



City of Colleyville City Council Agenda

City Hall
100 Main Street
Colleyville, Texas 76034
817.503.1000
www.colleyville.com

Tuesday, January 17, 2017

**WORKSESSION
5:30 PM
EXECUTIVE SESSION
6:30 P.M.
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

CALL TO ORDER

- WS-1** Presentation of the Annual Crime Report
- WS-2** Discussion of a prohibition of overhead utility lines
- WS-3** Discussion of the January 17, 2017, City Council regular agenda items

1. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Legal - Consultation with the City Attorney regarding contemplated or threatened litigation concerning the TexRail right-of-way work within the incorporated limits of the City

Section 551.071 - Legal - Consultation with attorney regarding litigation - Lincoln et al v. City of Colleyville

Section 551.071 - Legal - Consultation with City Attorney regarding litigation - Jane Doe v. City of Colleyville

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.074 - Personnel - Deliberate the appointment, employment, evaluation, and the duties of the Chief Financial Officer

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

**REGULAR MEETING
7:30 P.M.
CITY COUNCIL CHAMBERS**

INVOCATION: Pastor Lanre Sobo, Glory House

PLEDGE OF ALLEGIANCE: City Attorney Whitt Wyatt

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-17-4083

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

In recognition of service on a City of Colleyville Board, Commission, or Committee

In recognition of Colleyville's Featured Business of the Month - Take 5 Birkenstock, 5509 Colleyville Boulevard, Suite 260, Store Owner Rick LeRoy - Mayor Richard Newton and Executive Director of Economic Development and Communications Mark Wood

4. CONSENT: READING AND PUBLIC HEARING - Resolution R-17-4084

4a Approval of the minutes of the regular City Council meeting of January 3, 2017

5. ORDINANCE(S): SECOND READING AND PUBLIC HEARING

5a Ordinance O-17-2003

Consideration for approval of amendments to Chapter 7 – Sign Regulations in the Land Development Code regarding directory signage, specifically Section 7-150 Permanent Freestanding Signs – Sign Classifications & Regulations, Section 7-160 Permanent Freestanding Signs – Allowable Districts, and Section 7-165 Permanent Freestanding Signs – Area, Height and Setback Requirements, Case GC16-019

5b Ordinance O-17-2004

Consideration for approval of amendments to Chapter 8 – Plat Review Procedures in the Land Development Code regarding plat approval to be made by the City Council, specifically Section 8 – 130 Approval Authority Over Subdivision Plats, Case GC16-020

6. TABLED RESOLUTION(S): READING AND PUBLIC HEARING**6a Resolution R-17-4082**

Approval of the first renewal term of the Interlocal Lease Agreement with Tarrant County 9-1-1 for facility space at the Colleyville Justice Center, and authorize the city manager to execute the agreement

7. DISCUSSION OF ITEMS NOT FOR ACTION

7a Staff presentation on current Capital Improvement Projects

7b Monthly Financial Report - December 2016

7c Update on the status and activities of the Regional Transportation Council (RTC) - Councilmember Mike Taylor

8. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA**9. REPORTS**

Sign Board of Appeals Minutes - February 9, 2016

Planning and Zoning Commission Minutes - December 12, 2016

10. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JANUARY 17, 2017 - READING AND PUBLIC HEARING - RESOLUTION R-17-4085**11. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards Friday, January 13, 2017 by 5:00 p.m.

Amy Shelley, TRMC
City Secretary

A quorum of any Colleyville board, commission, or committee may be present at this meeting.

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.

If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1133, and reasonable accommodations will be made to assist you.



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number WS-1

Agenda Date 01/17/2017

Type Worksession

Department Police

Title

Presentation of the Annual Crime Report

Strategy Map Connection

C5- Achieve the highest standards of safety & security

Explanation

On the heels of reaching a historic milestone in 2015 for the lowest reported Part 1 Crime in recorded history, the City of Colleyville saw a slight increase in overall crime in 2016. The Colleyville Police Department employed a variety of strategies, technology, and analysis to develop intelligence, identify trends, and quickly deploy resources in a directed fashion to ensure Colleyville remains a safe and secure community. Although overall Part 1 crime saw an increase in 2016, violent crime dramatically decreased by 60 percent.

Crime Reporting

Part 1 Crime reporting is used for crime analysis both locally and statewide through the Uniform Crime Report (UCR). The objective of the Uniform Crime Reporting program is to produce reliable crime statistics for law enforcement administration, operation, and management. This is accomplished through the recording and reporting of the eight Crime Index Offenses (Part 1 Offenses); Murder, Rape, Robbery, Aggravated Assault, Burglary, Theft, Auto Theft, and Arson.

Law enforcement agencies report the number of known index crime offenses from their record of complaints from victims, reports from witnesses, and from crimes discovered by the agency during operation. Reports that are determined to be unfounded are eliminated from the totals. The resulting number of "offenses known to law enforcement officials" is reported without regard to whether arrests were made, stolen property recovered, or prosecution took place.

Each month, the Colleyville Police Department prepares and submits specific known crime statistics to the Federal Bureau of Investigations (FBI), through the Texas Department of Public Safety. Although these crime statistics do not reflect all reported crimes, it is what Colleyville and other police agencies around the country are measured against. Crimes not tracked as index offenses include Criminal Mischief, Criminal Trespass, Simple Assault, Forgery, and other property and minor offenses against individuals.

2016 vs. 2015 Crime Comparison

In Colleyville, the UCR Part 1 Offense comparison for 2016 versus 2015 reports an increase in property crime of 14 percent. There were 104 thefts reported in 2016 as compared to 106 in 2015, a 2 percent decrease. This decrease was driven by a 19 percent decrease in Other Theft offenses. In 2016, there was an increase in reported burglaries compared to 2015. This increase was driven by an increase in lawn equipment burglaries from residential sheds. Burglaries increased from 25 in 2015 to 45 in 2016, an 80 percent increase.

Violent crimes, which include murder, rape, aggravated assault, and robbery decreased during this time period from 15 to 6, a decrease of 60 percent. A year to year comparison of 2016 to 2015 shows a total of 155 Part 1 Offenses as compared to 146 in 2015. Overall crime for Colleyville in 2016 increased 6 percent.

Traffic enforcement plays a crucial role in effective crime reduction strategies. Research from the National Highway Traffic Safety Administration has shown that effective traffic enforcement at high accident locations correlate to not only reductions in traffic accidents, but also reductions in Part I offenses. This occurs because of highly visible, targeted traffic enforcement to the affected areas and the knowledge that crimes often involve the use of motor vehicles. In 2016 Colleyville remarkably had the exact same number of reported traffic accidents as in 2015.

Part 2 Offenses Summary

Part 2 Offenses are generally thought of as minor crimes. These include simple assaults, runaways, public intoxication, curfew and other similar type offenses. Colleyville experienced an increase in Part 2 crimes in 2016 compared to 2015. There were 526 Part 2 Offenses in 2016 and 405 in 2015.

Crime Reduction Strategies

There are numerous factors that successfully impacted overall crime in Colleyville over the last several years. The core element of our crime reduction strategy is ensuring that our officers are proactively addressing crime rather than reacting to it. Emphasis is placed on fostering strong relationships with the community. Through the COMPSTAT process we develop timely and accurate intelligence information, rapidly deploy the proper resources, develop and utilize effective tactics and engage in relentless follow-up. The COMPSTAT model emphasizes accountability within the organization and promotes creative solutions to identified problems.

The department also continues to support community partnership programs, such as the Citizens Police Academy, Citizens on Patrol (COP), Coffee with Public Safety, and Explorers. These programs provide an excellent opportunity for our officers and community partners to work hand-in-hand with one another toward the common goal of keeping Colleyville safe.

Colleyville's emphasis on public safety has created an environment that fosters a safe community. As a result, the City of Colleyville has experienced a phenomenal decline in crime since 2010. Through the continued utilization of effective management practices, a professional and engaged workforce, and continued investment in resources, the Colleyville Police Department will meet each new challenge the future brings with confidence and determination.

Attachments

1. 2016 Annual Crime Report

2016 ANNUAL CRIME REPORT

Colleyville Police Department
January 17, 2017

WHAT IS UNIFORM CRIME REPORTING (UCR)?



The objective of the Uniform Crime Reporting program is to produce reliable crime statistics for law enforcement administration, operation, and management.

This is accomplished through the recording and reporting of the eight (8) Crime Index Offenses (Part 1 Offenses);

- ☐ **Murder**
- ☐ **Rape**
- ☐ **Robbery**
- ☐ **Aggravated Assault**
- ☐ **Burglary**
- ☐ **Theft**
- ☐ **Auto Theft**
- ☐ **Arson**

2016 ANNUAL CRIME REPORT



Part 1 Crimes	2015	2016	Change
Murder	0	0	N/A
Rape	4	1	-75%
Aggravated Assault	7	3	-57%
Robbery	4	2	-50%
Total Violent	15	6	-60%
Burglaries			
Non-Residential	9	13	44%
Residential	16	32	100%
Thefts			
Burglary of Vehicle	32	41	28%
Other Theft	73	59	-19%
Auto Theft	1	4	300%
Arson	0	0	N/A
Total Property	131	149	14%
Total Part 1	146	155	6%



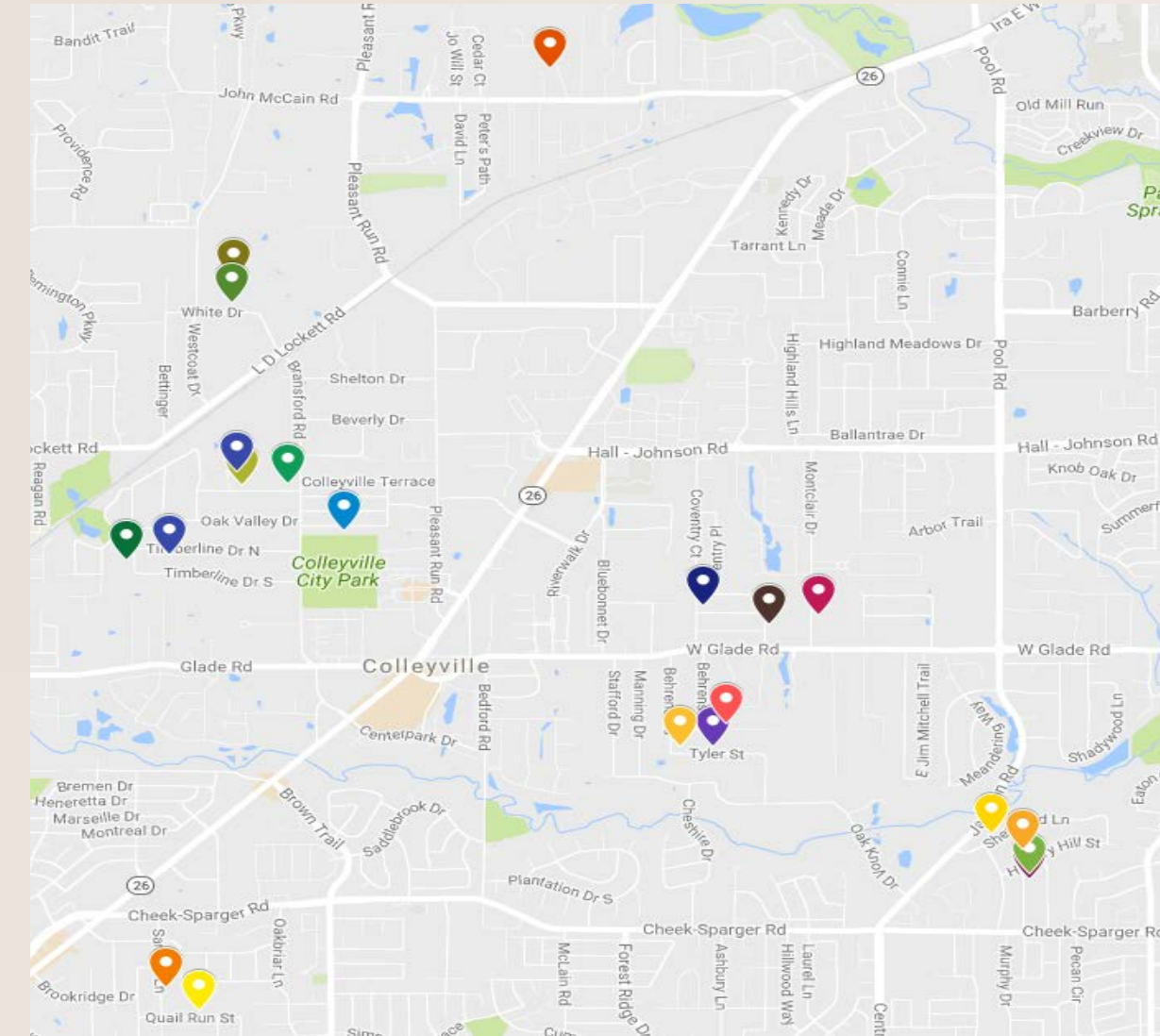
Change in Crime

6%

2016 RESIDENTIAL SHED BURGLARY OFFENSES



2016 RESIDENTIAL SHED BURGLARY OFFENSES



- The theft of lawn equipment or any other item(s) from a locked or unlocked residential shed is classified by UCR as a Residential Burglary
- Reported Residential Burglary offenses doubled from 2015 (16) to 2016 (32)
- This increase was a direct result of the increase of reported shed burglary offenses this year
- In **2016** – there were **21** reported shed burglary offenses compared to only **1** in **2015**
- The increase of 20 shed Burglary offenses accounted for **14%** of all Part I offenses.

2016 ANNUAL CRIME REPORT PART 2 OFFENSES

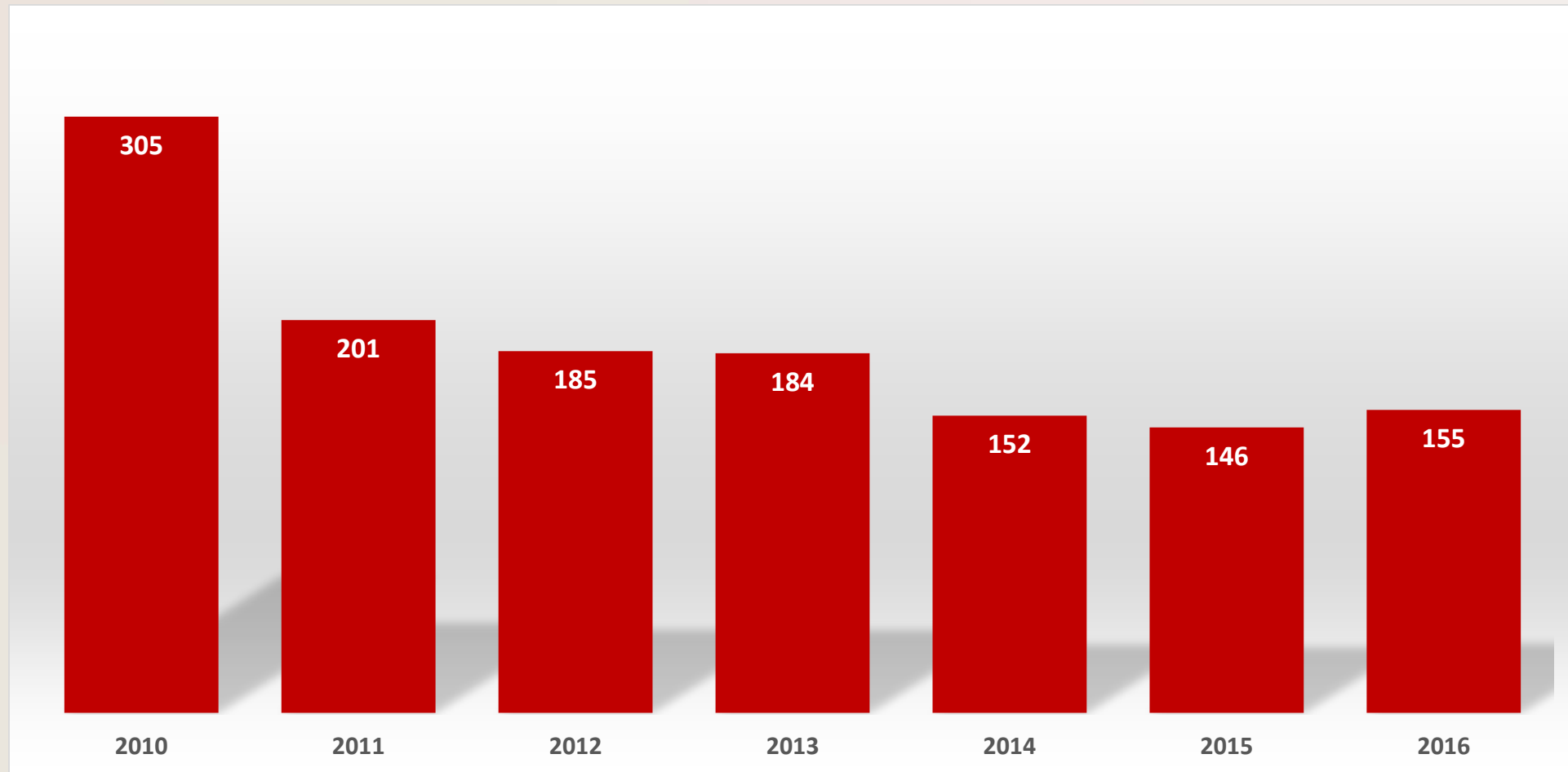


Summary of Uniform Crime Reporting Part 2 Offenses 2015 vs 2016



		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2016	2015
Part-2 Crimes	Curfew & Loitering Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	1
	Disorderly Conduct	0	1	0	0	0	0	0	0	0	0	1	0	2	1
	Driving Under the Influence	9	13	11	13	8	12	11	7	10	9	0	7	110	128
	Drug Offenses (Possess - Sale/Mfg.)	3	9	14	7	7	5	7	7	4	5	2	6	76	49
	Embezzlement	0	0	1	0	0	1	0	0	1	2	2	0	7	4
	Forgery	0	0	0	3	0	2	1	1	1	1	0	2	11	9
	Fraud (Credit Card Abuse, Theft of Serv.)	5	2	4	9	5	9	4	8	11	5	8	6	76	30
	Gambling Offense	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Liquor Laws	4	1	5	4	1	1	3	0	1	0	2	1	23	9
	Offenses Against Family and Children	0	0	0	0	0	0	0	0	1	0	0	0	1	0
	Prostitution / Vice	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Public Intoxication	0	1	1	0	3	2	3	2	0	2	2	1	17	16
	Runaway	0	0	0	0	0	0	0	0	1	0	0	0	1	6
	Sex Offenses	0	1	0	0	0	0	2	0	0	0	0	0	3	2
	Simple Assault	2	3	5	3	4	1	3	6	4	1	4	0	36	54
	Stolen Property; Buy, Recv., Poss.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Vandalism	0	2	3	4	3	3	0	1	3	0	2	2	23	37
	Weapons	3	1	1	2	1	1	1	2	2	1	2	1	18	6
	All Other Offenses (except traffic)	10	6	9	11	15	10	13	9	7	11	12	9	122	53
	Total 2016 Part-2 Crimes:		36	40	54	56	47	47	48	43	46	37	37	35	526
Total 2015 Part-2 Crimes:		28	23	27	24	45	35	38	37	26	39	36	47		

CRIME REDUCTION TREND



2010 to 2016 CRIME REDUCTION



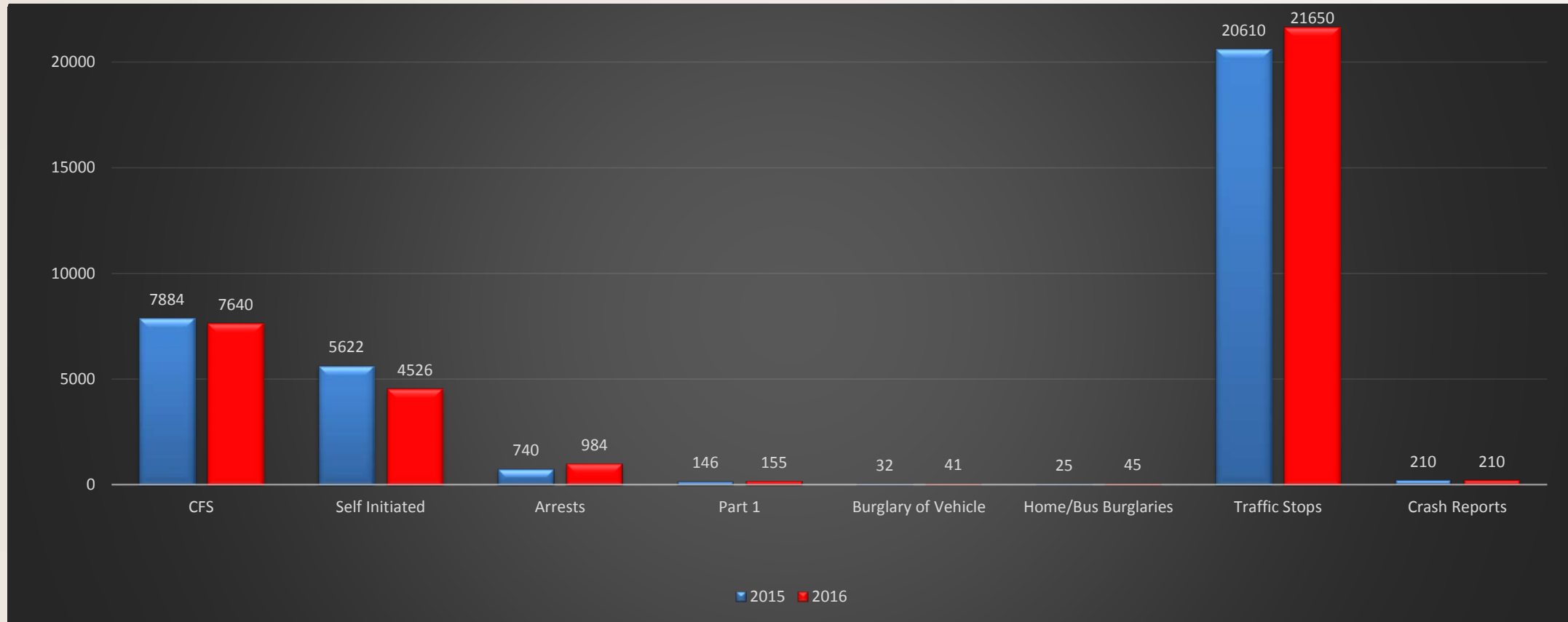
OVERALL CRIME
REDUCTION
COMPARED TO
2010

49%

COLLEYVILLE POLICE DEPARTMENT PATROL ACTIVITY 2016



- Calls for Service 7,884 to 7,640 - 3% Decrease
- Officer Initiated 5,622 to 4,526 - 19% Decrease
- Arrests up 740 to 984 - 33% Increase
- Part 1 Offenses 146 to 155 - 6% Increase
- Burglary of Vehicle 32 to 41 -28% Increase
- Home/Bus Burglaries 25 to 45 - 80% Increase
- Traffic Stops 20,610 to 21,650 - 5% Increase
- Crash Reports 210 to 210 – No Change
- Conducted 30,518 Business, Home, & Park Checks



In 2016, Colleyville Police Department's Criminal Investigations Division received 721 new case assignments.

