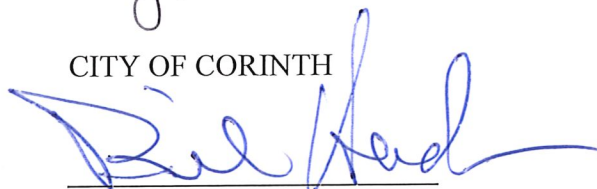
Section 14. Cumulative Repealer Clause. This Ordinance shall be cumulative of all provisions of Ordinances of the City of Corinth, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 15. Severability. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance 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 Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 16. Effective Date. This Ordinance shall be effective upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, ON THE 13 DAY OF FEBRUARY, 2020.

CITY OF CORINTH



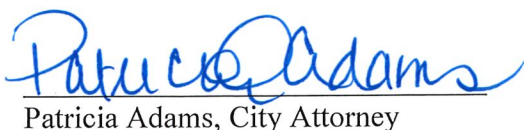
Bill Heidemann, Mayor

ATTEST:



Kimberly Pence, City Secretary

APPROVED AS TO FORM:



Patricia Adams, City Attorney

Exhibit A
Amphitheater Venue Project



View of Corinth Village

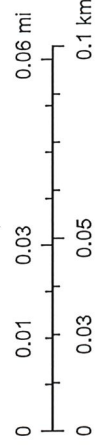
Rendering of the Completed Planned Amphitheater Venue Project

Planned Amphitheater Venue Project Location



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

1:2,257



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

Web AppBuilder for ArcGIS
Esri, Inc., City of Naperville, Illinois | City of Corinth | The City of Corinth |

Exhibit B
Election Services Contract

ORDINANCE NO. 20-03-05-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, REPEALING ORDINANCE NO. 20-02-13-04 ORDERING A JOINT SPECIAL ELECTION BETWEEN THE CITY OF CORINTH, TEXAS, (“CITY”), AND DENTON COUNTY, TEXAS, (“COUNTY”), TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF CORINTH, TEXAS, A BALLOT PROPOSITION ON THE QUESTION OF APPROVING AND IMPLEMENTING RESOLUTION NO. 20-02-06-08 DESIGNATING A MULTIPURPOSE AMPHITHEATER AND RELATED INFRASTRUCTURE AS A SPORTS AND COMMUNITY VENUE PROJECT, (“AMPHITHEATER VENUE PROJECT”), AND ADOPTING A SHORT TERM MOTOR VEHICLE RENTAL TAX AT A MAXIMUM RATE OF FIVE PERCENT (5%), TO FUND THE AMPHITHEATER VENUE PROJECT, PURSUANT TO CHAPTER 334 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR THE CANCELLATION OF THE SPECIAL ELECTION ON THE AMPHITHEATER VENUE PROJECT AND THE RELATED FIVE PERCENT (5%) SHORT TERM MOTOR VEHICLE RENTAL TAX AND REPEALING ORDINANCE NO. 20-02-13-04; PROVIDING FOR NOTICE OF ELECTION CANCELLATION; PROVIDING NECESSARY ACTIONS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, On February 13, 2020, the City Council adopted Ordinance No. 20-02-13-04 ordering a joint special election pursuant to Chapter 334 of the Texas Local Government Code, as amended, (the “Act”), in order to submit a proposition to the qualified voters of the City of Corinth, Texas, on the question of approving and implementing Resolution No. 20-02-06-08 designating a multipurpose amphitheater and related infrastructure as a sports and community venue project (“Amphitheater Venue Project”) and adopting a short term motor vehicle rental tax at a rate of 5% to finance the Amphitheater Venue Project; and

WHEREAS, the City Council by adoption of Ordinance No. 20-02-13-04 approved the language of a specific ballot proposition to be placed on the May 2, 2020 ballot to authorize the Amphitheater Venue Project and the short term motor vehicle rental tax necessary for financing such project (the “Amphitheater Proposition”); and

WHEREAS, after further consideration, the City Council has determined that the Ordinance No. 20-02-13-04 should be repealed in its entirety and that the Amphitheater Proposition should not

be placed on the May 2, 2020 ballot at this time, and through the adoption of this Ordinance, the City Council repeals Ordinance No. 20-02-13-04 in its entirety and directs the City Secretary to notify the Denton County Elections Office and Election Administrator that the Amphitheater Proposition will not be placed on the May 2, 2020 ballot for consideration by the qualified voters of the City.

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

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

Section 2. Special Election on Amphitheater Proposition Cancelled; Ordinance No. 20-02-13-04 Repealed; The City Council of Corinth, Texas, hereby expressly repeals Ordinance No. 20-02-13-04 in order to cancel the previously ordered joint special election on the 2nd of May, 2020 with Denton County, Texas, for the purpose of presenting to the qualified voters of the City the Amphitheater Proposition as set forth in Ordinance No. 20-02-13-04 and approving and implementing Resolution No. 20-02-06-08 authorizing the City of Corinth, Texas, to provide for the planning, acquisition, establishment, development, construction, renovation and financing of a new multipurpose amphitheater and related infrastructure at the location of 3221 Corinth Parkway, Corinth, Texas 76208, the Amphitheater Venue Project, and to designate the Amphitheater Venue Project as a sports and community venue project and to impose a short term motor vehicle rental tax on the gross rental receipts from the short-term rental of motor vehicles within the City of Corinth, Texas, at a maximum rate of 5%, for the purpose of financing the Amphitheater Venue Project, pursuant to applicable law.

Section 3. Election Cancellation Notice. Notice of the cancellation of the Special Election on the Amphitheater Proposition shall be provided to the Denton County Election Office and Election Administrator and to the general public in accordance with the Texas Election Code and other applicable law. The City Secretary is directed to take all necessary action to cancel the special election for the Amphitheater Venue Project and to exclude the Amphitheater Proposition from the May 2, 2020 election ballot and election contract with Denton County.

Section 4. Necessary Actions. The Mayor and City Secretary in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of this Ordinance, the Local Government Code, the Election Code, and the City Charter to give effect to this Ordinance cancelling the election on the Amphitheater Proposition.

Section 5. Cumulative Repealer Clause. This Ordinance shall be cumulative of all provisions of Ordinances of the City of Corinth, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 6. Severability. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance 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 Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7. Effective Date. This Ordinance shall be effective upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, ON THE __ DAY OF _____, 2020.

CITY OF CORINTH

Bill Heidemann, Mayor

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

Patricia A. Adams, City Attorney