On average, 2.9 new cases were assigned per day.

Annual Clearance Rate

- 21% Part 1 Clearance
 - Violent – 67% Clearance
 - Property – 19% Clearance
- 79% Part 2 Clearance

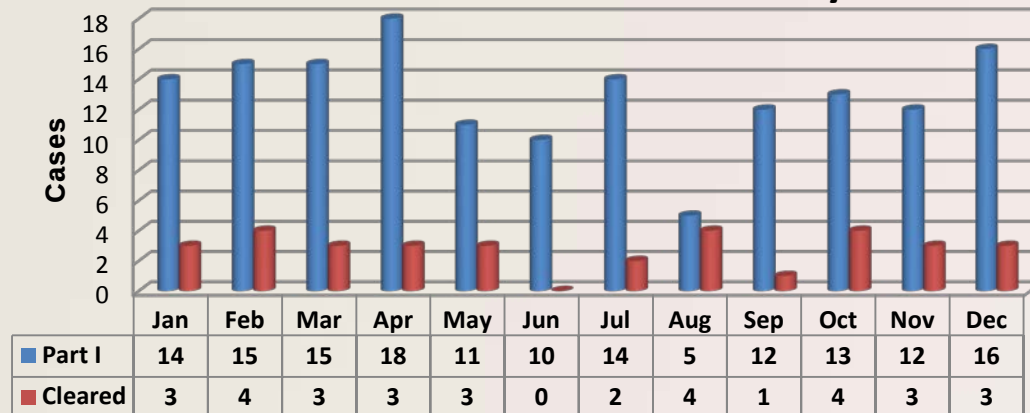
Other points of interest include:

- Submitted 2,209 Investigative Supplements
- 100% Three day victim contact
- 720 Hours - Crime Scene Investigation and Related Training
- 24 Hours - Digital Video Recovery Training

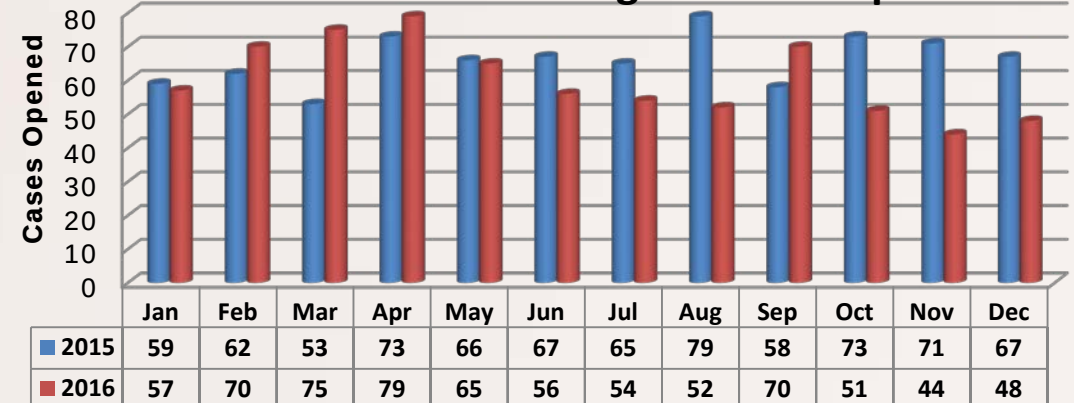
Extra Duties:

- Crossing Guard Administrator
- Citizens on Patrol
- Firearms Instructor
- Child Abduction Response Team
- Taser Instructor
- Lock Box Program
- Sex Offender Registration and Management

Twelve Month Part 1 History



2015 - 2016 Case Assignment Comparison



KEEPING COLLEYVILLE SAFE



- Keys to our success
 - Pro-active approach consisting of multi-layered strategies built upon a solid community policing foundation.





City of Colleyville City Council Agenda Briefing

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100 Main Street
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Agenda Number WS-2
Type Worksession
Department City Manager

Agenda Date 01/17/2017

Title

Discussion of a prohibition of overhead utility lines

Strategy Map Connection

B2- Proactively seek process improvements and sustainable solutions

F3- Forecast needs and plan for the future, balancing priorities with resources

Explanation

Discussion of overhead utility lines on SH26 is placed on the agenda at the request of Councilmember Jody Short.

Background. In 2005, the City held a bond election that included a proposition that would have funded moving the overhead utility lines along Colleyville Boulevard/State Highway 26 (SH26) underground upon their relocation for the SH26 reconstruction project. That proposition was not approved. However, with the reconstruction and widening of SH26 now underway, the City Council has recently suggested that the subject should be revisited and requested information related to burying the overhead utility lines along the corridor. The City Council has expressed a strong desire to bury the overhead utility lines, and if not feasible due to monetary constraints, at a minimum the City should prohibit future overhead lines along Colleyville Boulevard.

Purpose. The purpose of this item is to discuss taking action that would prohibit the installation of new overhead utility lines along Colleyville Boulevard by requiring that future developments install utility lines underground. Currently the Land Development Code has no such prohibition. Typical utilities that utilize overhead lines include electricity, telephone, cable, and television. As an extension, the discussion should also consider this prohibition to apply City wide.

Benchmark Analysis. Per the table below, it is common for cities to have ordinances restricting the installation of new overhead utility lines. The primary reason for such ordinances is to increase the aesthetics within a community and also to require new development to bear all, or a portion of, the cost. Initial research showed that the immediately surrounding communities are prohibiting new overhead utility line installation for new development.

Community	Underground Utilities Required		
	Existing Developed Property	New Residential	New Commercial
Southlake	No	Yes	Yes
North Richland Hills	No	Yes	Yes
Grapevine	No	Yes	Yes
Keller	No	Yes	Yes
Flower Mound	No	Yes	Yes
Coppell	No	Yes	Yes
Colleyville	No	No	No

Community	Notes
Southlake	Private utilities at rear of lot unless approved by Council - both residential & commercial
North Richland Hills	Residential subdivision requires underground utilities at rear of lot
Flower Mound	Also requires underground utilities with redevelopment where no plat required

For the City of Colleyville, a requirement for all new development City wide (not just for new development along Colleyville Boulevard) would be consistent with many of the immediately adjacent communities, as well as others within the region.

Factors to Consider. There are many factors to consider with the prohibition of overhead utility lines in the future, as well as taking action to bury what exists today and to what extent the regulation will apply.

1. Land area available – With the burial of utilities, additional land area is needed to accommodate the transformer units that will be needed. As it relates to SH26, no plans were made to bury the overhead utility lines along the corridor, thus additional right-of-way was not acquired to allow for underground installation. The presence of other underground utilities, sidewalks, and landscaping could potentially hinder proper installation of underground utilities. Where sufficient right-of-way does not exist, more would need to be purchased or easements would need to be acquired.
2. Cost – Major efforts to bury overhead utility lines would require planning in order to pay for the project. Even smaller efforts would be expensive and may not be feasible.
3. New development vs. redevelopment – Communities with a prohibition of overhead utilities typically only require underground utilities with new development. This is because the infrastructure does not exist therefore, it can be accommodated easier. Redevelopment will have existing overhead utility lines to contend with that can make the project difficult to initiate if the lines must be buried.

Colleyville Boulevard (State Highway 26). Construction has begun on Colleyville Boulevard to convert the roadway from a five-lane arterial roadway to a six-lane arterial with a center median to include turn lanes. The overhead power lines are not going to be buried as part of this TxDOT project. Consulting with a representative from

Oncor Electric, the estimated cost for burying the overhead utility lines would be approximately \$32 million, or about \$1,000 per linear foot. The project is approximately 16,000 linear feet in length with overhead utilities along both sides.

Case Study – Flower Mound, Texas

Per the attached article, the Town of Flower Mound requires developers to bury utility lines on property being developed or redeveloped. The high cost of burying these lines, which currently costs approximately \$1,000 per linear foot, has resulted in many developers requesting waivers from this requirement. Historically, these waivers have been regularly granted.

Recently a Flower Mound councilman suggested that developers be required to pay a portion of the cost to bury utilities into a fund, similar to a Park Land Dedication Fund. The thought is that over time, the fund would have a balance large enough to pay the cost to bury large stretches of utilities, as opposed to small sections, which their area utility companies do not support.

Flower Mound will explore this, and other creative legal means, of addressing their desire for underground utilities.

Future Development

Remaining developable land in Colleyville is limited. Two large and prominently located pieces of land currently being marketed for development are the Northern Gateway, and a tract of land at the intersection of Precinct Line Road and W. L.D. Lockett Road.

Today, there are no overhead utilities present on the western portion of the Northern Gateway's frontage with Colleyville Boulevard. No overhead utilities exist on the frontage of Precinct Line Road on the above mentioned property either.

Should the City Council desire these properties to be serviced by underground utilities at the time of their development, an amendment to the Land Development Code is necessary.

Summary

An amendment to the Land Development Code to require that new utilities be installed underground will bring the City of Colleyville in line with the surrounding communities. The standard is for new development only to be under this obligation. However, if desired, this requirement could be extended to include redevelopment with the caveat that the City Council may be placed in the position of considering waivers to this regulation. The City Council could also discuss whether to make this regulation applicable to Colleyville Boulevard only or applicable City wide.

Attachments

1. Underground Utility Presentation: January 17, 2017
2. Benchmark Analysis - Underground Utilities
3. Star Local Media Article - Flower Mound

Prohibition of Overhead Utility Lines

City Council Worksession
January 17, 2017

Purpose



1. Discuss possible prohibition of the installation of new overhead utility lines along Colleyville Boulevard by requiring that future developments install utility lines underground
 - Currently the Land Development Code has no such prohibition. Typical utilities that utilize overhead lines include electricity, telephone, cable, and television.
2. Consider this prohibition to apply City wide





Colleyville Boulevard (SH26)

- Colleyville Boulevard is converting from five-lane arterial roadway to a six-lane arterial with a center median
- Overhead power lines are not to be buried as part of the project
- Oncor Electric estimated cost to bury overhead utility lines at $\pm$ \$32 million, or \$1,000/linear foot
 - $\pm$ 16,000 LF, overhead utilities on both sides
- Prohibit construction of future overhead utility lines along Colleyville Boulevard
 - Surrounding communities prohibit new overhead utility lines for new development
- Prohibition of overhead utility lines City wide?

Benchmarking



Community	Underground Utilities Required		
	Existing Developed Property	New Residential	New Commercial
Southlake	No	Yes	Yes
North Richland Hills	No	Yes	Yes
Grapevine	No	Yes	Yes
Keller	No	Yes	Yes
Flower Mound	No	Yes	Yes
Coppell	No	Yes	Yes
Colleyville	No	No	No

Community	Notes
Southlake	Private utilities at rear of lot unless approved by Council - both residential & commercial
North Richland Hills	Residential subdivision requires underground utilities at rear of lot
Flower Mound	Also requires underground utilities with redevelopment where no plat required

Factors to Consider



- Land area available
 - accommodate transformer units
 - Presence of other underground utilities, sidewalks, and landscaping
 - Purchase additional right-of-way or acquire easements
- Cost – \$1,000 per linear foot to bury existing overhead utility lines
- New development vs. redevelopment
 - New development is the standard
 - Infrastructure does not exist, therefore, can be accommodated easier
 - Redevelopment will have existing overhead utility lines to contend with
 - Waivers can be approved by City Council

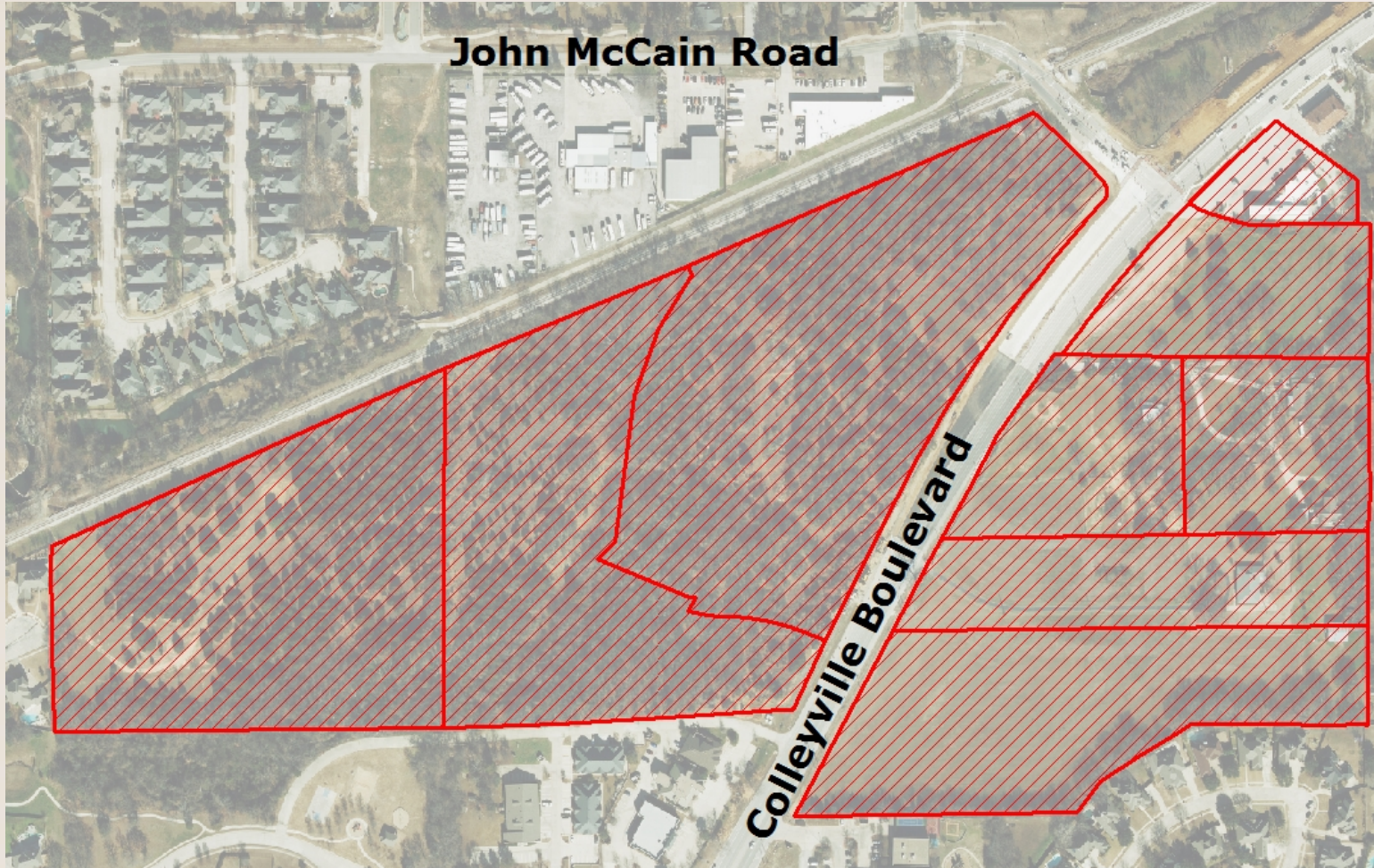
Case Study



Flower Mound, Texas

- City requires developers to bury utility lines on property being developed or redeveloped
- The cost of burying power lines is approximately \$1,000 per linear foot
- The high cost leads many developers to apply for waivers from this regulation, which are regularly granted
- Councilman suggests a program, similar to Park Land Dedication fees, in which developers pay a percentage of the cost to bury utilities into a fund, which is later used to bury utilities in areas of high visibility
- It is suggested that this approach would, overtime, yield the funds necessary to bury large stretches of utilities, as opposed to small sections, which utility companies do not support
- Flower Mound will explore the legal aspects of such a program

Future Development



John McCain Road

Colleyville Boulevard

Northern Gateway

(no overhead utilities on the frontage west of Colleyville Blvd.)



Precinct Line Road

W L.D. Lockett Road

Precinct Line Road

Summary

- Staff is seeking City Council direction to draft a Land Development Code amendment
 - An amendment to the Land Development Code to require that new utilities be installed underground will bring the City of Colleyville in line with the surrounding communities
 - The standard is for new development only to be under this obligation
 - If desired, this requirement could be extended to include redevelopment
 - Make this regulation applicable to Colleyville Boulevard only or applicable City wide?

Questions and Discussion

Benchmark Analysis

SOUTHLAKE

Section 8.05. Newly Installed Utilities Required to be Underground (As amended by Ord. No. 483-O)

- A. Generally: In addition to all other requirements set forth in other applicable ordinances and regulations of the City, all subdivisions and plats submitted pursuant to this ordinance shall:
1. Require and provide that all newly installed electric utility lines and wires that will be operated at nominal voltages, all telephone utility lines and wires, all cable television and other communication or utility lines and wires, and all terminals shall be installed, placed and constructed underground; and cable television, telephone, and electric transformer and primary switching gear may be pad mounted or placed underground.
- B. Charges: Nothing in this ordinance or any other ordinance of the City of Southlake shall prohibit or restrict any electric, telephone or other utility or communications company from charging the owner, developer or subdivider of or within a subdivision for the difference between the cost of constructing overhead lines and wires and placing the same underground, or from charging the owner developer or subdivider of or within a subdivision for extension of its lines and wires, in accordance with the methods and procedures set forth in the respective utility's or communications company's approval tariff. It shall be the responsibility and duty of any such owner, developer or subdivider of, or within a subdivision, to pay all such charges to any such utility or communications company. No such utility or communications company shall be required to begin construction unless and until the owner, developer or subdivider of, or within a subdivision, has made arrangements satisfactory to the utility or communications company for the payment of the charges specified in this Section.
- C. Provision of Temporary Utility Service: Nothing in this ordinance shall in any way prohibit or restrict any utility company from providing temporary utility service, provided that such temporary service shall be limited to twelve (12) months, and shall be subject to a \$2,000.00 fine for each day in excess of that.
- D. Street Lighting: Nothing in this ordinance shall restrict or prohibit the placement, erection, or construction of street lighting poles or standards above ground, provided all lines and wires used to provide such lighting are placed underground.
- E. Placement of Equipment: All electric, telephone, and cable, utilities shall be placed in the rear easement unless otherwise approved by City Council as a part of platting process. Mechanical equipment, transformers, and other visible installations will not be permitted in the front yards of any lots. Occasional location in the front yard area may be permitted for unusual conditions if said locations have been indicated on an approved preliminary plat. All such equipment that is installed above ground will be low profile in nature and will not exceed thirty (30) inches in height. Placement of such equipment shall be such that it is located as near the rear property line as possible. Switch gear will be located such that it maintains low visibility but may be placed convenient to and accessible from the street.
- F. All above ground equipment shall be screened from public view, in such a manner that the ground equipment cannot be seen from a public right-of-way. Said screening shall be completed at the time of installation by the utility company and/or developer.

Benchmark Analysis

NORTH RICHLAND HILLS

Sec. 110-367. - Construction in public rights-of-way.

- (a) *Utilities to be in rights-of-way or easements; underground utilities, exceptions.* All public utilities shall be constructed within a public street right-of-way or an appropriate public utility easement. When a proposed water or sewer line or a drainage facility will be placed adjacent to a public road maintained by the Texas Department of transportation, a separate specific use easement document shall be provided for each utility or drainage facility. Public utilities shall be placed underground in new subdivisions absent a compelling demonstration that this requirement is unreasonable, or unfeasible.
- (b) *Underground utilities at rear of lot (October 13, 2003 to November 10, 2003).* In residential subdivisions with final plats approved on or after October 13, 2003, and on or before November 10, 2003, underground electric utilities may be allowed in an easement not greater than 10 feet wide along the front or side property lines as long as above-ground electrical transformers and other electrical appurtenances in such subdivisions do not exceed 36 inches in height, are placed on a concrete pad not exceeding 18 square feet in area enclosed on three sides by living evergreen plant screening at least 10 inches higher than the transformer, but not exceeding four and one-half feet in height, with the open side away from the nearest street. The owner of the lot where the transformer is located shall be responsible for the initial planting of the plant screening which shall be in place prior to final inspection of the house on such lot. In the event the homeowner's association wishes to install the plant screening, it may do so before any homes receive final inspection. The homeowner's association will be responsible for the maintenance of the screening in either case. The foregoing requirements shall be exclusive and the remaining subsections of this section shall not apply.
- (c) *Underground utilities at rear of lot (after November 10, 2003).* In residential subdivisions platted after November 10, 2003, all new residential subdivisions shall require electrical, telecommunications and cable facilities, including new service drops, to be placed underground in an easement at the rear lot line. Where rear lot utilities are located on corner lots, above ground appurtenances must be located a maximum of five feet from the side building line.
- (d) *Transformers.* All electrical transformers must be accessible by a seven (7) foot wide dedicated Oncor utility easement that extends to the transformer. Physical access to the transformer will be provided via a five-foot wide removable fence panel or gate located in the easement. Property owners will be responsible for providing security for the transformer and will make sure that the transformer is free from obstruction. The city will make reasonable efforts through communication and code enforcement to assure that residents provide unobstructed access including unlocked gates. The necessity for removal of minimal fencing and/or landscaping within easements to permit the replacement of facilities, appurtenances, and equipment is considered to be within the definition of reasonable access.

Transformers and other appurtenances shall not exceed 36 inches in height and transformers shall be placed on a concrete pad not exceeding 18 square feet in area. Fire hydrants and traffic signal controllers are exempted from the rear lot or tract line requirement.

Benchmark Analysis

In all cases, before construction of facilities commence, the easement shall be reduced to final grade, at developer's sole cost and expense. Additionally, if such easement is located within a floodplain, the entire surface of the easement shall be raised above the floodplain elevation, at developer's sole cost and expense, before construction of the facilities commences. Sight visibility easements and horizontal clear triangles are not appropriate locations for the placement of aboveground facilities, appurtenances, and equipment as they would create safety concerns by blocking or impairing the visibility of vehicular traffic.

- (e) *Exceptions.* Exceptions to the rear lot location may be granted by providing facts and circumstances to the Planning and Zoning Commission at the preliminary plat stage to demonstrate rear lot utility location is not technically or environmentally feasible. Since the impact of technical and environmental factors may differ, exceptions for each utility will be considered separately and on a stand alone basis.
- (f) *Requirements for nonrear lot locations.* Service lines, aboveground appurtenances and equipment locations for utility service approved by the Planning and Zoning Commission for other than the required rear lot locations must follow the guidelines below:
 - (1) Underground utility service lines shall be located within a 10 foot wide easement, equally divided and paralleling the side property line of two adjacent lots. Aboveground electrical transformers and other utility appurtenances located within such easements shall be located five feet from the front building setback line.
 - (2) Transformers will be hinged to provide for rear service access. Access to the rear must be free from obstructions. Additionally, the use of surface "hand boxes" versus pedestals for electric utilities is required.
 - (3) Screening of the above ground appurtenance by a live vegetative screen is recommended for the street front and sides of the pad. Maintenance of the optional screening shall be the responsibility of the owners of the adjacent lots where the appurtenance is located.
 - (4) In situations where the grade requires retaining walls, the transformer pad will be located on the lower grade and the retaining walls will be "jogged" to accommodate the transformer pad and provide adequate service access.
 - (5) Exceptions to any requirement must be resolved at the preliminary plat stage.

Nothing herein shall be construed as to require utility companies to "underground" existing or new electric facilities, nor to prohibit the upgrading, reconstruction or reconductoring of existing overhead facilities in the city's public rights-of-way.

(Ord. No. 1982, § 1(330), 3-24-1994; Ord. No. 2774, § 1, 3-11-2004)

KELLER

Section 5.22 - Private Utility Services

- A. Utility companies shall submit plans, showing the extent and location of construction, to the City and receive a construction permit when constructing new overhead lines, underground lines, and upgrading existing lines within the rights-of-way. Non-emergency utility work shall be coordinated with the city's capital improvement plan to reduce disruption due to construction to the community.

Benchmark Analysis

Utility companies are not required to obtain a permit in the event of an emergency in order to restore service.

- B. From and after the effective date of this Code, all subdivision plats, site plans and construction plans filed and submitted to the City for approval shall provide for utility services such as electrical, gas, telephone, and cable TV utility (lateral and/or service distribution) lines and wires including, but not limited to, street lighting, to be placed underground. Existing feeder and other major transmission lines that could not practically be placed underground may remain overhead. However, a subdivider shall endeavor, and whenever practical (as determined by the Development Review Committee), the City may require that feeder lines are placed away from traffic arteries (Thoroughfare Types A6D, A4D, C4U, C2U, and C3) and/or be placed underground. Overhead feeder lines shall not be placed along both sides of the street rights-of-way. The developer shall be responsible for obtaining verification from the utility companies for easement locations and widths prior to the final approval of construction plans by the City. Any changes during construction shall be approved by the utility companies and the City of Keller.
- C. Where existing overhead service or lateral/distribution utilities lines are located within the land proposed for development and the lines must be relocated to accommodate the development, the developer is responsible for relocation and placement of the lines underground.
- D. All new service lines shall be placed underground.
- E. In special or unique circumstances or to avoid severe hardships that are not strictly financial, the City may authorize exceptions from this requirement and permit the construction and maintenance of overhead electric utility lateral or service lines and of overhead telephone or cable TV lines and may approve any plat or site plan with such approved exceptions.
- F. Where electrical service is to be placed underground, all other utilities, including circuits for street and site lighting, except street lighting standards, shall also be placed underground.
- G. All electrical and telephone support equipment (transformers, amplifiers, switching devices, etc.,) necessary for underground installations shall be pad mounted and screened with live screening to block its view from public streets. Installation and maintenance of screening for electrical pad transformers and switching equipment shall be the responsibility and at the cost of the Developer/Owner. The location and depth of the screening material must be coordinated with the utility companies to ensure that safe and efficient access is maintained to the equipment. The location of all new equipment shall be shown on all Site Plans and Construction Plans.
- H. Each of the utility companies shall be responsible for developing administrative policies and cost reimbursement procedures for the installation and extension of their underground utilities. Each utility company shall have the right to charge or recover costs associated with installing underground utilities in accordance with the respective utility's Tariff for Service and/or Line Extension Policy. No utility company shall be required to begin construction of underground facilities unless and until the owner or developer of the subdivision has made arrangements with the respective utility company for payment in accordance with that respective utility's Tariff for Service and/or Line Extension Policy governing utility installations and their cost.

Benchmark Analysis

- I. Temporary construction service may be provided by overhead electric lines and facilities without obtaining a variance or exception, provided that when the underground utility service to any portion of a subdivision is completed, such overhead electric lines and facilities are promptly removed.
- J. All installations regulated by this section shall also conform to the standards for utility construction as per Design Standards and Technical Construction Standards of this UDC.

FLOWER MOUND

Sec. 90-423. - Underground utilities.

All existing overhead utilities, save and except transmission facilities identified herein below, and all new utility extensions shall be placed underground in conjunction with the development or redevelopment of a property, subject to the following provisions:

- (1) Each of the utility companies shall be responsible for developing administrative policies and cost reimbursement procedures for the installation and extension of their underground utilities. Nothing in this section shall prohibit or restrict any utility company from recovering the difference in cost of overhead facilities and underground facilities in accordance with the provisions of such utility company's approved tariff. No utility company shall be required to begin construction of underground facilities unless and until the customer, owner, developer and/or party requesting such facilities has made arrangements satisfactory to the specific utility company for the payment of such difference between the cost of overhead utilities and underground facilities.
- (2) All electrical, telephone, data transmission, and cable television support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installation shall be pedestal- and/or pad-mounted or placed underground, and the difference in cost of such facilities shall be paid to the installing utility in accordance with provisions established in subsection (a)(1).
- (3) In those cases where temporary overhead service is necessary (e.g., emergency repairs, construction field offices, etc.) these installations shall not be in service for a period exceeding six months.
- (4) Transmission facilities as indicated in exhibit 'A' are not required to be placed underground upon the development or redevelopment of the properties containing such facilities.
- (5) Exceptions to the standards contained in this section may be granted by the town council subsequent to a public hearing scheduled upon request of the owner or developer.

(Code 1989, ch. 12, § 4.11; Ord. No. 93-05, § 2, 12-5-2005)

GRAPEVINE

1.6 Utilities to be underground.

A. Definitions.

Benchmark Analysis

Utility. A company providing electrical, telephone, cable TV, and fiber optic services within the City of Grapevine under a franchise agreement with the City of Grapevine.

Transmission lines. Those electrical lines operated at nominal voltages of 60,000 volts or higher.

Feeder lines. Those electrical lines that emanate from substations to distribute power throughout an area.

Lateral lines. Those electrical lines that emanate from an electric feeder line and are used to distribute power to smaller areas of electric consumers and service lines.

Service lines. Those electrical lines which through a transformer connect a lateral line to a customer's service entrance.

- B. Attached hereto as Exhibit "A", and made a part hereof for illustrative purposes only, is a diagram depicting electrical distribution equipment. (Exhibit "A" is not included herein but is on file and available for inspection in the office of the city clerk)
- C. Subject to the requirements and conditions of this ordinance, new electric lateral lines and service lines shall be placed underground, throughout new subdivisions for which final plats or site plans are approved subsequent to the effective date of this ordinance, except when such lateral lines or service lines are emplaced or installed in connection with a utility's replacement, supplementation, or upgrade of an existing aerial utility system.
- D. Electric transmission and feeder lines may, at the discretion of the responsible utility company, be placed above ground.
- E. In case of special or unique circumstances, or to avoid undue hardship, the city council of the city may authorize variances or exceptions to the requirements of Item 1.6(C).
- F. Where, in accordance with this ordinance, electric utility service lines are required to be placed underground, telephone service, cable TV, fiber optic and street lighting shall also be placed underground, except for light standards.
- G. Where electric lateral lines and service lines are approved to be placed above ground, telephone service, cable TV, fiber optic and street lighting may also be placed above ground if attached to existing electric poles.
- H. All electric, telephone, fiber optic, and cable TV support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations shall be pad mounted or placed underground, and the difference in the cost of providing or installing such facilities, resulting from their installation underground, shall be paid to the installing utility company in accordance with the requirements of Item 1.6(I) hereinbelow.
- I. A utility company which provides underground utility service, to include, without limitation, installing underground utility lines, shall be reimbursed for and recover the difference in cost, if any, between the installation, operation, maintenance, and anticipated upgrade of such service, and the installation, operation, maintenance, and anticipated upgrade of comparable or equivalent overhead service. The amount to be recovered shall be based on the utility company's reasonable estimate of such difference in cost, and shall be paid to the utility company, by the utility customer receiving

Benchmark Analysis

such service, at such time as the underground utility service is first provided. Utility companies shall be responsible for developing administrative policies and cost reimbursement procedures to allow for the recovery of such differences in cost. No utility company shall be required to begin construction of underground facilities unless and until the owner or developer of the property has made arrangements satisfactory to the specific utility company for the payment of such difference between the cost of overhead facilities and underground facilities.

- J. Temporary service during construction may be provided by overhead utility lines and facilities prior to final release of the underground service. Following final release of the underground permanent service, the temporary overhead service shall be removed within 45 days.
- K. The electric utility company may plan and construct overhead electric feeder lines on perimeters of subdivisions or property without obtaining a variance. Telephone, cable television, and fiber optic lines may be constructed overhead where overhead electric utility lines are permitted.
- L. Nothing contained herein shall be construed to require any existing overhead facilities to be placed underground or to prohibit the upgrading, reconstruction or reconductoring of any existing overhead facilities with overhead construction.

COPPELL

Sec. 13-12-1. - Utility services—General.

- A. All services for utilities shall be made available to each lot in such a manner so as to eliminate the necessity for disturbing the street and alley pavement, curb, gutter, sidewalks, and drainage structures when connections are made.
- B. All gas, electric, telephone utilities, street lighting, and cable television shall be underground except where conditions do not warrant underground installations.
- C. All support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations shall be pad mounted or placed underground.
- D. The electric utility company shall be responsible for developing administrative policies and cost reimbursement procedures for the installation and extension of underground electric service. These policies shall permit the electric company to recover the cost differential between extending and installing overhead and underground service.
- E. The developer shall furnish all easements and right-of-way necessary for construction of electric, gas, street lighting, telephone and cable television service to the subdivision.
- F. Overhead services will not be permitted to cross public rights-of-ways.
- G. All borings will be required to be completed by methods as approved by the city.

(Ord. No. 2015-1421 , § 1(Exh. A), 9-22-15)

Star Local Media Article - Flower Mound

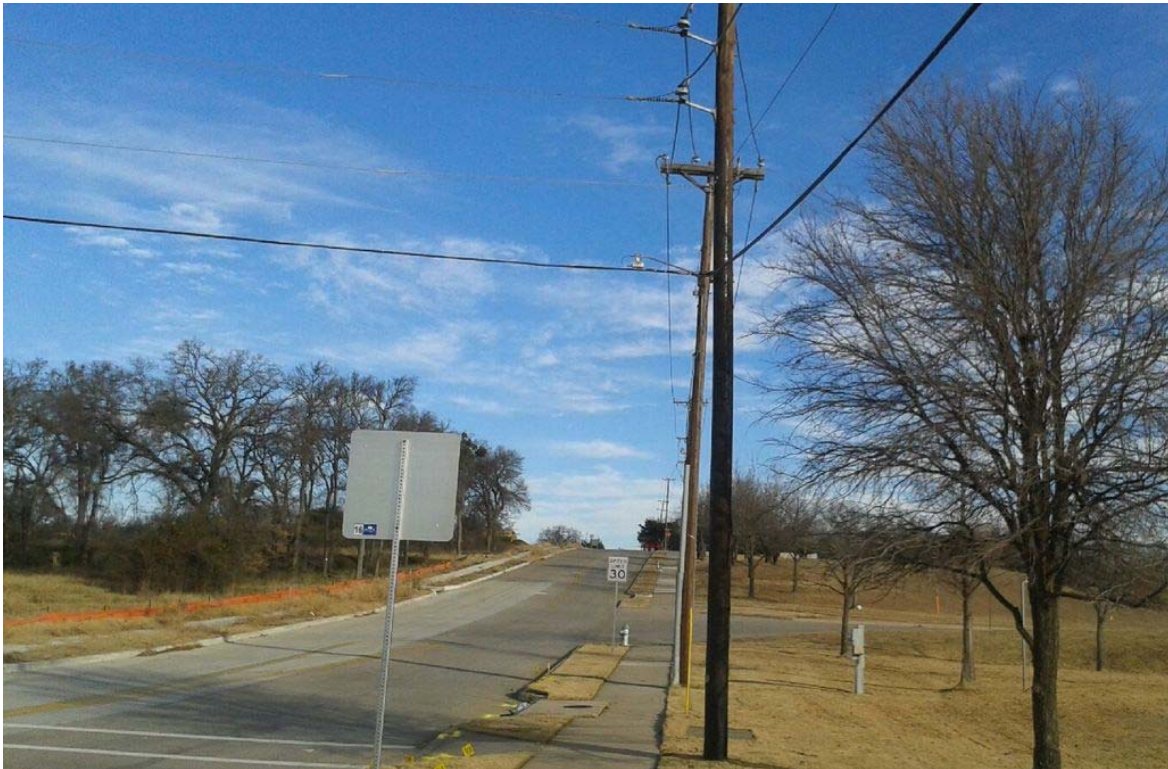
Flower Mound to discuss idea on getting some power lines buried | News | starlocalmedia... Page 1 of 4

http://starlocalmedia.com/theleader/news/flower-mound-to-discuss-idea-on-getting-some-power-lines/article_3ec3ec26-d393-11e6-89b5-cf5ab620994f.html

FEATURED

Flower Mound to discuss idea on getting some power lines buried

Chris Roark, croark@starlocalmedia.com Jan 5, 2017



Chris Roark/staff photo

Utility lines line Flower Mound, but Councilman Don McDaniel said he would like to have a system in place where they would have the lines buried at key locations.

Flower Mound is known for its aesthetics.

Tight development standards. Stringent code enforcement. Well-maintained parks.

But when it comes to utility poles, that's an eyesore that's been hard to control.

For years, town officials have tried to find ways to bury utility lines to keep the unsightly, and unsafe, poles from lining the town's roads.

In fact, there's an ordinance in place that requires developers to bury utility lines on property they are developing or redeveloping.

But the cost of doing that is too much of a burden, developers say. As a result, they apply for waivers through the council and are almost always granted the exception.

Councilman Don McDaniel thinks there may be a way around it.

During the Dec. 19 meeting when the council approved a waiver for the Bradford Park project, McDaniel suggested a program in which developers of an incoming project would pay a proportionate amount of money into a fund, similar to what the town requires for park dedication fees. Money from the park fund later goes toward parks projects.

McDaniel said he envisions a formula – specifics to be determined later – where a developer would pay a certain percentage of the cost to bury the lines into the fund.

“So as that dedicated fund grows, we can use that to the economy of scale to work with CoServ and other utility companies to bury long segments of utilities to benefit a large portion of our population,” McDaniel said. “Highly visible areas and areas where we can greatly improve the safety.”

He said it would essentially be a discount of what the developer would pay if an exception isn't granted.

And to the developers who see it as an added expense, McDaniel said it could be worse.

“If we get a council later that says no more waivers, that's expensive,” McDaniel said. “I

Star Local Media Article - Flower Mound

want to meet in the middle.”

Kendra Stephenson, a consultant for the Bradford Park project and a former councilwoman, agrees that the current ordinance is hard to enforce.

“CoServ doesn’t like to bury lines in short distances,” Stephenson said. “So that makes it hard.”

Regarding the idea for the fund, she questions how feasible it is.

“In a perfect world, I would like all of the lines buried,” Stephenson said. “But the difficulty, especially in central Flower Mound where it’s mostly developed, I’m not sure how you would amass enough money to bury very many lines.”

McDaniel, like other council members before him, said it would be nice to not have the utility lines visible, but requiring developers to spend the money to bury them is unrealistic. He said the going rate for burying utility lines is \$1,000 per linear foot.

The cost can add up quickly. For example, in 2009, Lewisville ISD asked for a waiver to bury its lines as part of a site plan for a field house at Flower Mound High School. A district representative estimated at the time it would cost about \$500,000 to bury them. The council denied the exception request.

“I would love to wave a magic wand and come up with the hundreds of millions of dollars it would take to do it,” McDaniel said. “But not to the point where we are punishing the property owner to bury their lines when we leave miles and miles of them up in the rest of the town. It’s a violation of property owners’ rights.”

Further, McDaniel said the requirement is a burden on the utility companies, which he said won’t support going through the process of burying lines for small stretches of land.

And in those small areas, McDaniel questions what the benefit would be.

Star Local Media Article - Flower Mound

"You take out two to four poles, but then you have to double up on the other end to support the gap in the middle," McDaniel said. "So the net result is you get rid of one or two poles, and it costs hundreds of thousands of dollars."

The council is expected to have discussion on the issue at its next meeting.

"I think it's a great idea," said Town Manager Jimmy Stathatos. "Ultimately, everyone wants the lines buried. We just have to make sure that whatever program we come up with is legal. But I love the creativity of it."

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City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number WS-3

Agenda Date 01/17/2017

Type Worksession

Department City Secretary

Title

Discussion of the January 17, 2017, City Council regular agenda items



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 1

Agenda Date 01/17/2017

Type Executive Session

Department City Secretary

Title

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Legal - Consultation with the City Attorney regarding contemplated or threatened litigation concerning the TexRail right-of-way work within the incorporated limits of the City

Section 551.071 - Legal - Consultation with attorney regarding litigation - Lincoln et al v. City of Colleyville

Section 551.071 - Legal - Consultation with City Attorney regarding litigation - Jane Doe v. City of Colleyville

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.074 - Personnel - Deliberate the appointment, employment, evaluation, and the duties of the Chief Financial Officer

Section 551.087 - Economic Development - Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

Attachments

RESOLUTION R-17-4083

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF
JANUARY 17, 2017**

WHEREAS, following discussion in Executive Session, and in full accordance with the requirements of the Open Meetings Act, the City Council determines that the following action is in the best interests of the health, safety and welfare of the public.

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

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS AND _ ABSTENTIONS ON THIS THE 17TH DAY OF JANUARY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 3

Agenda Date 01/17/2017

Type Announcements, Proclamations, and Presentations

Department Colleyville Center

Title

In recognition of service on a City of Colleyville Board, Commission, or Committee

In recognition of Colleyville's Featured Business of the Month - Take 5 Birkenstock, 5509 Colleyville Boulevard, Suite 260, Store Owner Rick LeRoy - Mayor Richard Newton and Executive Director of Economic Development and Communications Mark Wood

Attachments

1. In recognition of service to a City Board, Commission, or Committee

In recognition of service to a City of Colleyville Board, Commission, or Committee

ARCHITECTURAL REVIEW COMMISSION

Jim Makens - 2011-2016

Brian Margetts - 2016

Christina Keilson Talley - 2011-2016

COLLEYVILLE CENTER ADVISORY COMMITTEE

Tom Westerman - 2000-2016

HISTORICAL PRESERVATION COMMITTEE

Louis Miller - 2006-2016

LIBRARY BOARD

Vernon Noronha - 2013-2016

METROPORT TEEN COURT ADVISORY BOARD

Linda Barton - 2015-2016

Rich Hendler - 2014-2016

PARKS AND RECREATION ADVISORY BOARD

Debra Minea - 2015-2016

Leti Carson - 2013-2016

Charles Bethards - 2010-2016

Ken Llewellyn - 2008-2016

Michelle McGarry - 2014-2016

PLANNING AND ZONING COMMISSION

Jeff Byerly - 2002-2016

Jim Gotcher - 2012-2016

David Phelps - 2006-2016

Carel Tornes - 2013-2016

David Wheelwright - 2010-2016

RESOLUTION R-17-4084

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
JANUARY 17, 2017**

WHEREAS, City Council has taken action on certain items on the agenda under Consent Items.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF COLLEYVILLE, TEXAS:**

Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:

- a. Approval of the minutes of the regular City Council meeting of January 3, 2017

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS
ON THIS THE 17TH DAY OF JANUARY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Minutes - Draft

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Tuesday, January 3, 2017

City Council Chambers

Mayor Richard Newton called the Colleyville City Council Worksession to order on Tuesday, January 3, 2017, at 5:30 p.m.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Nancy Coplen and Mike Taylor

City Manager Jennifer Fadden, Deputy City Manager Chris Fuller, Assistant City Manager/Director of Public Safety Mike Holder, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Chief Financial Officer Brian Hogan, Human Resources Director Rachel Huitt, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Executive Director of Economic Development and Communications Mark Wood, Community Development Director Ben Bryner, Principal Planner Shane Pace, Recreation and Library Director Mary Rodne, Accounting Manager Karen Hines, Parks Manager Heather Dowell, Marketing Coordinator Dustin Dangli, SH26 Coordinator James Hubbard, Strategic Services Manager Adrienne Lothery, City Attorney Whitt Wyatt, and City Secretary Amy Shelley

Mayor Newton introduced and welcomed Mayor for a Day London DeZurik.

WS-1 Overview of the audit process

John Manning, Patillo, Hill & Brown presented this item and briefed the City Council.

Mayor Newton asked Mr. Manning if the conversion from modified accrual to full accrual is done once a year. Mr. Manning replied yes, the process to take it to full accrual is done once a year at the end of the fiscal year.

Mayor Newton asked Mr. Manning what is the City equivalent to monthly balance sheet updates. Mr. Manning replied monthly financial reports are provided by staff. Chief Financial Officer Brian Hogan added the monthly financial report is provided versus a full blown financial statement, and this report provides up-to-date information. Mayor Newton stated he would be recommending that City Council focus harder on the monthly financial report. Mr. Manning added there are no government standard requirements for City interim financials.

Mayor Newton asked Mr. Manning what they are looking for with the fraud questionnaires to Councilmembers. Mr. Manning replied they look to see if there is

any information that a councilmember may be informally aware of that is not reported otherwise.

Mayor Newton asked Mr. Manning if they as auditors comment about efficiency of city processes, etc. Mr. Manning replied we provide comments when something is seen that is of material issue.

Mayor Newton asked Mr. Manning if GFOA looks at the audit separately. Mr. Manning replied Chief Financial Officer Brian Hogan will send a copy of the CAFR, and GFOA sends this out to three or four viewers across the state, and they are required to look at compliance independently of the City auditing firm.

WS-2 Discussion of expectations & RFP specifications for solid waste franchise holder

Strategic Services Manager Adrienne Lothery presented this item and briefed the City Council.

Mayor Newton asked staff if the increase in complaints coincides with the sale/merge of the company. Manager Lothery replied staff could not tie the complaints to the sale of the company; however, Progressive states they have been mandated by the number of hours the drivers are allowed on the roads.

Councilmember Lindamood asked staff if Progressive is stating a DOT issue. Manager Lothery replied it is a state requirement relative to how many hours the trucks/drivers can be on the road.

Councilmember Lindamood stated he has received several complaints and stated he does not believe the DOT requirements are the issue. He stated he wonders why they would state that when he does not believe it to be true.

Councilmember Short asked staff when the larger recycle bins started being used. Manager Lothery replied late 2011.

Councilmembers agreed to a new RFP for a possible new vendor.

Councilmember Nakamura asked staff if we can get an apples to apples comparison to service.

Mayor Newton stated we want the level of service we currently have, and will design the RFP using current service as a baseline. Councilmember Taylor agreed and stated the complaints are usually about the Crud Cruiser filling up during the Clean Sweep event.

Councilmember Lindamood stated it may be beneficial to show the vendor how much tonnage we have in recyclables. This will show them the revenues generated from that, which may help our pricing.

Councilmember Coplen asked staff if Colleyville is one of the towns that does not offer a senior discount. Manager Lothery replied correct.

Councilmember Short asked staff if it is common practice for the City's waste collector to collect yard waste from professional landscapers. Manager Lothery replied Colleyville does not require the contractors to take their debris with them; many contractors leave those bags for Progressive to collect. She stated this is something we can look into.

Councilmember Taylor asked staff why that matters, especially since it comes from the same lawn. Manager Lothery replied most contractors will generate more waste than a typical homeowner.

Councilmember Taylor asked staff if the vendor ever reduces the fuel surcharge when the fuel prices are lower. Manager Lothery replied our contract has three ways that they can increase on an annual basis for fuel, CPI (consumer price index), or tipping fees such as to the landfill. She stated Progressive has asked for an increase twice, the last request was in 2014, with no increases in 2015 and 2016.

Councilmember Taylor stated being curious how other cities handle the fuel pricing on the contract anniversary dates. Manager Lothery replied staff will look into that.

Councilmember Coplen asked staff if the contract is always five years. Manager Lothery replied yes, but we did renegotiate before the five years was up, so there was some overlap.

Councilmember Taylor stated originally we required the vendor to use new trucks, and they gave us a favorable renewal, but it is important to have reliable trucks, if we use a new vendor.

Councilmember Nakamura asked staff if citizens can call the City to schedule a bulk pick up. Manager Lothery replied the citizen would call the vendor to schedule the pickup.

Mayor Newton stated he would like to keep the same level of service, with the approach of the minimum service standard, and a no volume limit (take all bags). Councilmembers agreed.

Councilmember Short asked staff about the total revenue. Manager Lothery replied she would have to get back to the City Council with that amount.

WS-3 Discussion of FY 2018 Budget Calendar

Strategic Services Manager Adrienne Lothery presented this item and briefed the City Council.

There was no discussion of this item.

WS-4 Discussion of the January 3, 2017, City Council regular agenda items

Councilmember Coplen stated there is a spelling correction for the meeting minutes relative to the compensation study.

Mayor Newton adjourned the worksession at 6:33 p.m.

Mayor Newton called the Executive Session to order at 6:33 p.m., and called the roll.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Nancy Coplen and Mike Taylor

1. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D

Section 551.071 - Legal - Consultation with City Attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Legal - Consultation with City Attorney regarding litigation - Lincoln et al v. City of Colleyville

Section 551.071 - Legal - Consultation with City Attorney regarding litigation - Jane Doe v. City of Colleyville

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.074 - Personnel - Deliberate the appointment, employment, evaluation, and duties of the city manager

Section 551.087 - Economic Development - Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

Mayor Newton explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal,

Section 551.072, Real Estate, Section 551.074 Personnel, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. The session was adjourned at 7:25 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Newton at 7:33 p.m.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Nancy Coplen and Mike Taylor

City Manager Jennifer Fadden, Deputy City Manager Chris Fuller, Assistant City Manager/Director of Public Safety Mike Holder, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Chief Financial Officer Brian Hogan, Human Resources Director Rachel Huitt, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Executive Director of Economic Development and Communications Mark Wood, Community Development Director Ben Bryner, Marketing Coordinator Dustin Dangli, SH26 Coordinator James Hubbard, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Whitt Wyatt, and City Secretary Amy Shelley

**INVOCATION: Ed Smyth, Counselor in the Bishopric
Church of Jesus Christ of Latter-day Saints - Colleyville**

PLEDGE OF ALLEGIANCE: City Attorney Whitt Wyatt

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-17-4079

Mayor Newton read Resolution R-17-4079 in its entirety.

Mayor Newton opened the public hearing at 7:38 p.m.

There was no one present wishing to speak and Mayor Newton closed the public hearing at 7:38 p.m.

Councilmember Taylor made a motion to approve Resolution R-17-4079. Councilmember Short seconded the motion.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Mike Taylor, and Nancy Coplen

3. OATH OF OFFICE - London DeZurik, Mayor for a Day

City Secretary Amy Shelley administered the Oath of Office to London DeZurik, Mayor for a Day.

4. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

Councilmember Coplen announced that Cub Scout Troop 344 was present this evening.

Mayor Newton provided information about the NETCOM mobile application.

Proclamation declaring London DeZurik, Mayor for a Day - Mayor Richard Newton

Mayor Newton introduced Mayor for a Day London DeZurik and presented her with a proclamation declaring her Mayor for a Day, a key to the City, and a City of Colleyville street sign.

Mayor for a Day London DeZurik said she had a wonderful day touring all the departments and learning about the City.

Proclamation declaring January 3, 2017, "Thank a Teacher Day" at Colleyville Elementary School - Colleyville Elementary School Principal Shelia Shimmick and Mayor for a Day London DeZurik

Mayor for a Day London DeZurik presented Colleyville Elementary School Principal Shelia Shimmick with a proclamation declaring January 6, 2017 Thank a Teacher Day at Colleyville Elementary School.

Proclamation recognizing the Colleyville Heritage High School Football Team - Mayor Richard Newton and Mayor for a Day London DeZurik

Mayor Newton and Mayor for a Day London DeZurik welcomed the Colleyville Heritage High School Football Team and presented them with a proclamation in recognition of their achievements.

Proclamation recognizing Petite Kirkendoll, City of Colleyville Employee of the Year - Mayor Richard Newton and Mayor for a Day London DeZurik

Mayor Newton and Mayor for a Day London DeZurik presented a proclamation to Petite Kirkendoll in recognition of her selection as Employee of the Year.

In recognition of Lisa Escobedo, 2016 City of Colleyville Wellness Champion - Mayor Richard Newton and Mayor for a Day London DeZurik

Mayor Newton and Mayor for a Day London DeZurik welcomed Lisa Escobedo and presented her a certificate in recognition of being the 2016 Wellness Champion.

In recognition of employees' years of service

Mayor Newton, Mayor for a Day London DeZurik, and the department directors presented the following employees with years of service certificates.

City Manager Jennifer Fadden recognized Assistant City Manager/Director of Public Safety Police Chief Mike Holder for five years of service.

Community Development Director Ben Bryner recognized Urban Forester Caleb Tandy for one year of service.

Director of Economic Development and Communications Mark Wood recognized Marketing Coordinator Dustin Dangli for one year of service.

Fire Chief Brian Riley recognized Fire Captain Kenny Phillips for 25 years of service. Chief Riley also recognized Battalion Chief Mark Cantrell for 15 years of service and Firefighter/Paramedic Matthew Blankenship for 10 years of service.

Police Chief Mike Holder recognized the following officers, however they were not able to be present: Amy Beregszaszy and Ky Roby – 10 years; Jarrod Shirley – five years; and Bobby Cure – one year.

Public Works Director Jeremy Hutt recognized the following, however they were not able to be present: Beth Wimpy – five years and David Smyth – one year.

In recognition of employee achievements

Mayor Newton, Mayor for a Day London DeZurik, and Community Development Director Ben Bryner recognized Principal Planner Shane Pace for passing the certification exam to become a certified planner and member of the American Institute of Certified Planners (AICP).

5. CONSENT: READING AND PUBLIC HEARING - RESOLUTION R-17-4080

- 5a** Approval of the minutes of the regular City Council meeting of December 20, 2016
- 5b** Approval of the minutes of the City Council Worksession of December 14, 2016
- 5c** Approval of the minutes of the City Council Worksession of December 12, 2016
- 5d** Approval of the first renewal term of the Interlocal Lease Agreement with Tarrant County 9-1-1 for facility space at the Colleyville Justice Center, and authorize the city manager to execute the agreement

Mayor Newton read Resolution R-17-4080 in its entirety.

Mayor Newton opened the public hearing at 8:25 p.m.

There was no one present wishing to speak and Mayor Newton closed the public hearing at 8:25 p.m.

Mayor Newton stated he would like to segregate item 5d from the other consent items. There were no objections from the City Council.

Councilmember Nakamura made a motion to approve Resolution R-17-4080 with the removal of item 5d to the ending resolution. Councilmember Taylor seconded the motion.

Councilmember Coplen provided a name correction for the meeting minutes.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Mike Taylor, and Nancy Coplen

Assistant City Manager/Director of Public Safety Mike Holder presented item 5d and briefed the City Council.

Mayor Pro Tem Putnam asked staff if there is termination right in the contract. Assistant City Manager/Director of Public Safety Mike Holder replied yes.

Mayor Newton asked staff if there is anything linking this agreement with the agreement we have with Keller, and whether or not this is approved tonight, this

agreement still goes on. Assistant City Manager/Director of Public Safety Mike Holder replied the original intent was to lease out the empty space and provide a service to the county while receiving a monetary return.

Mayor Newton asked staff if we are currently running on a month-to-month agreement. Assistant City Manager/Director of Public Safety Mike Holder replied yes.

Mayor Newton suggested tabling this until more information can be provided to City Council. City Secretary Amy Shelley explained the item would be moved to the ending resolution and City Council would make a motion on that item, later in the meeting.

6. RESOLUTION(S): READING AND PUBLIC HEARING

6a Resolution R-17-4081

Approval of a resolution supporting the safety and welfare of citizens and support of the Colleyville Citizens on Patrol program

Mayor Newton and Mayor for a Day London DeZurik read Resolution R-17-4081 in its entirety.

Mayor Newton and Mayor for a Day London DeZurik presented this item and briefed the City Council.

Mayor Newton opened the public hearing at 8:34 p.m.

There was no one present wishing to speak and Mayor Newton closed the public hearing at 8:35 p.m.

Councilmember Taylor made a motion to approve Resolution R-17-4081. Councilmember Coplen seconded the motion.

The motion to approve carried with the following vote:

Aye: 8 – Mayor Richard Newton, Mayor for a Day London DeZurik, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Mike Taylor, and Nancy Coplen

Mayor Newton and Mayor for a Day London DeZurik signed the resolution and Mayor Newton then allowed Mayor for a Day London to retire.

7. ORDINANCE(S): SECOND READING AND PUBLIC HEARING

7a Ordinance O-16-2002

Approval of an ordinance repealing Ordinance O-02-1322 and Ordinance O-13-1896 and amending the Financial Disclosure and Business Conflict of Interest Forms

Mayor Newton read the caption of Ordinance O-16-2002.

Mayor Newton opened the public hearing at 8:41 p.m.

There was no one present wishing to speak and Mayor Newton closed the public hearing at 8:41 p.m.

Mayor Pro Tem Putnam made a motion to approve Ordinance O-16-2002. Councilmember Coplen seconded the motion.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Mike Taylor, and Nancy Coplen

8. ORDINANCE(S): FIRST READING AND PUBLIC HEARING

8a Ordinance O-17-2003

Consideration for approval of amendments to Chapter 7 – Sign Regulations in the Land Development Code regarding directory signage, specifically Section 7-150 Permanent Freestanding Signs – Sign Classifications & Regulations, Section 7-160 Permanent Freestanding Signs – Allowable Districts, and Section 7-165 Permanent Freestanding Signs – Area, Height and Setback Requirements, Case GC16-019

Mayor Newton read the caption of Ordinance O-17-2003.

Community Development Director Ben Bryner presented this item and briefed the City Council.

Councilmember Coplen asked staff about the square footage for the Whole Foods development. Director Bryner replied 190,000 square feet total.

Mayor Newton opened the public hearing at 8:52 p.m.

Kathy Hadley, 204 Timberline Drive North, spoke in support and opposition for this item with her number one concern is for the businesses in Colleyville to thrive. She stating also having a concern about reading small print on signs while driving down Colleyville Boulevard or signs blocking the driver's view. She added there is a problem with garage sale signs.

There was no one present wishing to speak and Mayor Newton closed the public hearing at 8:55 p.m.

Mayor Newton stated these are only signs within the developments, such as Town Center, not on the roadway.

This was a first reading, therefore City Council did not take any action.

8b Ordinance O-17-2004

Consideration for approval of amendments to Chapter 8 – Plat Review Procedures in the Land Development Code regarding plat approval to be made by the City Council, specifically Section 8 – 130 Approval Authority Over Subdivision Plats, Case GC16-020

Mayor Newton read the caption of Ordinance O-17-2004.

Community Development Director Ben Bryner presented this item and briefed the City Council.

Mayor Newton asked staff to define a minor and amending plat. Director Bryner replied a minor plat is a subdivision of land, four lots or less, with existing frontage on a street, with no connection of utilities; and an amending plat is a special form of a replat, in which lot lines may be eliminated or shifted, but not adding infrastructure.

Mayor Newton opened the public hearing at 9:00 p.m.

There was no one present wishing to speak and Mayor Newton closed the public hearing at 9:00 p.m.

This was a first reading, therefore City Council did not take any action.

9. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

There were no speakers for this item.

10. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JANUARY 3, 2017 - READING AND PUBLIC HEARING - RESOLUTION R-17-4082

Mayor Newton read Resolution R-17-4082 in its entirety.

Mayor Newton opened the public hearing at 9:01 p.m.

There was no one present wishing to speak and Mayor Newton closed the public hearing at 9:01 p.m.

Mayor Newton made a motion to table Resolution R-17-4082. Councilmember Taylor seconded the motion.

The motion to table carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Chris Putnam, and Councilmembers Tammy Nakamura, Bobby Lindamood, Jody Short, Mike Taylor, and Nancy Coplen

11. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the City Council meeting at 9:02 p.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 17TH DAY OF JANUARY 2017.

Minutes taken and prepared by:

Amy Shelley, TRMC
City Secretary



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 5a

Agenda Date 01/17/2017

Number Ordinance O-17-2003

Type Ordinance

Department Community Development

Title

Consideration for approval of amendments to Chapter 7 – Sign Regulations in the Land Development Code regarding directory signage, specifically Section 7-150 Permanent Freestanding Signs – Sign Classifications & Regulations, Section 7-160 Permanent Freestanding Signs – Allowable Districts, and Section 7-165 Permanent Freestanding Signs – Area, Height and Setback Requirements, Case GC16-019

Strategy Map Connection

B4- Cultivate a culture of transparency and consistent communication

Explanation

Second Reading and Public Hearing

There was one speaker who spoke both in favor and opposition to this item at the January 3, 2017 meeting.

First Reading and Public Hearing

Staff proposes amendments to Chapter 7 – Sign Regulations in the Land Development Code to allow for directory signage within the City of Colleyville. Specifically, Section 7-150- Permanent Freestanding Signs – Sign Classifications & Regulations, Section 7-160 Permanent Freestanding Signs – Allowable Districts, and Section 7-165 Permanent Freestanding Signs – Area, Height and Setback Requirements are proposed to be amended. Currently, directory signage is not allowed. A request was made to install directory signage at the Town Center Colleyville retail development. Due to the center's size and number of buildings, directory signage would help customers locate specific businesses within the development. Thus, staff recommends reviewing current ordinance provisions and amending the regulations to allow for directory signage.

Existing Conditions/Background: The subject property is currently known as Town Center Colleyville and is developed as an approximately 275,000 square foot commercial complex with a mix of retail, restaurant, office, and other commercial uses. The development consists of a grocery store, a movie theater, several restaurants, retail stores, and other commercial uses. Due to the large size and large number of uses, the property owner is requesting to utilize some wayfinding signage, or directory signage, to help customers locate the specific businesses situated within the development. The subject property is zoned CC-2 Shopping Center district. These

types of signs are not permitted within the City of Colleyville.

Existing Ordinance Language: Per the Land Development Code (LDC), businesses are allowed to have a monument sign and wall signage. Additionally, commercial development which has a single or multi-occupancy building containing a minimum of one hundred thousand (100,000) square feet of floor area and situated on a single platted lot or on two or more contiguous platted lots, shall be allowed major shopping center entry-wall signs and plaques. However, these signs are located along the street right-of-way or on the building and do not direct customers once internal to the development.

The LDC already has a definition for Directory Signs: "A sign listing the occupants within a shopping center, industrial site, retail district, office district, and commercial site located on the same premises." However, no regulation is contained within the LDC for such signs.

The LDC does allow for traffic directional signs. The purpose of these signs are to guide vehicular traffic into or out of commercial businesses by identifying a public entrance and exit for vehicular traffic. These signs are restricted to six square feet in area and 30 inches in height.

Proposed Signage: Per the attached sign exhibits and site plan, the applicant is proposing to install four directory signs within the interior of the site to help direct customers to the specific businesses located within the development. The applicant is proposing two signs to be double-sided with a height of 6'-3" and a width of 4'-0". The two other signs will be four-sided with the same dimensions as described above for each side. The signs are proposed to be internally illuminated. The design will allow for up to six business names listed per sign face with an arrow pointing toward the direction of the business.

The locations of the signs are internal to the site and would be installed within existing interior landscape islands. The closest distance to a public right-of-way is over 250 feet from Church Street to the south. The sign exhibits and site plan are included as attachment "A".

Benchmark Review: The cities of Grapevine and Hurst do not have specific regulations for directory signs. However, Grapevine has utilized ground signs for the purpose of directing traffic at the mall and within other large developments with approval of a Conditional Use Permit as allowed by their sign regulations. Similar to Colleyville, the cities of Coppell, Keller, Flower Mound, and North Richland Hills allow for traffic directional signs. But like Colleyville, these signs are small. The City of Southlake regulates directory signs similar to what is being proposed. They are allowed within commercial developments as long as they meet height and area requirements and are set back from the property line adjacent to a street a minimum of 75 feet. A

full benchmark analysis is provided as attachment "B".

Analysis– Large developments typically contain a number of uses making it difficult to find a specific business without maneuvering through the entire development. Directory signs, signs that provide a list of businesses and direct patrons to these businesses, are an effective means of minimizing traffic conflicts and maximizing customer movement. The best examples of directory signs are located at large regional malls. The names of the tenants are listed with an arrow pointing toward the business. These signs are typically located near entrances and at other strategic locations.

The proposed regulations would be similar to those allowed by the City of Southlake; however, the signs would only be available for major multi-tenant shopping centers with 250,000 square feet of total commercial space, limited to four signs total, with a maximum sign area of 25 square feet, and each directory sign must be constructed as a monument sign, as defined in the LDC. The proposed language associated with the amendments is included as attachment "C".

The ordinance amendment request up for consideration is consistent with other signage regulations for large commercial developments. As stated before, commercial development containing a minimum of one hundred thousand (100,000) square feet of floor area shall be allowed major shopping center entry-wall signs and plaques. Additionally, the City Council can approve a major shopping center landmark sign for such developments.

Based on the information provided for the Town Center Colleyville development, the proposed two-sided directory signs will comply with the proposed area and height regulations, but would need to be of a monument style sign. The four-sided signs would not comply. The proposal does not appear to be of a nature anticipated to adversely impact the adjacent properties.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of this item at the December 12, 2016 meeting by a vote of 6-0 with the following condition:

amend to 200,000 square feet for applicability

Staff Recommendation: Staff recommends approval of the amendment. The proposed amendment is consistent with the land uses located on the subject property and the governing zoning district.

Financial Impact

There is no financial impact to the City.

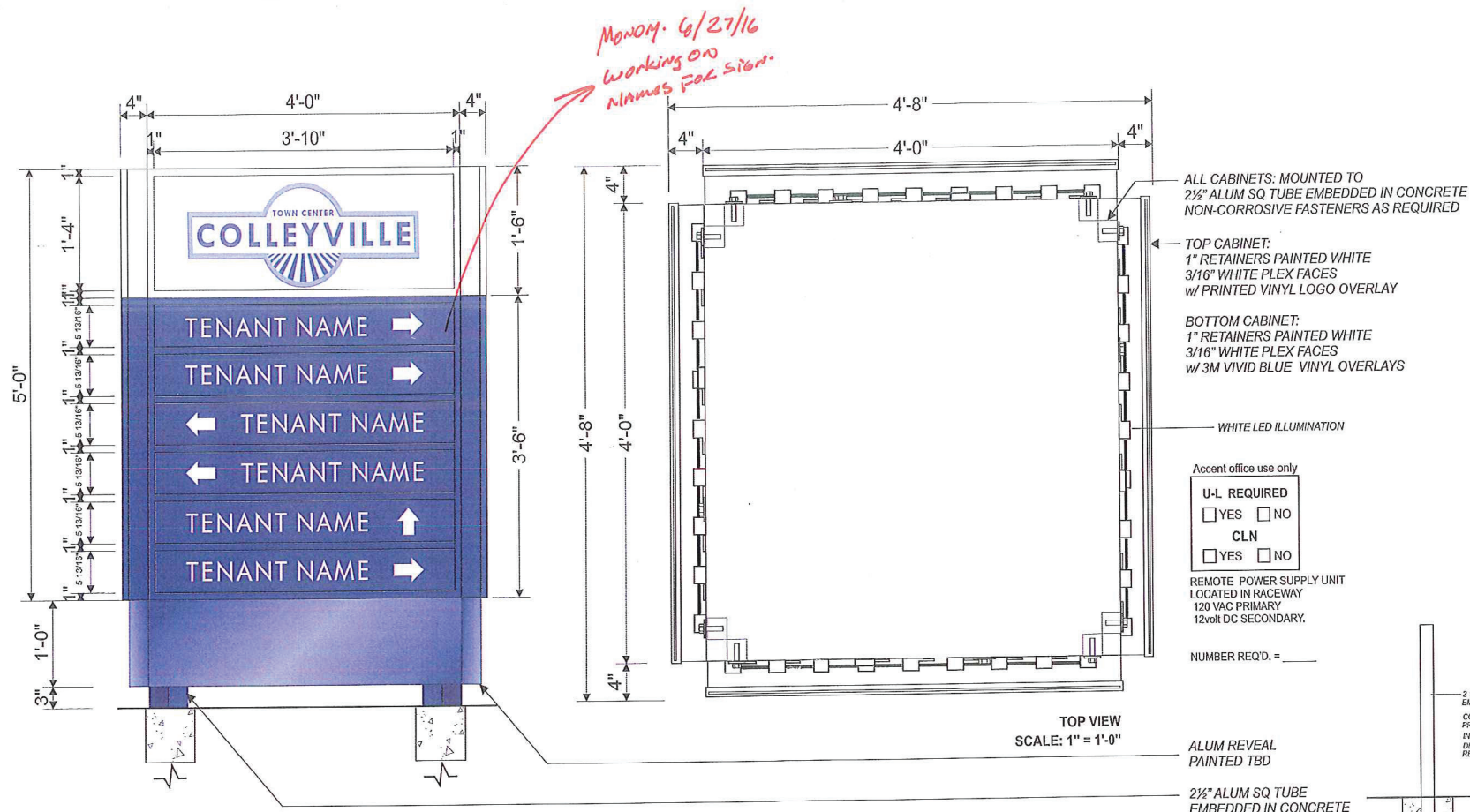
Recommendation

Approve

Attachments

1. Exhibit A - Town Center Colleyville - Directory Signs
2. Exhibit B - Benchmark Analysis
3. Exhibit C - Ordinance Amendment
4. January 3, 2017 Speaker Card
5. Ordinance O-17-2003

Exhibit A - Town Center Colleyville - Directory Signs



NEW 4-SIDED ID SIGN

QTY: 2

SCALE: 3/4" = 1'-0"

NOTE:
ACCESS REQUIRED FOR
ELECTRICAL & INSTALLATION

DATE	REVISIONS	NAME	AUTHORIZATION
5-17-16	REVISE SIGN TYPE	AB	
5-20-16	UPDATE SIZE SPECS	AB	
6-1-16	REMOVE "L" SHAPED SIGNS; UPDATE QTYS	AB	

This drawing is the exclusive property of Accent Graphics, Inc. and is the result of the original work of its employees. This plan is provided to your company for the sole purpose of considering the purchase of a sign manufactured by Accent Graphics, Inc. based on these plans. OR, the purchase of the plans and design concepts contained therein for manufacture elsewhere. Distribution or exhibition of the plans to anyone outside of your company or the use of the plans by others to manufacture or design a similar sign as displayed in the plans is expressly forbidden. In the event that such exhibition occurs, Accent Graphics will expect payment of a minimum \$2000 design fee in recompense for the time and effort entailed to produce the plans.

CLIENT TOWN CENTER STORE #

INSTALLATION ADDRESS COLLEYVILLE BLVD. & HWY 26 COLLEYVILLE, TX

DESIGNER AB ACCOUNT EXECUTIVE KEVIN KENDALL

DATE 5-5-16 SHEET 1 OF 3 DESIGN # AB 5-5-16 R2

accent signs graphics

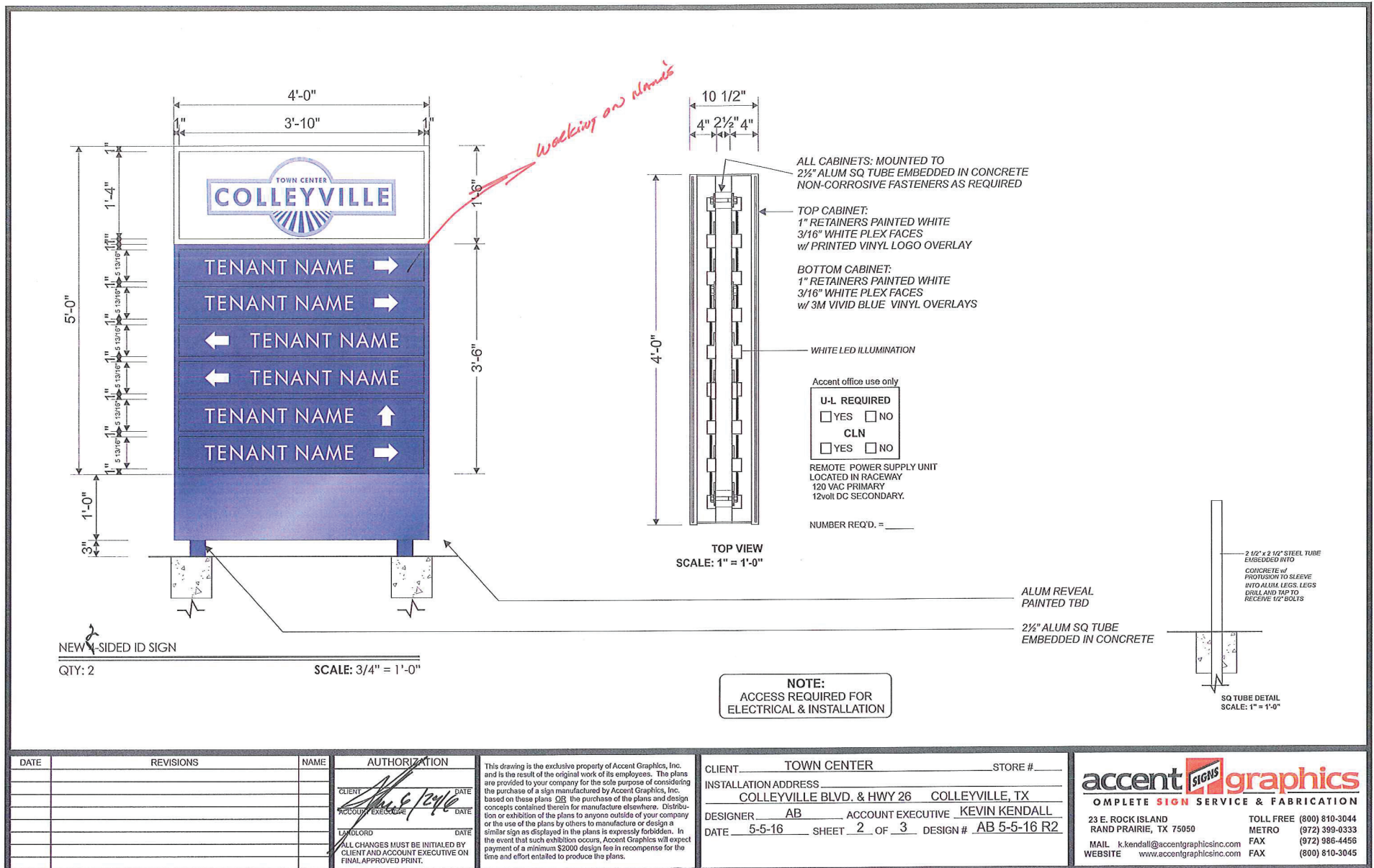
COMPLETE SIGN SERVICE & FABRICATION

23 E. ROCK ISLAND
RAND PRAIRIE, TX 75050

TOLL FREE (800) 810-3044
METRO (972) 399-0333
FAX (972) 986-4456

MAIL k.kendall@accentgraphicsinc.com
WEBSITE www.accentgraphicsinc.com

Exhibit A - Town Center Colleyville - Directory Signs



TOWN CENTER COLLEYVILLE

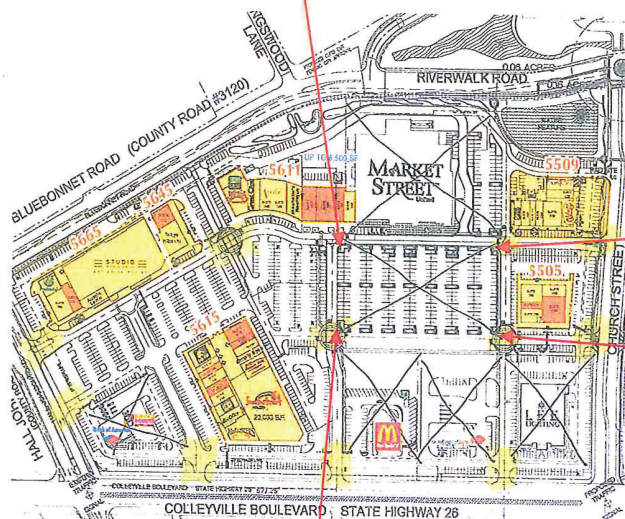


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DOUBLE-SIDED SIGN

DEMOGRAPHICS	1 MILE	3 MILE	5 MILE	TRAFFIC COUNTS
2015 EST. POPULATION	4,958	73,956	236,070	HIGHWAY 48: 43,390 VPD
2015 EST. AVG. HH INCOME	\$55,449	\$44,004	\$40,970	HALL JOHNSON ROAD: 15,573 VPD

VENTURE PARTNERS
2255 DOWNS AVE SUITE 700
DALLAS, TEXAS 75201

4 SIDED SIGN

SITE PLAN

SCALE: NTS

DATE	REVISIONS	NAME	AUTHORIZATION	This drawing is the exclusive property of Accent Graphics, Inc. and is the result of the original work of its employees. The plans are provided to your company for the sole purpose of considering the purchase of a sign manufactured by Accent Graphics, Inc. based on these plans OR the purchase of the plans and design concepts contained therein for manufacture elsewhere. Distribution or exhibition of the plans to anyone outside of your company or the use of the plans by others to manufacture or design a similar sign as displayed in the plans is expressly prohibited. In the event that such exhibition occurs, Accent Graphics, Inc. shall accept payment of a minimum \$2000 design fee in recompense for the time and effort entailed to produce the plans.	CLIENT	TOWN CENTER	STORE #	 COMPLETE SIGN SERVICE & FABRICATION 23 E. ROCK ISLAND RAND PRAIRIE, TX 75050 TOLL FREE (800) 810-3044 METRO (972) 399-6333 MAIL k.kendall@accentgraphicsinc.com FAX (972) 986-4456 WEBSITE www.accentgraphicsinc.com FAX (800) 810-3044	
			CUSTOMER		DATE	INSTALLATION ADDRESS	COLLEYVILLE BLVD. & HWY 26		COLLEYVILLE, TX
			ACCOUNT EXECUTIVE		DATE	DESIGNER	AB		ACCOUNT EXECUTIVE KEVIN KENDALL
			ENDORSED		DATE	DATE	5-5-16		SHEET 3 OF 3 DESIGN # AB 5-5-16 R2
ALL CHANGES MUST BE INITIALED BY CLIENT AND ACCOUNT EXECUTIVE ON FINAL APPROVED PRINT.									

Exhibit B - Benchmark Analysis

Attachment "B" Benchmark Analysis

City of Colleyville:

Traffic Directional Signs – The purpose of a traffic directional sign is to guide vehicular traffic into or out of an institutional use or commercial business by identifying a public entrance and exit for vehicular traffic. No more than two traffic directional signs per entrance or exit shall be allowed in accordance with Table 7-1, provided additional traffic directional signs shall be allowed when located behind the building set-back line. The maximum area and height of a traffic directional sign shall conform to the specifications contained in Table 7-2. No permit shall be required for a traffic directional sign, provided all such signs shall comply with the regulations contained in this section.

Table 7 - 2 Area, Height and Setback for Permanent Freestanding Signs						
Type of Sign	Maximum Sign Area	Maximum Sign Height	Minimum Front Property Line Setback (1)	Minimum Side Property Line Setback	Minimum Spacing B/T Next Free-Stand. Sign	Special Conditions
Traffic Directional Signs (6)	6 s. f.	30 inches	0 ft.	0 ft.	0 ft.	2 per curb cut

Movement Control /Directional Signs

Coppell:

Movement control signs: Movement control signs may be erected at any occupancy or any premises, other than single-family or duplex premises, may be attached or detached, and may be erected without limits as to number; provided that such signs shall comply with all other applicable requirements of this section. Movement control signs shall be premise signs only and shall not be construed as any sign listed in sections 12-29-4 or 12-29-5. The occupant who erects a movement control sign on the premises shall comply with the following requirements:

- i. Each sign must not exceed three square feet in effective area;
- ii. If a sign is an attached sign, the words must not exceed six inches in height;
- iii. Each sign must convey a message which directs vehicular or pedestrian movement within or onto the premises on which the sign is located;
- iv. The signs must contain no advertising identification message unless it is a logo, then the logo may cover ten percent of the sign.

Exhibit B - Benchmark Analysis

Flower Mound:

Directional Signs. No permit shall be required for small signs not exceeding five square feet in sign area and three feet in height that are displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, location of drive-up windows, directions to parking areas, one-way drives, restrooms, freight entrances and the like. These signs shall be directional only and may contain advertising with registered corporate logos. Maximum height applies to ground mounted signs and is not intended to prohibit placement of these signs over doorways, freight entrances, etc.

Grapevine:

GROUND SIGNS. A sign, except a portable sign, permanently placed upon, or supported by the ground independent of the principal building or structure on the property, the top edge of which sign is no more than six (6) feet above ground level, except ground signs in the HGT District shall be three (3) feet above ground level. All ground signs must conform to the following regulations:

- (1) Sign support shall be masonry, non-decaying wood, or structural steel tubing.
- (2) Sign face shall be non-decaying wood, or flat, clear acrylic sheet with all copy and background sprayed on second surface with acrylic colors.
- (3) Maximum gross surface area: Sixty (60) square feet, except signs in the HGT District shall be nine (9) square feet.

PERMITTED MONUMENT AND GROUND SIGNS. In all districts where monument and ground signs are permitted, only one of the two (2) structural types shall be permitted per lot. More than one monument or ground sign may be permitted for Planned Commercial Centers provided they meet the provisions of Section 48, and a Conditional Use Permit is issued.

Planned Commercial Centers are defined as having a five (5) acre minimum size with a combination of retail stores, offices, personal service establishments and similar uses.

City of Keller:

Detached Type	Max. Size	Number	Height	Width	Zoning Districts	Additional Standards
Movement Control Sign	6 sf	No Limit	4'	None	All Non-residential	The letters shall not exceed 4" in height.

Exhibit B - Benchmark Analysis

North Richland Hills:

Traffic directional signs. The purpose of a traffic directional sign is to aid vehicular traffic into or out of a business establishment by identifying only the vehicle entrances or exits. Traffic directional signs shall comply with the following regulations:

a. Generally.

1. Traffic directional signs shall be allowed in zoning districts shown in section 106-9, table of permitted signs.
2. Only two traffic directional signs may be allowed at each public street drive approach. Each sign must be either an "entrance" or an "exit" labeled sign, and/or may contain an arrow guiding the proper direction.
3. A traffic directional sign shall not exceed two square feet in area with a maximum height of 30 inches.
4. Traffic directional signs may include a company name or logo.
5. A traffic directional sign may be internally illuminated.
6. Traffic directional signs shall be located on private property.
7. Portable and temporary signs shall be prohibited.
8. Traffic directional signs shall be permanently installed on a concrete footing or other approved foundation system with above grade bases or pedestals consisting of decorative concrete, masonry, plastic, or metal finishes.
9. Interior traffic directional signs on sites having combined building areas greater than 200,000 square feet and setback a minimum of 30 feet from public right-of-way may be exempted from the above requirements by approval of the sign review committee.

Directory Signs

City of Southlake:

<i>Sign Type</i>	<i>Maximum Sign Height</i>	<i>Maximum Sign Face Area</i>	<i>Maximum Sign Structure Area</i>	<i>Number of Signs</i>	<i>Location</i>	<i>Illumination</i>	<i>Additional regulations</i>
5. Directory	Total Height: 6'6" Base: 18" Sign Face: 4' Sign Structure: 5'	50 s.f. per sign face; 100 s.f. per sign	70 s.f.	One sign per street entrance.	Minimum of 75 feet from drive entrance at ROW.	Ground lighting where the light itself and supporting structure are not visible from public ROW. Internal lighting may be utilized for sculpted aluminum panels.	A minimum of 6 inches of sign structure must completely surround sign face. Sign shall only be located along an internal drive or street within the development.

Exhibit C - Ordinance Amendment

Attachment "C"

AMEND: Section 7-150 Permanent Freestanding Signs – Sign Classifications & Regulations

ADD: Add a classification for 'Directory Signs' to include the regulations pertaining to such signs

F. Directory Signs – The purpose of a directory sign is to provide a listing of the occupants within a major multi-tenant shopping center and direction to the buildings in the development. All directory signs shall be constructed as a monument sign as defined in this Land Development Code. Directory signs shall be allowed in accordance with Table 7-1 and only for retail shopping centers that contain more than four (4) tenants and contain a minimum of 250,000 square feet of gross floor area. One (1) directory sign shall be permitted per street entrance with no more than 4 such signs permitted total per retail shopping center. The maximum area, height, spacing, and setbacks of a directory sign shall conform to the specifications contained in Table 7-2.

AMEND: Section 7-160 Permanent Freestanding Signs – Allowable Districts

ADD: Add listing for directory signs in Table 7-1

Table 7 - 1 Allowable Districts for Permanent Freestanding Signs																	
Sign Classification	Permit Required (Y or N)	Residential Districts								Commercial Districts						Special Districts	
		R15	R20	R30	R40	RE	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML	AG	PUD
General Business Signs	Y									P	P	P	P	P	P		(1)
Freeway Pole Signs	Y									(2)	(2)	(2)	(2)	(2)	(2)		(2)
Institutional Signs	Y	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Multi-family Signs	Y							P									(3)
Subdivision Monument Signs	Y	P	P	P	P	P	P	P	P								P
Traffic Directional Signs	N	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	P	P	P	P	P	P	P	(1)
<u>Directory Signs</u>	<u>Y</u>												<u>(5)</u>	<u>(5)</u>			<u>(5)</u>

Notes for Table 7-1:

(1) Permitted where the PUD ordinance allows commercial uses

(2) Permitted only in the Freeway Overlay Zone

(3) Permitted where the PUD ordinance allows multi-family uses

(4) Permitted for Institutional uses in the applicable districts

(5) Permitted for retail shopping centers containing a minimum of 250,000 square feet of gross floor area

Legend: P = Sign permitted in this district

(1) = Sign permitted in this district

per special footnote

Exhibit C - Ordinance Amendment

AMEND: Section 7-165 Permanent Freestanding Signs – Area, Height and Setback Requirements

ADD: Add listing for directory signs in Table 7-2

Table 7 - 2 Area, Height and Setback for Permanent Freestanding Signs						
Type of Sign	Maximum Sign Area	Maximum Sign Height	Minimum Front Property Line Setback (1)	Minimum Side Property Line Setback	Minimum Spacing B/T Next Free-Stand. Sign	Special Conditions
General Business Signs	112 s. f. (2)	8 ft. (2)	8 ft.	30 ft.	60 ft. (7)	1 per 250' street frontage
Freeway Pole Signs	250 s. f.	35 ft.	8 ft.	30 ft.	60 ft. (7)	1 per lot (3)
Institutional Signs (on-premises)	45 s f. (4)	5 ft.	8 ft.	30 ft.	60 ft.	1 per street frontage
Institutional Signs (off-premises)	16 s f.	5 ft.	none	none	none	Maximum of two signs
Multi-family Signs	25 s. f.	5 ft.	8 ft.	30 ft.	60 ft.	1 per street frontage
Subdivision Monument Signs	(8)	10 ft.	0 ft.	0 ft. (5)	n/a	Maximum 2 per entrance
Traffic Directional Signs (6)	6 s. f.	30 inches	0 ft.	0 ft.	0 ft.	2 per curb cut
<u>Directory Signs</u>	<u>25 s. f.</u>	<u>6 ½ ft. (2)</u>	<u>150 ft.</u>	<u>N/A</u>	<u>N/A</u>	<u>1 per street entrance and no more than 4 signs per retail shopping center; Sign shall only be located along an internal drive or street within the development</u>

Notes for Table 7-2:

- (1) Any street frontage shall be considered a front property line
- (2) Maximum structure size.
- (3) Only permitted within 250 feet of Hwy. 121 right-of-way.
- (4) An on-premises Institutional Sign located in a non-residential zoning district may be constructed in accordance with the General Business Sign regulations for the applicable zoning district.
- (5) Signs on a street island must be designed to permit appropriate driver visibility- joint use agreement required.
- (6) Spacing requirements for Freestanding Signs are not applicable to Traffic Directional Signs.
- (7) 100 feet between signs when signs are located on the same lot.
- (8) Maximum message area is 50 s.f.

SPEAKER CARD

January 3, 2017 Speaker Card

Date: 1-3-17

Agenda Item Number: 804 ← Item must be completed!

For example: **5a (this can be found on the far left side of the agenda copy)**

Do you have special technology needs, such as loading photos, connecting a laptop or tablet, during your time to speak? Yes ✓ No

✓ I will speak **In Support** of this item. and ✓ I will speak **In Opposition** to this item.

 I do not wish to speak, but please record my: **support** **opposition**

Name: Kathy Hadley

Address: 204 N. Timberline City: Colleyville

I understand I am limited to speaking for five minutes. For agenda items not listed on the agenda as a Public Hearing, City Council cannot respond to speakers in accordance with the Texas Open Meetings Law, Chapter 551 of the Texas Local Government Code. This includes persons speaking under the Citizen's Comments section of the agenda.

Signed: Kathy Hadley

This information is a Public Record

ORDINANCE O-17-2003

AMENDING CHAPTER 7-SIGN REGULATIONS, SECTIONS 7-150 PERMANENT FREESTANDING SIGNS – SIGN CLASSIFICATIONS & REGULATIONS, SECTION 7-160 PERMANENT FREESTANDING SIGNS – ALLOWABLE DISTRICTS, AND SECTION 7-165 PERMANENT FREESTANDING SIGNS – AREA, HEIGHT AND SETBACK REQUIREMENTS OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-00-1214 on April 18, 2000, adopting the Land Development Code; and

WHEREAS, the City of Colleyville desires to amend Sections 7-150, 7-160, and 7-165 of the Land Development Code by allowing for directory signage within the City of Colleyville.; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing.

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

- Sec. 1. THAT *Chapter 7-Sign Regulations, Sections 7-150, 7-160, and 7-165* of the Land Development Code, are hereby amended to read as depicted in the attached Exhibits "A, B, and C".
- Sec. 2. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 3. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 4. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 5. THAT this ordinance shall take effect immediately from and after its passage.

Sec. 6. THAT all other provisions of the Land Development Code shall remain in full force and effect, except as amended herein.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of January 2017.

The second reading and public hearing being conducted on the 17th day of January 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 17TH DAY OF JANUARY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A"

AMEND: Section 7-150 Permanent Freestanding Signs – Sign Classifications & Regulations

ADD: Add a classification for 'Directory Signs' to include the regulations pertaining to such signs

F. Directory Signs – The purpose of a directory sign is to provide a listing of the occupants within a major multi-tenant shopping center and direction to the buildings in the development. All directory signs shall be constructed as a monument sign as defined in this Land Development Code. Directory signs shall be allowed in accordance with Table 7-1 and only for retail shopping centers that contain more than four (4) tenants and contain a minimum of 250,000 square feet of gross floor area. One (1) directory sign shall be permitted per street entrance with no more than 4 such signs permitted total per retail shopping center. The maximum area, height, spacing, and setbacks of a directory sign shall conform to the specifications contained in Table 7-2.

Exhibit "B"

AMEND: Section 7-160 Permanent Freestanding Signs – Allowable Districts

ADD: Add listing for directory signs in Table 7-1

Table 7 - 1 Allowable Districts for Permanent Freestanding Signs																	
Sign Classification	Permit Required (Y or N)	Residential Districts								Commercial Districts						Special Districts	
		R15	R20	R30	R40	RE	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML	AG	PUD
General Business Signs	Y									P	P	P	P	P	P		(1)
Freeway Pole Signs	Y									(2)	(2)	(2)	(2)	(2)	(2)		(2)
Institutional Signs	Y	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Multi-family Signs	Y							P									(3)
Subdivision Monument Signs	Y	P	P	P	P	P	P	P	P								P
Traffic Directional Signs	N	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	P	P	P	P	P	P	P	(1)
<u>Directory Signs</u>	<u>Y</u>												<u>(5)</u>	<u>(5)</u>			<u>(5)</u>

Notes for Table 7-1:

(1) Permitted where the PUD ordinance allows commercial uses

(2) Permitted only in the Freeway Overlay Zone

(3) Permitted where the PUD ordinance allows multi-family uses

(4) Permitted for Institutional uses in the applicable districts

(5) Permitted for retail shopping centers containing a minimum of 250,000 square feet of gross floor area

Legend: P = Sign permitted in this district

(1) = Sign permitted in this district

per special footnote

Exhibit "C"

AMEND: Section 7-165 Permanent Freestanding Signs – Area, Height and Setback Requirements

ADD: Add listing for directory signs in Table 7-2

Table 7 - 2 Area, Height and Setback for Permanent Freestanding Signs						
Type of Sign	Maximum Sign Area	Maximum Sign Height	Minimum Front Property Line Setback (1)	Minimum Side Property Line Setback	Minimum Spacing B/T Next Free-Stand. Sign	Special Conditions
General Business Signs	112 s. f. (2)	8 ft. (2)	8 ft.	30 ft.	60 ft. (7)	1 per 250' street frontage
Freeway Pole Signs	250 s. f.	35 ft.	8 ft.	30 ft.	60 ft. (7)	1 per lot (3)
Institutional Signs (on-premises)	45 s. f. (4)	5 ft.	8 ft.	30 ft.	60 ft.	1 per street frontage
Institutional Signs (off-premises)	16 s. f.	5 ft.	none	none	none	Maximum of two signs
Multi-family Signs	25 s. f.	5 ft.	8 ft.	30 ft.	60 ft.	1 per street frontage
Subdivision Monument Signs	(8)	10 ft.	0 ft.	0 ft. (5)	n/a	Maximum 2 per entrance
Traffic Directional Signs (6)	6 s. f.	30 inches	0 ft.	0 ft.	0 ft.	2 per curb cut
<u>Directory Signs</u>	<u>25 s. f.</u>	<u>6 ½ ft. (2)</u>	<u>150 ft.</u>	<u>N/A</u>	<u>N/A</u>	<u>1 per street entrance and no more than 4 signs per retail shopping center; Sign shall only be located along an internal drive or street within the development</u>

Notes for Table 7-2:

- (1) Any street frontage shall be considered a front property line
- (2) Maximum structure size.
- (3) Only permitted within 250 feet of Hwy. 121 right-of-way.
- (4) An on-premises Institutional Sign located in a non-residential zoning district may be constructed in accordance with the General Business Sign regulations for the applicable zoning district.
- (5) Signs on a street island must be designed to permit appropriate driver visibility- joint use agreement required.
- (6) Spacing requirements for Freestanding Signs are not applicable to Traffic Directional Signs.
- (7) 100 feet between signs when signs are located on the same lot.
- (8) Maximum message area is 50 s.f.



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 5b

Agenda Date 01/17/2017

Number Ordinance O-17-2004

Type Ordinance

Department Community Development

Title

Consideration for approval of amendments to Chapter 8 – Plat Review Procedures in the Land Development Code regarding plat approval to be made by the City Council, specifically Section 8 – 130 Approval Authority Over Subdivision Plats, Case GC16-020

Strategy Map Connection

B4- Cultivate a culture of transparency and consistent communication

Explanation

Second Reading and Public Hearing

There were no speakers regarding this item at the January 3, 2017 City Council meeting.

First Reading and Public Hearing

Staff proposes amendments to Chapter 8 – Plat Review Procedures in the Land Development Code to require City Council approval of combination plats, preliminary plats, final plats, and replats. Specifically, Section 8-130 - Approval Authority Over Subdivision Plats is proposed to be amended. Currently, plats are approved by the Planning and Zoning Commission. City Council requested staff present amendments to Chapter 8 in an effort to require plat approval from the City Council.

Existing Conditions/Background: In 2014, the City Council directed staff to review the procedures, specifically as they relate to the City Council's approval authority over subdivision plats. Staff was directed, where possible, to remove the requirement the City Council approve plats. This proposed amendment would reverse some of these actions.

Plats differ from concept plans or site plans. The purpose of a plat is to show proper subdivision of land. A plat typically is submitted after zoning has been established and prior to obtaining a building permit. Additionally, a plat is a technical document that identifies property boundaries, rights-of-way, and easements. The division of land is reviewed against the zoning on the property to assure compliance with minimum lot area, width, and depth requirements. Typically, no improvements are shown on a plat.

Site plans are required with every petition for a zoning district change to RD (Two Family Residential), R-MF (Multi-Family Residential), MH (Mobile Home), C-PO

(Professional Office Commercial), CN (Neighborhood Commercial), CC (Commercial), and ML (Light Manufacturing) district. Additionally, all Special Use Permit requests shall be accompanied by a site plan and supporting documents of the area petitioned for a zone change. The purpose of the site plan is to illustrate the logical arrangement of the elements on the land and to show relationships of elements to each other. These elements include buildings, parking areas, driveways, screening, sidewalks, trails, and landscaping, among other things.

Platting 101. Platting property is part of the development process. A subdivision plat is a map of specific land showing the location and boundaries of individual parcels of land subdivided into lots, with streets, alleys, and easements drawn to scale, which must be recorded in the Tarrant County Clerk's Office after it has received the requisite approvals from the City. Cities are given the authority to require and regulate plats from Chapter 212 of the Texas Local Government Code. The regulation of subdivision platting is based upon the City's legitimate interest in promoting orderly development; insuring that subdivisions are constructed safely; and protecting future owners from inadequate police and fire protection, inadequate drainage, and unsanitary conditions. The Texas Local Government Code allows the City Council to approve a subdivision plat or, if the City Council chooses, delegate the approval of a plat to the Planning and Zoning Commission. In the case of Amending and Minor Plats, Chapter 212 states that a City may delegate the approval authority of a plat to City staff.

Chapter 212 also requires cities to approve a plat that satisfies all applicable municipal regulations, which includes zoning regulations, PUD ordinance requirements, subdivision regulations, etc. This means the applicable approving body (staff, the Planning and Zoning Commission, and/or the City Council) must approve the plat if it meets all City development requirements. The legal reference for the requirement that the approving body must approve a plat based on full compliance with City requirements is called a "ministerial" action. The plat may only be denied by the approving body if it does not comply with a particular City requirement. The legal reference for the instance when the approving body has the option to approve or deny the plat based on any non-compliance with a City ordinance is called a "legislative" action.

A ministerial action, as it relates to a plat approval action, may be granted to City staff where allowed by local ordinance and the Texas Local Government Code, the Planning and Zoning Commission, and/or the City Council. A legislative action may only be granted to the Planning and Zoning Commission and the City Council with no option for staff approval.

Proposed Amendments. Given the platting information above and based on the City Council's direction, staff reviewed the City's procedures as well as the procedures of the seven cities that surround Colleyville. A full benchmark analysis is provided as attachment "A". Staff proposes the following amendments to Chapter 8-Plat Review Procedures in the Land Development Code, which are also attached as mark-ups to Chapter 8 in attachment "B".

Changes to Plat Approval Authority

Staff proposes that certain plats again require approval by the City Council. This will allow for review and oversight by the Council to ensure compliance with the approved subdivision standards for the City of Colleyville. This would include combination plats, preliminary plats, final plats, and replats.

Staff recommends a minor change to the approval process for minor plats and amending plats. These plats require minimal design, are truly minor in nature, and therefore review and approval is performed by staff only, unless a waiver is requested, which would then require approval from the Planning and Zoning Commission and City Council.

Per the attached table, staff proposes the following changes to the approval authority of plats by classification type:

Approving Body Responsible for Approving Plats			
Classification of Plat	Staff	P&Z	Council
Combination Preliminary/Final Plat	No	Yes	No Yes
Preliminary Plats	No	Yes	No Yes
Final Plats	No	Yes	No Yes
Minor Plats	Yes	No*	No*
Replat	No	Yes	No Yes
Amending Plats	Yes	No*	No*

* The Planning and Zoning Commission and City Council shall have the authority to approve a Minor Plat and an amending Plat which has not been approved by City Staff.

1. Combination Preliminary/Final Plats – Changed to allow the City Council to have final approval authority of the plat. Currently the Planning and Zoning Commission has the final approval authority for a Combination Plat. If the plat application includes a request for a waiver or modification of a platting regulation, then the City Council must also approve the request.
2. Preliminary Plats - Changed to allow the City Council to have final approval authority of the plat. Currently the Planning and Zoning Commission has the final approval authority for a Preliminary Plat. If the plat application includes a request for a waiver or modification of a platting regulation, then the City Council must also approve the request. A waiver can include any waiver of a Land Development Code requirement that pertains specifically to a plat such as lot size, lot width, right-of-way dedication criteria, etc.
3. Final Plats - Changed to allow the City Council to have final approval authority of the plat. Currently the Planning and Zoning Commission has the final approval authority for a Final Plat. If the plat application includes a request for a waiver or modification of a platting regulation, then the City Council must also approve the request.

4. Minor Plat – Minor change proposed to require City Council approval when a plat waiver is requested. Currently allows the Community Development Director to have final approval authority of the plat. If the plat application includes a request for a waiver or modification of a platting regulation and/or is denied by the Community Development Director for any reason, then the Planning and Zoning Commission and City Council have final approval authority for the plat. The Planning and Zoning Commission will make a recommendation to the City Council. Chapter 212.0065 of the Texas Local Government Code allows cities to delegate approval of a Minor Plat to City staff.

5. Replat - Changed to allow the City Council to have final approval authority of the plat. Currently the Planning and Zoning Commission has the final approval authority for a Replat. If the plat application includes a request for a waiver or modification of a platting regulation, then the City Council must also approve the request.

6. Amending Plat - Minor change proposed to require City Council approval when a plat waiver is requested. Currently allows the Community Development Director to have final approval authority of the plat. If the plat application includes a request for a waiver or modification of a platting regulation and/or is denied by the Community Development Director for any reason, then the Planning and Zoning Commission and City Council have final approval authority for the plat. The Planning and Zoning Commission will make a recommendation to the City Council. Chapter 212.0065 of the Texas Local Government Code allows cities to delegate approval of an Amending Plat to City staff.

Other changes to the chapter include minor changes related to grammar, reference amendments, and structure.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of this item at the December 12, 2016 meeting by a vote of 6-0.

Staff Recommendation: Staff recommends approval of the amendment. The proposed amendment is consistent with the authorized procedure allowed in the local government code and with surrounding communities. The amendment would revert back to the previous plat approval process prior to 2014.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Attachment A - Benchmark Review - Plat Approvals
2. Attachment B - Ch. 08 Plat Review Procedures - Proposed Amendment for CC Approval
3. Attachment C - Definitions
4. Ordinance O-17-2004

Attachment A - Benchmark Review - Plat Approvals

Community	Staff Approval	P&Z Commission Approval	City Council Approval (assumes P&Z recommendation)	Notes
Southlake	single-lot Plat Showings; Amended Plats	Final Plats	Preliminary Plats; Plat Revisions; multiple lot Plat Showings	
North Richland Hills			Preliminary Plats; Final Plats; Replats; Short Form Final Plats; Amended Plats	
Grapevine			Preliminary Plats; Final Plats; Replats; Amended Plats	P&Z Commission & City Council meetings are held on the same day
Keller	Minor Subdivision Final Plats (no variances); Amended Plats; Replats (Minor)	Preliminary Site Evaluations (no variances); Major Subdivision Final Plat (no variances)	Preliminary Site Evaluations (with variances); Minor Subdivision Final Plats (with variances); Major Subdivision Final Plats (with variances); Replats (Major)	
Flower Mound	Minor Plats; Replats (Minor); Plat Amendments	Record Plats (conforms to Development Plan); Replats	Development Plans; Record Plats (does not conform to Development Plan)	
Hurst			Preliminary Plats; Final Plats; Short Form Plats; Replats	
Bedford	Amending Plats; Minor Plats; Minor Replats; Replats (no new street or extension of municipal facilities)	Preliminary Plats; Final Plats; Replats		
Coppell	Amending Plats; Minor Plats; Certain Replats (Minor)	Preliminary Plats; Final Plats; Replats		
Colleyville	Minor Plats; Amending Plats	Preliminary Plats; Final Plats; Combination Plats; Replats		

Attachment B - Ch. 08 Plat Review Procedures - Proposed Amendment for CC Approval

Land Development Code

City of Colleyville, Texas

Chapter 8 Plat Review Procedures

(Rev. 01/21/2014)

Section 8 – 100 Purpose of This Chapter

The purpose of this Chapter is to establish regulations which describe the process for the review and approval of subdivision plats, but more specifically to:

- A. provide for the safe, orderly, and healthful development of the area within the city and within the area surrounding the city and to promote the health, safety, and general welfare of the community;
- B. encourage the orderly development of the city through appropriate growth management techniques assuring the timing and sequencing of development, promoting in-fill development in existing neighborhoods and nonresidential areas with adequate public facilities, to assure proper urban form and open space separation of urban areas;
- C. encourage appropriate protection to environmentally sensitive areas;
- D. ensure that public facilities and services are available; and
- E. establish procedures for the review and approval of subdivision plats.

Section 8 – 105 Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the authority of the following:

- A. *Chapter 212 – Municipal Regulation of Subdivisions and Property Development of the Texas Local Government Code*, which authorizes a municipality to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction.
- B. *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorizes a municipality to adopt ordinances, rules, or police regulations that are for the good government, peace, or the trade and commerce of the municipality.
- C. *The Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution and laws of the State of Texas.

Section 8 – 110 Variances and Appeals

Any person seeking approval of a development as required by this Land Development Code may request a variance from a requirement contained in this Chapter, or appeal a decision of an Administrative Official by submitting a request using the procedures described in *Chapter 1 – General Provisions* of this Land Development Code.

Section 8 – 115 Definitions

Definitions applicable to this Chapter may be found in *Chapter 2 – Definitions* of this Land Development Code.

Attachment B - Ch. 08 Plat Review Procedures - Proposed Amendment for CC Approval

Land Development Code

City of Colleyville, Texas

Section 8 – 120 Plat Approval Required

It shall be unlawful for a person, firm or corporation owning a tract of land located within the corporate limits of the City of Colleyville, Texas, or extraterritorial jurisdiction, to hereafter divide the same tract of land into two or more parts, to lay out a subdivision, to lay out a building lot, or to lay out a street, alley, square, park, or other parts of the tract intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts for purpose of development without having a plat of the subdivision prepared and approved in accordance with this Chapter. A division of a tract includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method for purpose of development. A division of land under these regulations does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated. The provisions of this Chapter shall apply to any development which is intended as a single lot, tract or parcel where a primary structure will be located. Furthermore, the following shall be applicable to all subdivisions of land:

- A. It shall be the policy of the City of Colleyville to consider the subdivision of land and the subsequent development of the subdivided land as subject to the control of the City pursuant to the Colleyville Comprehensive Plan for the orderly, planned, efficient, and economical development of the City.
- B. The City has no obligation to extend water or sewer service to any lot, tract or parcel or land sold or created in violation of this Chapter.
- C. All plats and subdivisions shall conform to the rules and regulations set forth herein.
- D. This Chapter is not intended to repeal, abrogate, or impair any existing plans or ordinances. However, where the provisions of this Chapter and other ordinances or plans conflict or overlap, the most restrictive provisions thereof shall apply.
- E. The provisions contained in this Chapter, shall be considered as the minimum requirements for review and approval of a subdivision plat.

Section 8 – 125 Plat Required for Building Permit

No building permit shall be approved for any lot, tract or parcel of land unless and until a plat has been approved in accordance with this Land Development Code, except as provided as follows:

- A. Residential Structures - A building permit for an addition to, or renovation of, an existing residential structure may be issued on an un-platted lot, provided the value of such proposed construction, including the cumulative value of any proposed and all previously permitted building permits on the primary structure, does not exceed fifty (50%) percent of the value of the existing structure, excluding the value of the land, as shown on the most current tax roll. Building permits as used herein do not include electrical, plumbing or similar non-construction activities.
- B. Non-residential Structures - A building permit for an addition to, or renovation of, an existing non-residential structure may be issued on an un-platted lot, provided the value of such proposed construction, including the cumulative value of any proposed and all previously permitted building permits on the primary structure, does not exceed fifty (50%) percent of the value of the existing structure, excluding the value of the land, as shown on the most current tax roll. Building permits as used herein do not include electrical, plumbing or similar non-construction activities.
- C. Platting Exemption for Certain Accessory Buildings - A building permit for an accessory structure may be issued on an un-platted lot in the Agricultural District.
- D. Public Facilities Available - No building permit for a primary building will be issued until all public facilities have been installed and have been approved and accepted by the City or provision, acceptable to the City, has been made by the developer for such public facilities.

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Section 8 – 130 Approval Authority Over Subdivision Plats

- A. Approval of Plats Required –The approving body for all subdivision plats shall be in accordance with the following table:

Approving Body Responsible for Approving Plats			
Classification of Plat	Staff	P&Z	Council
Combination Preliminary/Final Plat	no	yes	no yes
Preliminary Plats	no	yes	no yes
Final Plats	no	yes	no yes
Minor Plats	yes	no *	no*
Replat	no	yes	no yes
Amending Plats	yes	no *	no*

* The Planning and Zoning Commission and City Council shall have the authority to approve a Minor Plat and an Amending Plat which has not been approved by City Staff.

- B. Preliminary, Final or Combination Preliminary/Final Plat Approval by the Planning and Zoning Commission and City Council - The Planning and Zoning Commission shall approve or disapprove a Preliminary, Final or Combination Preliminary/Final Plat. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve these plats. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.~~If the application includes a request for a waiver or modification of a platting regulation, the City Council must also approve the request.~~
- C. Replat Approval by the Planning and Zoning Commission and City Council - The Planning and Zoning Commission shall approve or disapprove a Replat. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve replats. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail. If the application includes a request for a waiver or modification of a platting regulation, the City Council may approve the request upon appeal by the applicant to the decision of the Planning and Zoning Commission.
- D. Minor Plat Approval by Staff – The Community Development Director shall be authorized to approve a Minor Plat, as defined by this Land Development Code provided said plat conforms to the requirements and specifications of this Land Development Code, without the additional approval of the Planning and Zoning Commission and City Council. If the application includes a request for a waiver or modification of a platting regulation, the Planning and Zoning Commission shall approve or disapprove the request. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve the request. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.~~The City Council may approve the request upon appeal by the applicant to the decision of the Planning and Zoning Commission.~~ The Community Development Director, may not disapprove a Minor Plat, but shall refer any Minor Plat which he/she refuses to approve to the Planning and Zoning Commission within thirty (30) days after the date the plat is filed.
- E. Amending Plat Approval by Staff – The Community Development Director shall be authorized to approve an Amending Plat as defined by the Local Government Code, provided said plat conforms to the requirements and specifications of this Land Development Code. If the application includes a request for a waiver from the subdivision requirements, the Planning and Zoning Commission shall approve or disapprove the request. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve the request. In the event of any discrepancy between a

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~~plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail. The Community Development Director may not disapprove an Amending Plat, but shall refer any Amending Plat which he/she refuses to approve to the Planning and Zoning Commission within thirty (30) days after the date the plat is filed. The Community Development Director, shall present the amending plat to the Planning and Zoning Commission for approval. The Planning and Zoning Commission shall have the authority to approve the Amending Plat. The Planning and Zoning Commission may require additional approval of any Amending Plat by the City Council.~~

~~The Community Development Director, may not disapprove an Amending Plat, but shall refer any Amending Plat which he refuses to approve to the Planning and Zoning Commission within thirty (30) days after the date the plat is filed.~~

- F. Appeal Procedure – A subdivision plat that has been denied by the Planning and Zoning Commission may be appealed to the City Council for consideration at the next available public meeting. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.

Section 8 – 135 Procedure for Approval of Subdivisions

- A. Time Period for Taking Action – The approving body shall approve or disapprove a subdivision application within thirty (30) days after the date the subdivision application is filed as provided in this Chapter. A subdivision application is considered approved if the approving body fails to act on a plat within the prescribed period. Provided however, that the subdivider may request a deferral of action on the subdivision application, thereby waiving the thirty day time period for action by the approving body, provided said request is submitted in writing.
- B. Additional Time Period for City Council Approval – Where City Council action is required or requested on a subdivision application as provided in this Chapter, the action shall be taken no later than thirty (30) days after the date the subdivision application was considered by the Planning and Zoning Commission. A subdivision is considered approved if the City Council fails to act on a plat within the prescribed period. Provided however, that the subdivider may request a deferral of action on the subdivision application, thereby waiving the thirty day time period for action by the City Council, provided said request is submitted in writing.
- C. Certificate of Compliance – In cases where the City fails to act on a subdivision application within the thirty day time period, the Community Development Director, upon written request, shall issue a certificate of compliance stating the date the subdivision was filed and that the City failed to act on the subdivision application within the specified time.
- D. Authorization to Sign Plats – The approval of a plat by the approving body, shall constitute authority for the, Community Development Director or, the Chairman and Secretary of the Planning and Zoning Commission and/or the Mayor and City Secretary, to execute said plat, and shall constitute approval for recording in the County Clerk's Office of Tarrant County.
- E. Modification of Conditions – Where the approving body finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve modifications of conditions to these platting regulations so that substantial justice may be done and the public interest secured. Such a finding by the City shall not have the effect of nullifying the intent and purpose of these platting regulations.
- F. Completeness Determination – Every subdivision plat application shall be subject to a determination of completeness by the Administrative Official as provided for in this Section.
1. No later than the tenth business day from the date the application is received, the Administrative Official shall make a written determination that all documents required by the Land Development Code for a subdivision plat submittal have been received.
 2. The applicant shall be provided written notice of any deficient documents no later than ten (10) business days from the date the application is received. The determination shall specify the documents or other information needed to complete the application and shall state the date the application will expire if the

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documents or other information are not provided. For purposes of this Section, the applicant shall be deemed to have been notified if the City has mailed a copy of the determination as provided herein.

3. The processing of an application by any City official or employee prior to the time the application is determined to be complete shall not be binding on the City as the official acceptance of the application for filing,
 4. A determination of completeness by the Administrative Official shall not constitute a determination of compliance with the substantive requirements of the Land Development Code.
- G. Expiration of Application – If a subdivision plat application is not completed on or before the 45th day after the application is received by the Administrative Official for processing, the application will be deemed to have expired. Thereafter, a new subdivision plat application must be submitted, including payment of the applicable application fee. The City shall retain any fee paid for reviewing the original application for completeness.
- H. Incompleteness as Grounds for Denial – No subdivision plat application shall be scheduled for action by an approving body unless it is determined that the application is complete and all required items, studies and documents have been submitted to and received by the City, unless the applicant has provided a written request for a waiver or modification of said requirement. An incomplete subdivision application shall be grounds for denial or revocation of the application. No vesting right shall accrue from the filing of an application that has expired pursuant to this Section, or from the filing of a complete application that is subsequently denied.
- I. Official Plat Submittal Date – The date from which the statutory period requiring approval or disapproval of a subdivision plat application shall commence on the date the Administrative Official responsible for processing subdivision plat applications has determined the application to be complete and marked said date on the application and has scheduled said application for action by the approving body.
- J. Development Review Committee – The City Manager shall designate a Development Review Committee (DRC) which shall be an advisory committee to the City Council and Planning and Zoning Commission and have responsibility for providing comments and recommendations on subdivision applications. In addition, the Development Review Committee shall submit comments and recommendations on vacation of public rights-of-way or easements and site plan reviews required by this Code. The Administrative Official responsible for subdivision review shall coordinate the actions of the Development Review Committee.
- K. DRC Review – Copies of subdivision plat applications shall be distributed to the Development Review Committee (DRC) members for technical review. The DRC shall provide written comments and recommendations on the proposed development to the Administrative Official.
- The Administrative Official responsible for subdivision review shall compile a report of the written comments received from the DRC and provide a copy of said report to the subdivider within five (5) working days following the day of receipt of all staff comments. The subdivider shall submit revised copies of the subdivision application, which incorporates and fully satisfies the comments of the DRC or provide written response as to why such modification is not proposed.
- L. Consistency with Master Plans – No subdivision plat shall be approved which is not consistent with the Colleyville Master Plan, the Parks Development Plan, and trail systems plans of the City.
- M. Compliance with Zoning – No subdivision plat shall be approved that is not consistent with the existing zoning regulations applicable to the property being platted, unless a rezoning application is pending that will provide consistency with the proposed development.
- N. Public Facilities – No subdivision application shall be approved by the City unless the Director of Public Works has reviewed the construction plans for the proposed public improvements and has determined that the public facilities will be adequate to support and service the area of the proposed subdivision. To expedite the review process, the Director of Public Works may accept a written offer by the developer as satisfactory evidence that public improvement requirements of the Land Development Code will be satisfied. The Director of Public Works may require the applicant to submit sufficient information and data to demonstrate that the existing public facilities are adequate to serve the proposed subdivision. Public facilities and services to be examined for adequacy shall include drainage facilities, roads, sewage, and

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water systems. Public facilities shall be designed and constructed in accordance with the requirements contained in this Land Development Code. Said proposed public improvements shall conform to and be properly related to the Colleyville Master Plan and all applicable capital improvement plans, including but not limited to the following:

1. Master Thoroughfare Plan – All subdivisions shall be designed to coordinate with the right-of-way widths and street patterns shown on the Master Thoroughfare Plan.
 2. Water System - All lots shall be served by a public water system capable of providing water for health and emergency purposes, including adequate fire protection. Proposed water system improvements shall be consistent with the Master Water System Plan.
 3. Wastewater Collection System - All lots shall be served by an approved means of wastewater collection and treatment. Proposed sewer system improvements shall be consistent with the Master Wastewater Collection System Plan.
 4. Storm Water Management - The Director of Public Works may require the use of control methods such as retention or detention, and/or the construction of offsite drainage improvements to mitigate the impacts of the proposed developments. Any proposed drainage system improvements shall be consistent with the Master Storm Water Management Plan.
- O. Records Maintenance – The Administrative Official responsible for subdivision review shall maintain a record of each application submitted under this Chapter, and the action taken on the application.
- P. Dedication Offers – All streets, drainage ways, parks, and other rights-of-way or public easements shown within a subdivision plat and intended for public use shall be offered for dedication as part of the approval of a plat. Upon approval of the subdivision application by the City, the offers shall be deemed dedicated and available for acceptance by the City in accordance with the requirements of this Section.
1. Whenever a subdivision proposes the dedication of land for public use and the City finds that such land is not required or is not suitable for public use, the approving body shall either deny the subdivision application or require the rearrangement of lots to include such land.
 2. The approval of a subdivision plat by the City is not considered an acceptance of any dedication and does not impose on the City any duty regarding the maintenance or improvement of any dedicated parts until the City Council makes an actual appropriation of the dedicated parts by entry, use, or improvement.
 3. Disapproval of a plat shall be deemed a refusal by the City to accept the offered dedications shown thereon.
- Q. Nuisance Ordinances and Outstanding Liens – No subdivision plat shall be placed on the agenda for action by an approving body in which the Code Enforcement Officer has issued notice to the owner of the property being subdivided that the property being considered for development is in violation of a public nuisance ordinance of the City of Colleyville and the violation has not been abated prior to the subdivision application date. No subdivision plat shall be placed on the agenda for action by an approving body that has an outstanding delinquent lien payable to the City of Colleyville.
- R. Frontage on Public Access Required – Every lot shall have frontage on a public street right-of-way. Said frontage shall not be less than eighty percent (80%) of the minimum required lot width established for the zoning district. In non-residential areas, access to a lot with a public access easement that is acceptable by the City as meeting the minimum requirements to provide public ingress and egress and for adequate emergency vehicle access may be allowed in lieu of a public street right-of-way.
- S. Plats Straddling or Adjacent to Municipal Boundaries – Where access to a proposed subdivision is required across land in an adjacent city, the Administrative Official shall coordinate the review of the plat with the adjacent city and the approving body shall require written approval from the adjacent city.

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- T. Official City Map – The Administrative Official responsible for subdivision review shall maintain an Official City Map, which shall indicate all subdivisions, lots and street rights-of-way. Subdivision plats hereafter approved shall be placed on the Official Map in a timely order and include the names of all streets and street suffix classifications. Where street name inconsistencies exist, from one subdivision to another, the Administrative Official shall place on the Official City Map the generally accepted street name, its proper spelling, and suffix classification. The Administrative Official responsible for subdivision review shall assign street address ranges for each block and coordinate these with the Office of the Fire Marshal and other emergency service providers.
- U. Enforcement of Chapter – In addition to any other remedy provided by law, the City and its officers shall have the right to enjoin any violation of this Chapter by injunction issued by a court of competent jurisdiction.

Section 8 – 140 Preliminary Plats

- A. Preliminary Plat Classification – Submittal of a Preliminary Plat is the first of a two step process for approval of a subdivision plat. The Preliminary Plat procedure shall be used when the property proposed for development is not platted as defined in this Chapter, does not qualify as a minor plat, and will be platted in more than one phase. The purpose of the Preliminary Plat procedure is to allow a subdivider to submit an abbreviated subdivision proposal for approval to determine the feasibility of developing a parcel of land before proceeding to the final platting process where the development will involve more than one phase of construction.
- B. Platting all Land in Common Ownership – The Preliminary Plat shall include all contiguous holdings of the owner, including land in “common ownership” as defined in this Chapter, with an indication of the portion which is proposed for subdivision.
- C. Preliminary Plat Phasing – The Preliminary Plat shall clearly indicate the parcels of land to be included in the phasing. Subsequently, Final Plats shall generally comply with the phasing lines indicated on the Preliminary Plat. Significant departure from the phase lines indicated on the Preliminary Plat shall require an amendment to the Preliminary Plat prior to further final platting of property.
- D. Effect of Approval – Upon approval of the Preliminary Plat, a copy of the approved Preliminary Plat shall be signed by the Administrative Official and kept for public record. Said approved Preliminary Plat shall reflect any and all revisions to the original submitted Preliminary Plat as was directed by the Planning and Zoning Commission and/or City Council which were made a condition of approval. Approval of the Preliminary Plat shall not constitute final acceptance or approval of the subdivision nor shall the approval of the Preliminary Plat confer any vesting rights in the arrangement of lots, streets and other features on the Final Plat. Approval of the Preliminary Plat shall constitute authority to proceed with the Final Plat process as described in this Chapter.
- E. Expiration of Approval – Approval of a Preliminary Plat shall expire after twelve (12) months from the date of approval, unless a Final Plat is submitted for all or part of the area that has received Preliminary Plat approval. The approving body may approve a time extension upon written request from the developer or may waive the twelve month termination period when the Final Plat is determined to be consistent with the approved Preliminary Plat and no additional standards have been adopted by the City.
- F. Re-submittal of Preliminary Plat – When a Preliminary Plat is disapproved, the subdivider, at any time thereafter, may submit a new design for approval, following the same procedures as required for the original application, including the payment of application fees.
- G. Preliminary Plat Exhibits – The subdivider shall file an application for approval of a Preliminary Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
 - 1. Preliminary Plat Application – The application shall be on forms furnished by the Administrative Official. If the applicant is not the official owner of record, written authorization from the property owner is required.

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2. *Preliminary Plat Drawing* – The plat drawing shall contain the information listed in *Section 8 - 180 Required Plat Information*, where applicable.
 3. *Preliminary Drainage Information* – The subdivider shall submit a Preliminary Drainage Analysis to determine the need for drainage facilities, unless the Director of Public Works has determined that a Preliminary Drainage Analysis is not necessary at time of platting. The Preliminary Drainage Analysis shall be prepared in accordance with the drainage analysis requirements contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
 4. *Preliminary Utility Plan* – The subdivider shall submit preliminary construction drawings which shall indicate the general location and approximate sizes of all existing and proposed public utilities, unless the Director of Public Works has determined that no public utility improvements are necessary. The size of all proposed water and sewer lines shall be determined using the design criteria contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
 5. *Tree Survey* – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.
 6. *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.
 7. *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.
- H. Grading Site Prior to Final Approval – Following Preliminary Plat approval, the developer may apply for an earthwork permit and upon approval of said permit may commence construction to the grades and elevations required by the Preliminary Plat.

Section 8 – 145 Final Plats

- A. Final Plat Classification – Approval of a Final Plat is the second step in the process for approval of a subdivision plat. The Final Plat procedure shall be used when the property proposed for development has been previously approved as a Preliminary Plat, was not submitted as a Combination Preliminary/Final Plat and conforms to the requirements of this Chapter. The purpose of the Final Plat procedure is to allow a subdivider to submit for approval all the documents necessary to fully develop the subdivision.
- B. Final Plat Prerequisites – Unless exempt from the requirements of Preliminary Plat approval, no Final Plat shall be placed on the agenda for action by the approving body until a Preliminary Plat of a subdivision has been previously approved in accordance with this Chapter. Upon approval of a Preliminary Plat, a subdivider may file an application for approval of a Final Plat. The Final Plat shall conform to the Preliminary Plat as approved and incorporate any and all changes, modifications, corrections and conditions imposed by the prior approval. A Final Plat will not be presented to the approving body for consideration, which fails to incorporate the recommendations of the Preliminary Plat approval.
- C. Final Plat Exhibits – The subdivider shall file an application for approval of a Final Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
 1. *Final Plat Application* – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
 2. *Final Plat Drawing* – The plat drawing shall contain the information contained in *Section 8 - 180 Required Plat Information* of this Land Development Code.
 3. *Drainage Information* – The subdivider should discuss with the Director of Public Works the need to submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related

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improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.

4. *Construction Drawings* – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Final Plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
5. *Tree Survey* – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees. These documents are not necessary if they have been submitted with the Preliminary Plat.
6. *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.
7. *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 – 150 Combination Preliminary/Final Plat

- A. Combination Preliminary/Final Plat Classification – Approval of a Combination Preliminary/Final Plat may occur when a plat is submitted that involves more than four lots and will include a new street but will not be phased but, instead, will be developed in a single phase. The purpose of the Combination Preliminary/Final Plat procedure is to allow a subdivider to submit for approval all the documents necessary to fully develop the subdivision in a single application.
- B. Combination Preliminary/Final Plat Exhibits – The subdivider shall file an application for approval of a Combination Preliminary/Final Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
 1. *Combination Preliminary/Final Plat Application* – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
 2. *Plat Drawing* – The plat drawing shall contain the information contained in *Section 8 - 180 Required Plat Information* of this Land Development Code.
 3. *Drainage Information* – The subdivider should discuss with the Director of Public Works the need to submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
 4. *Construction Drawings* – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Combination Preliminary/Final Plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
 5. *Tree Survey* – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.
 6. *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.

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7. *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official. The fee for a Combination Preliminary/Final Plat shall be the same as the fee for a Final Plat.

Section 8 – 155 Minor Plats

- A. Minor Plats: A Minor Plat submittal shall be used when the property proposed for development is not platted, contains four (4) or fewer lots and will not create a new street. A Minor Plat is intended to allow a subdivider to combine the Preliminary and Final Plat procedures and thereby expedite the review and approval of a small subdivision where no new public street is created. Where applicable, the Minor Plat submittal shall contain the same exhibits as a Final Plat submittal.
- B. Minor Plat Exhibits – The subdivider shall file an application for approval of a Minor Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
 1. *Minor Plat Application* – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
 2. *Plat Drawing* – The plat drawing shall contain the information contained in *Section 8 – 180 Required Plat Information* of this Land Development Code.
 3. *Drainage Information* – The subdivider should discuss with the Director of Public Works the need to submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
 4. *Construction Drawings* – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Minor Plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
 5. *Tree Survey* – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.
 6. *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.
 7. *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 – 160 Replats

- A. Replats: A Replat submittal shall be used when a previously platted property is proposed for redevelopment. A Replat may include an additional parcel of un-platted property when the size of the un-platted portion does not dictate the submittal of a Preliminary Plat. The Administrative Official responsible for subdivision review shall review each Replat application and determine whether or not the size of the un-platted

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portion of the proposed development warrants the submittal of a Preliminary Plat. Where applicable, the Replat submittal shall contain the same exhibits as a Final Plat submittal.

B. *Additional Criteria for Replats:* The following additional criteria for approval shall apply in the re-subdivision of an existing plat, without vacating the immediate previous plat:

1. A public hearing shall be required on the Replat at which interested parties and citizens have an opportunity to be heard.

2. If any of the proposed area to be re-subdivided or re-platted, within the immediate preceding five years, was limited by any interim or permanent zoning classification to residential use for not more than two residential units per lot, or if any lot in the immediate previous subdivision was limited by deed restriction to residential use for not more than two residential units per lot, notice of the public hearing shall be given in advance in the following manner:

a. Publication at least 15 days before the date of the hearing in a newspaper of general circulation in the City.

b. A written notice of the public hearing shall be forwarded no less than fifteen (15) days prior to the day of the hearing to the owners (as the ownership appears on the last approved ad valorem tax roll) of all lots in the immediate preceding plat that are within 200 feet of the lots to be re-platted. The notice may be served by depositing it properly addressed and postage paid, in the United States post office.

3. If the proposed replat requires a waiver of a requirement and is protested in accordance with this section, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the Planning and Zoning Commission and/or City Council. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the Planning and Zoning Commission and City Council prior to the closing of the public hearing. In computing the percentage of land area, the area of streets and alleys shall be included.

C. Compliance with paragraphs (a) & (b) is not required for approval of a replat or a portion of a prior plat if the area to be re-platted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

D. Replat Exhibits – The subdivider shall file an application for approval of a replat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:

1. *Replat Application* – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.

2. *Plat Drawing* – The plat drawing shall contain the information contained in *Section 8 - 180 Required Plat Information* of this Land Development Code.

3. *Drainage Information* – The subdivider should discuss with the Director of Public Works the need to submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.

4. *Construction Drawings* – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Minor Plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering*

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Design Standards of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.

5. *Tree Survey* – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.
6. *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.
7. *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 - 165 Amending Plats

- A. Amending Plat Classification – The Amending Plat procedure shall be used when making a minor change to an existing subdivision. These changes must not be substantive, nor create any new lots. Notice, public hearing, and the approval of other lot owners is not required for the approval of an Amending Plat.
- B. Amending Plat Procedures – The City is authorized to approve an Amending Plat which is signed by the property owners, and which is for one (1) or more of the purposes set forth in this Section, and such approval shall not require notice, hearing or approval of other lot owners. Amending Plats in accordance with the provisions of this Section shall be approved if the sole purpose of the Amending Plat is to:
 1. Correct an error in any course or distance shown on the prior plat;
 2. Add any course or distance that was omitted on the prior plat;
 3. Correct an error in the description of the real property shown on the prior plat;
 4. Indicate monuments set after death, disability or retirement from practice of the surveyor charged with the responsibilities for setting monuments;
 5. Show the proper location or character of any monument which has been changed in location or character or which originally was shown at the wrong location or incorrectly as to its character on the prior plat;
 6. Correct any other type of scrivener or clerical error or omission as previously approved by the City; such errors and omissions may include, but are not limited to, numbers, acreage, street names and identification of adjacent recorded plats;
 7. Correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the application for plat amendment, and neither lot is abolished; provided that such amendment does not attempt to remove recorded covenants or restrictions and does not have a material adverse effect on the property rights of the other owners in the plat;
 8. Relocate a lot line in order to cure an inadvertent encroachment of a building or improvement on a lot line or on an easement;
 9. Relocate one or more lot lines between one or more adjacent lots where the owner or owners of all such lots join in the application for the plat amendment, provided that such amendment does not:
 - a. Attempt to remove recorded covenants or restrictions; or
 - b. Increase the number of lots; or
 - c. Remove or otherwise abandon any easement or right-of-way.

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10. To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or part of the subdivision covered by the preceding plat if;
 - a. the changes do not affect applicable zoning and other regulations of the municipality;
 - b. the changes do not attempt to amend or remove any covenants or restrictions; and
 - c. the area covered by the changes is located in an area that the municipal planning commission or other appropriate governing body of the municipality has approved, after a public hearing, as a residential improvement area; or
 11. To replat one or more lots fronting on an existing street if:
 - a. the owners of those lots join in the application for amending the plat;
 - b. the amendment does not attempt to remove recorded covenants or restrictions;
 - c. the amendment does not create or require creation of a new street or make necessary the extension of municipal facilities.
- C. Amending Plat Exhibits – The subdivider shall file an application for approval of an Amending Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
1. *Amending Plat Application* – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
 2. *Amending Plat Drawing* – The plat drawing shall contain the information contained in *Section 8 - 165 Required Plat Information* of this Land Development Code, where applicable.
 3. *Drainage Information* – As determined by the Director of Public Works, the developer shall submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code
 4. *Construction Drawings* – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
 5. *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances.
 6. *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 - 170 Official Plat Recording

- A. Required Filing Documents – No subdivision plat shall be filed of record with the Tarrant County Clerk's Office unless the following are complete:
1. The plat has been drawn on mylar reproducible film or other permanent material, contains all required signatures, including the signature of the Planning and Zoning Commission Chairman, and/or the Mayor, or City staff, as applicable; and

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2. All applicable fees have been received.
- B. Construction Prior to Official Filing – No construction of public improvements shall be allowed and no permits for building construction shall be approved until the subdivision plat has been filed of record with the Tarrant County Clerk's Office.
- C. Maximum Approval Period – The approval of a subdivision plat shall expire one-hundred and eighty (180) days from the date of approval by the approving body, unless the subdivision plat has been filed of record with as provided in this Section.
- D. Re-approval Required – No subdivision plat shall be filed of record with the Tarrant County Clerk's Office where the approval time period has expired, unless the approving body has approved a re-submittal of the plat application and payment of plat application fee.

Section 8 - 175 Vacation of Plats

A plat may be vacated by the owners of the land covered by the plat at any time before a lot in the plat is sold. If lots have been sold, the plat or any part of the plat may be vacated upon the application of all the owners of lots in the plat and with the approval of the City obtained in the manner prescribed for the original plat.

Section 8 - 180 Required Plat Information

The applicant requesting subdivision plat approval shall submit the required number of copies of a plat drawing as determined by the Administrative Official and which complies with this Section.

1. All plat drawings shall contain the following information where applicable:
 - a. *Owner / Subdivider* - The names and addresses of the subdivider and the current owner of record.
 - b. *Surveyor Name* - The name, address and telephone number of the surveyor responsible for the plat which shall contain the seal of a Texas Registered Professional Land Surveyor.
 - c. *Subdivision Name* - If the land to be platted is situated within or adjacent to an existing subdivision, that plat may take the name of the existing subdivision, subject to the approval of the City. The name of the proposed subdivision shall be clearly shown with large letters and shall not be a duplication of any existing subdivision name, whether by spelling or pronunciation, or similar to any other subdivision within the City. The plat drawing shall indicate whether the plat is a Preliminary Plat, Final Plat, Replat, or Amending Plat.
 - d. *Location Map* - A location map showing the tract by reference to streets or highways.
 - e. *Date* - The date the plat was prepared.
 - f. *Scale & North Arrow* - The plat shall be prepared at a numerical scale no greater than one (1) inch equals one hundred (100) feet unless approved by the Administrative Official responsible for subdivision review. A graphic scale symbol shall be placed on the drawing with a north arrow indicating the approximate true north.
 - g. *Subdivision Boundary Lines* - The subdivision boundary lines shall be shown in heavy lines so as to provide a differentiation with the internal features of the area being proposed for platting. The location and dimensions of all boundary lines of the property shall be expressed to the nearest hundredth foot.
 - h. *Metes and Bounds Description* - A written metes and bounds description of the property shall be shown on the plat and be capable of reproducing such lines upon the ground with a closure error of less than 1:25,000. The legal description shall include reference to an original survey, subdivision corner, or the Texas Coordinate System of 1983, North Central Zone. The legal description shall include the acreage of the total area of the proposed subdivision and be consistent with the subdivision boundary. The

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legal description shall contain information to show the last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference.

- i. *Adjacent Properties* - All property lines, streets and easements on lands immediately adjacent to and contiguous with the perimeter of the proposed subdivision and extending one hundred (100) feet shall be shown with the names of the owners as shown on the most current Tax Assessor's files; if the adjacent properties are platted, the names of adjoining subdivisions and the names of adjoining streets are to be shown.
- j. *Street Rights-of-Way* - The width of all public street rights-of-way shall be shown on the plat. The general location and width shall be consistent with the Master Thoroughfare Plan. Dimensions shall be shown for all curves. The distance from the centerline of any existing roadway of a boundary street to the proposed subdivision shall be shown to determine the adequacy of right-of-way along the route and to determine if additional right-of-way is necessary to accommodate the proposed street.
- k. *Permanent Structures* - The location and general outline of any existing permanent structures with sufficient dimensions to determine building line encroachments. Any permanent structures which encroach any building set-back lines that will remain after completion of the development shall be shown on the drawing with appropriate dimensions.
- l. *Building Set-back Lines* - Front building set-back lines shall be indicated by dashed lines on all lots in accordance with the requirements of the applicable zoning district. Side yard building set-back lines shall be indicated by dashed lines on the side yards of lots with side street frontage. Additional building set-back may be required by the City. Existing building set-back lines on adjacent properties shall be shown, where applicable.
- m. *City Limit Lines* - The general location of the city limit boundaries of the City of Colleyville and any adjacent city shall be shown on the plat and referenced per city maps, only.
- n. *Easements* - The location and dimension of all existing or proposed easements shall be shown on the plat drawing indicating whether such easement is for any specific purpose. General easements for the use of public utilities of not less than seven and one-half (7.5') feet in width shall be provided along each side of all rear property lines. If necessary for the extension of water or sewer mains, storm drainage or other utilities, easements of greater width shall be required along lot lines or across large lots. In all cases, easements shall connect with easements already established on adjoining properties or extend to connect with a public right-of-way. No lot shall be shown with an easement which prevents proper development and full utilization of the lot as a suitable building site for the intended zoning district.
- o. *Lot and Block Numbering* - All lots and blocks shall be consecutively numbered, or lettered in alphabetical order. The blocks in subdivisions bearing the same name shall be numbered or lettered consecutively through the several sections or phases. Lettering for blocks shall be larger and bolder than lot numbers or circled to make identification clear. Any lot or block which is planned as an 'out-parcel' shall be numbered and designated on the plat with notation regarding any development restrictions.
- p. *Sheet Size* - Map sheets shall be of such size as are acceptable for filing in the Tarrant County Clerk's Office, and shall not exceed twenty-four by thirty-six (24"x 36") inches, but may be eighteen by twenty-four (18" x 24") inches, with a binding margin of not less than one and one-half inches on the left side of the sheets. Sheets shall be numbered in sequence if more than one (1) sheet is used and an index sheet provided with match lines.
- q. *Plat Notes and Conditions* - When appropriate, the plat shall contain a listing of any Plat Notes and Plat Conditions in a readily identifiable location with each note numbered consecutively.
- r. *Public Use Areas* - The location and dimensions of all property proposed to be set aside for public use or common reservation shall be shown on the plat drawing, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.

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- s. *Street Names* - All street names shall be shown on the plat. New street names shall be sufficiently different in sound and in spelling from other street names in the city to avoid confusion. The continuation of an existing street shall bear the same name.
- t. *Phasing of Plats* – For Preliminary plats, the plat drawing shall indicate any phasing of the proposed subdivision. Thereafter, plats of subsequent phases shall conform to the approved overall layout and phasing, unless a revised Preliminary Plat is submitted and approved in accordance with this Chapter. However, a subsequent reduction of a phase may be considered provided that it conforms to the original street arrangement.
- u. *Lot Dimensions* - The approximate dimensions of all lots shall be shown on a Preliminary Plat and the exact dimension shown on all other plats with accuracy to one-hundredth's of one foot. The dimensions shall be sufficient to verify compliance with the minimum requirements of the applicable zoning district.
- v. *Flood Plain Features* - The location of the 100-year flood limits, if applicable, shall be shown on the plat and contained within a drainage easement. If the subdivision, or a portion thereof, is located in the 100 year flood-prone area, the developer will be required to comply with the Flood Damage Prevention Ordinance.
- w. *Irregular Side Lot Lines* - Side lot lines which are not perpendicular to the street right-of-way shall be indicated with bearing and distance.
- x. *Lot Areas* - The area for each lot expressed in square feet shall be shown on the plat.
- y. *Survey Notes* - The Final Plat shall be accompanied by one (1) set of surveyor's closure notes for the boundary of the subdivision. The notes shall be referenced in the same manner as the plat.
- z. *Certification Blocks* – All plats shall contain the appropriate certification blocks which shall be similar to those shown.

Planning and Zoning Commission Approval

WHEREAS The Planning and Zoning Commission of the City of Colleyville, Texas voted affirmatively on this _____ day of _____, 20__, to approve this Plat.

Chairman, Planning and Zoning Commission

Attest: Secretary, Planning and Zoning Commission

City Council Approval

Whereas the City Council of the City of Colleyville, Texas voted affirmatively on this _____ day of _____, 20__, to approve of this Plat.

Mayor, City of Colleyville

Attest: City Secretary

Staff Approval Authority

This amending or minor plat is approved in accordance with Section 212.0065 of the Texas Local Government Code and the City of Colleyville Subdivision Regulations

Attachment B - Ch. 08 Plat Review Procedures - Proposed Amendment for CC Approval

Land Development Code

City of Colleyville, Texas

Date

Community Development Director

Surveyor's Certification

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

Signature

Date

(Affix Seal)

Dedication Certificate

WHEREAS, *(owners name)*, are the owners of a tract of land situated in the *(name)* Survey, Abstract N. (#), Tarrant County, Texas, and being out of a (#) acre tract conveyed to them by *(deed reference)*, and being more particularly described as follows:

(metes and bounds description)

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That We, *(names)*, Owners, do hereby adopt this plat designating the hereinbefore described property as *(subdivision name)*, and addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

Witness our hands this _____ day of _____, 20____.

Owners Name

STATE OF TEXAS }{

COUNTY OF TARRANT }{

Before me, the undersigned Notary Public in and for said county and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

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Given under my hand and seal of office this _____ day of _____, 20____.	
Notary Public in and for Tarrant County	_____
(affix seal)	_____
My printed name	_____
My commission expires:	_____

Section 8 – 185 Easement and Right-of-Way Encroachments

(Ord. O-01-1280 / 08/08/01)

No building permit shall be issued for any structure that encroaches into or over a public drainage and/or utility easement or public right-of-way, unless an easement encroachment and joint use agreement has been approved in accordance with the procedures contained in this Section.

1. The applicant must submit a written application on forms furnished by the City, together with the appropriate filing fee, stating the reason for the proposed encroachment. Said application must contain the signature of the property owner or legal agent of the property owner where the encroachment is proposed or of the property that is adjacent to the right-of-way where the encroachment and joint use is proposed.
2. The applicant must provide a metes and bounds description indicating the exact location of the encroachment and a plot plan showing the nature of the improvements proposed within the encroachment area.
3. The application must include written documentation signed by all public utility companies, including the City of Colleyville Public Works Department, indicating their consent to the encroachment and joint use of the easement or right-of-way. All public utility companies must approve the encroachment request before any consideration is given by the City of Colleyville.
4. No notification of adjacent properties is required unless, the City Manager, or designated official, determines that the encroachment or joint use has a direct impact on the adjacent properties.
5. An application requesting an easement encroachment may be approved by the City Manager or other designated official. Applications requesting a right-of-way encroachment require approval by the City Council.
6. Upon approval of the request, documents shall be filed in the Tarrant County Deed Records.
7. The application fee shall be set by separate ordinance approved by the City Council.

Section 8 – 190 Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
O-00-1261	12/19/00	Incomplete Submittals / DRC Review
O-01-1280	08/08/01	Easement & right-of-way encroachments
O-06-1566	02/21/06	Comprehensive Chapter Revisions
O-14-1906	01/21/2014	Revisions to Approval Authority and Plat Classifications
O-16-XXXX	XX/XX/2016	Revisions to Approval Authority

Attachment C - Definitions

Definitions

- Preliminary Plats - Section 8-140. Definition of a Preliminary Plat: A map, drawing, or chart showing the proposed arrangement of streets, lots, easements, and other public spaces in the subdivision. A Preliminary Plat is used when a plat contains more than four lots, will create new street(s), or will be developed in more than one phase.
- Final Plats - Section 8-145. Definition of a Final Plat: A map, drawing, or chart prepared according to the provisions of this Land Development Code, and containing all engineering and legal data, dedications, and certificates necessary to the recording of same in the maps and plats records of the county. A Final Plat is the second step in the platting process upon approval of the Preliminary Plat.
- Combination Preliminary/Final Plat - Section 8-150. Definition of a Combination Preliminary/Final Plat: A map, drawing, or chart prepared according to the provisions of this Land Development Code, and containing all engineering and legal data, dedications, and certificates necessary to the recording of same in the maps and plats records of the county. A Combination Preliminary/Final Plat is allowed where a new subdivision includes more than four lots and/or includes a new street is to be developed in a single phase with no unplatted land left to be platted in a future phase of development.
- Minor Plat - Section 8-155. Definition of a Minor Plat: A subdivision of not more than four lots, which fronts on an existing street and does not require the creation of any new street, or the extension of municipal facilities, which allows a short form process that eliminates the need for a preliminary plat. A Minor Plat must contain all engineering and legal data, dedications, and certificates necessary to the recording of same in the maps and plats records of the county.
- Replat - Section 8-160. Definition of a Replat: A replat is used when a previously platted property is proposed for redevelopment or an existing platted lot is proposed for further subdivision. A Replat may include an additional parcel of un-platted property when the size of the un-platted portion does not dictate the submittal of a Preliminary Plat.
- Amending Plat - Section 8-165. Definition of an Amending Plat: A map, drawing, or chart prepared to show a minor change of an existing subdivision to a lot line or correction of an error such that the changes are not substantive, and no new lots are created.

ORDINANCE O-17-2004

AMENDING CHAPTER 8-PLAT REVIEW PROCEDURES, SECTION 8-130 - APPROVAL AUTHORITY OVER SUBDIVISION PLATS OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-00-1214 on April 18, 2000, adopting the Land Development Code; and

WHEREAS, the City of Colleyville desires to amend Section 8-130 of the Land Development Code to require City Council approval of combination plats, preliminary plats, final plats, and replats; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing.

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

- Sec. 1. THAT *Chapter 8- Plat Review Procedures, Section 8-130* of the Land Development Code, is hereby amended to read as depicted in the attached Exhibit "A".
- Sec. 2. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 3. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 4. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 5. THAT this ordinance shall take effect immediately from and after its passage.

Sec. 6. THAT all other provisions of the Land Development Code shall remain in full force and effect, except as amended herein.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of January 2017.

The second reading and public hearing being conducted on the 17th day of January 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 17TH DAY OF JANUARY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A"

Section 8 – 130 Approval Authority Over Subdivision Plats

- A. Approval of Plats Required – The approving body for all subdivision plats shall be in accordance with the following table:

Approving Body Responsible for Approving Plats			
Classification of Plat	Staff	P&Z	Council
Combination Preliminary/Final Plat	no	yes	yes
Preliminary Plats	no	yes	yes
Final Plats	no	yes	yes
Minor Plats	yes	no *	no*
Replat	no	yes	yes
Amending Plats	yes	no *	no*

* The Planning and Zoning Commission and City Council shall have the authority to approve a Minor Plat and an Amending Plat which has not been approved by City Staff.

- B. Preliminary, Final or Combination Preliminary/Final Plat Approval by the Planning and Zoning Commission and City Council – The Planning and Zoning Commission shall approve or disapprove a Preliminary, Final or Combination Preliminary/Final Plat. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve these plats. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.
- C. Replat Approval by the Planning and Zoning Commission and City Council – The Planning and Zoning Commission shall approve or disapprove a Replat. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve replats. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.
- D. Minor Plat Approval by Staff – The Community Development Director shall be authorized to approve a Minor Plat, as defined by this Land Development Code provided said plat conforms to the requirements and specifications of this Land Development Code, without the additional approval of the Planning and Zoning Commission and City Council. If the application includes a request for a waiver or modification of a platting regulation, the Planning and Zoning Commission shall approve or disapprove the request. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve the request. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail. The Community Development Director may not disapprove a Minor Plat, but shall refer any Minor Plat which he/she refuses to approve to the Planning and Zoning Commission within thirty (30) days after the date the plat is filed.
- E. Amending Plat Approval by Staff – The Community Development Director shall be authorized to approve an Amending Plat as defined by the Local Government Code, provided said plat conforms to the requirements and specifications of this Land Development Code. If the application includes a request for a waiver from the subdivision requirements, the Planning and Zoning Commission shall approve or disapprove the request. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve the request. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail. The Community Development Director may not disapprove an Amending Plat, but shall refer any Amending Plat which he/she refuses to approve to the Planning and Zoning Commission within thirty (30) days after the date the plat is filed.



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 6a

Agenda Date 01/17/2017

Number Resolution R-17-4082

Type Resolution

Department Police

Title

Approval of the first renewal term of the Interlocal Lease Agreement with Tarrant County 9-1-1 for facility space at the Colleyville Justice Center, and authorize the city manager to execute the agreement

Strategy Map Connection

B3- Utilize partnerships to implement cost-effective service solutions

C5- Achieve the highest standards of safety & security

Explanation

Update

At the January 3, 2017, City Council meeting, City Council moved to table this item to the January 17, 2017 meeting.

Reading and Public Hearing

The purpose of this item is to seek approval for the First Renewal Term of the Lease Agreement with Tarrant County 9-1-1 for space at the Colleyville Justice Center.

The lease agreement allows Tarrant County 9-1-1 the use of approximately 2500 square feet of space located in the old dispatch and jail portions of the Colleyville Justice Center. Tarrant County 9-1-1 utilizes the space as a back-up 9-1-1 Center. In turn, the City of Colleyville is paid \$15,000 annually.

The first renewal term of the lease will be for five (5) years. This coincides with the contract with the cities of Keller and Southlake for Combined Public Safety Dispatching Services.

The original lease agreement was entered into in October 2010 for a period of six (6) years. The lease agreement with Tarrant County 9-1-1 was designed to directly coincide with the Combined Public Safety Dispatching Services Agreement with the cities of Keller and Southlake.

Staff recommends approval as the revenue generated through this lease agreement serves to offset a portion of the cost of the Combined Public Safety Dispatching Services Agreement.

Financial Impact

Tarrant County 9-1-1 will pay the City of Colleyville \$15,000 annually during the term of this lease. The total revenue generated will be \$75,000, which will help offset the cost of the Combined Public Safety Dispatching Service Agreement with the cities of Keller and Southlake.

Recommendation

Approve

Attachments

1. 2010 Original Tarrant County 911 Lease Agreement
2. Tarrant County 9-1-1 Interlocal Lease Agreement Renewal
3. Resolution R-17-4082

STATE OF TEXAS §

KNOW ALL BY THESE PRESENTS:

COUNTY OF TARRANT §

LEASE AGREEMENT

THIS INTERLOCAL AGREEMENT is made and entered into by and between Tarrant County 9-1-1 District (TC911), hereafter Tenant, and the City of Colleyville, Texas, hereafter Landlord:

WHEREAS, this Agreement is made under the authority of §§ 791.001-791.034 Texas Government Code;

WHEREAS, each party, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party;

WHEREAS, each governing body finds that the subject of this Agreement is necessary for the benefit of the public and that each has the legal authority to perform and to provide the governmental function or service which is the subject matter of this Agreement; and

WHEREAS, each governing body finds that the performance of this Agreement is in the common interest of both parties and that the division of costs fairly compensates the performing party for the services or functions under this Agreement.

WITNESSETH:

In consideration of Tenant's obligation to pay rent, and of the other terms, covenants, and conditions contained herein, Landlord hereby demises and leases to Tenant, and Tenant hereby takes from Landlord the Premises, described herein, TO HAVE AND TO HOLD all and singular, said Premises and improvements, together with the rights, privileges, and appurtenances thereto, belonging unto said Tenant for the term described herein.

ARTICLE I. PREMISES

A. **THE PREMISES.** The leased premises (the "Premises") are the real property, together with all improvements thereon, which are located in Tarrant County, Texas, and described on Exhibit "A", attached hereto.

B. **CONDITION OF PROPERTY; REQUIRED CONSTRUCTION.** Tenant accepts the condition of the Premises in "as is" condition, subject to any requirements relating to construction by Landlord or the condition of the Premises contained in Exhibit "B" attached hereto.

ARTICLE II. TERM OF LEASE

A. **ENTRY PRIOR TO COMMENCEMENT DATE.** Any entry onto or use of the Premises prior to the Commencement Date shall be governed by all of the terms, covenants, and conditions of this Lease, except rent.

B. **COMMENCEMENT DATE AND LEASE TERM.** The Commencement Date shall be as provided for on Exhibit "C", attached hereto and incorporated herein. The term of the Lease shall begin on the Commencement Date and shall continue for the number of years provided for in Exhibit "C", provided that if said Commencement Date shall not occur on the first day of the calendar month, then the last day of the Lease Term shall be calculated from the first day of the calendar month next following the Commencement Date.

C. **SURRENDER.** Promptly on the expiration of the term of this Lease or earlier termination of this Lease, Tenant shall peaceably and quietly leave, surrender, and yield to Landlord the Premises, broom-clean and in good condition, reasonable wear and tear and casualties provided for in Article IX herein excepted. Additionally, to the extent that Tenant brings hazardous materials onto the premises Tenant covenants and agrees to remove the hazardous materials at no expense to the Landlord prior to the expiration or termination of the Lease. Further, Tenant shall surrender all keys to the Premises at the place then fixed for the payment of rent.

D. **HOLDING OVER.** In the event Tenant remains in possession of the Premises after the termination of this Lease without having executed a new lease, Tenant shall be deemed to be a month-to-month Tenant whose rental rate shall be the last rental rate provided for herein plus two-hundred and fifty percent (250%) of such amount, and otherwise subject to all terms, covenants, and conditions of this Lease insofar as the same are applicable to a month-to-month tenancy.

ARTICLE III. RENT

A. Rent shall accrue hereunder from the Commencement Date.

B. Tenant promises and agrees to pay to Landlord for the Premises, as set forth in Exhibit "D", attached hereto and incorporated herein. Rent shall be paid in advance in monthly installments on the first day of each calendar month, upon billing by Landlord. All payments will be made in accordance with Texas Prompt Payment Act.

ARTICLE IV. LIABILITY

LIABILITY FOR CLAIMS. Tenant is solely responsible for any and all claims, liabilities, losses, damages, causes of action, and expenses (including court costs and reasonable attorney's fees) arising from (1) Tenant's occupation of the Premises, use of the Premises, conduct of its business, or any other activity permitted or suffered by the Tenant on the Premises, (2) any default, breach, violation or nonperformance of this Lease or any of its terms, covenants, and conditions, and (3) any act, omission, or

negligence of Tenant, or any officer, agent, employee, guest, customer, subtenant, assignee, or invitee of Tenant, including any act, omission, or negligence resulting in injury or death. Tenant, as a material part of the consideration to Landlord, hereby assumes all risk of damage to property or injury to persons in or upon the Premises, from any cause other than Landlord's negligence; and Tenant hereby waives all claims in respect thereof against Landlord. Tenant shall give prompt notice to Landlord in case of casualty or accidents in or about the Premises. Tenant is responsible for any penalty, damage, or charge incurred or imposed by reason of any violation of law, statute, ordinance, or governmental rule, regulation or requirement now or hereafter in force, by Tenant, or any officer, agent, employee, guest, customer, subtenant, assignee, or invitee of Tenant.

ARTICLE V. INSURANCE AND LIABILITY

A. **INSURANCE.** Tenant shall procure and maintain throughout the Lease Term a policy or policies of insurance, at its sole cost and expense, insuring Landlord as well as Tenant, from all claims, demands, or actions arising out of Tenant's use and occupancy of the Premises, containing bodily injury and property damage combined single-limit coverage of not less than \$1,000,000 per each occurrence. Such insurance shall be carried with companies satisfactory to Landlord, and Tenant shall obtain a written obligation on the part of each insurance company to notify Landlord at least thirty (30) days prior to cancellation of such insurance. Tenant may maintain insurance covering the Premises contents from time to time during the Lease Term, providing protection against perils included within the standard Texas form of fire and extended-coverage insurance policy, together with such other risks.

B. **WAIVER OF SUBROGATION.** Landlord and Tenant do hereby mutually waive as against one another all rights of recovery for damage to the extent that such damage is compensated for by insurance maintained by the damaged party; and Landlord and Tenant agree that no party shall have any claim against the other by way of subrogation or assignment.

C. **LANDLORD NOT LIABLE.** Neither Landlord nor its agents shall be liable for any loss or damage to persons or property resulting from fire, explosion, falling plaster, steam, gas, electricity, rain, or water from any source or any other cause whatsoever, unless caused by or due to the negligence of Landlord, its agents, servants, employees. Landlord or its agents shall not be liable for interference with the light or air, or for any latent defect in the Premises, and any interference with air or light shall not affect this Lease or cause any abatement of Rent.

ARTICLE VI. UTILITIES

Tenant shall be responsible for all costs and expenses for the use and connection of all utility services for Premises, including, but not limited to, the payment of any and all utility deposits. Tenant shall promptly pay all charges for telephone service and all other utilities furnished to the Premises. Landlord shall provide water and electricity for the Premises. Landlord agrees to maintain back-up generator and provide necessary fuel. Upon request, Landlord will provide Tenant with generator

service and fueling records.

ARTICLE VII. TENANTS USE OF PREMISES

A. **PERMITTED USE.** The Premises may be used and occupied only for the purposes described in Exhibit "E", attached hereto and incorporated herein. Tenant may not change the use of the Premises without Landlord's prior written consent.

B. **PERMITS AND LICENSES.** Tenant shall obtain at its sole cost and expense all permits and licenses required for the transaction of its business in the Premises. Tenant shall not violate any applicable law, ordinance, or governmental regulation now in force or which may hereafter be in force pertaining to the Premises.

C. **PROHIBITED USES.** Tenant shall keep the Premises free from waste or nuisance at all times. Tenant shall not, without Landlord's prior written consent:

1. Damage or deface the walls, ceilings, floors, or any other part of the Premises; or

2. Permit any injury, overloading, or other harm to any part of the Premises or any equipment or fixtures which are attached thereto or used therein, including but not limited to placing any unreasonably heavy loads upon any floor of the Premises.

D. **ALTERATIONS AND ADDITIONS.** Tenant shall not, without Landlord's prior written consent, make any alterations or additions to the Premises; provided, however, that Tenant may perform the work, if any, required before it moves into the Premises. Any alterations or additions, including any fixtures or equipment which are installed to the interior or exterior of the Premises by either party shall upon the termination of this Lease for whatever reason become the property of Landlord and be surrendered with the Premises. Notwithstanding the foregoing, Tenant may install unattached, movable trade fixtures, and may remove same upon termination of this Lease.

ARTICLE VIII. MAINTENANCE AND REPAIR

A. **MAINTENANCE BY LANDLORD.** Landlord shall be responsible only for reasonable maintenance of the foundation, the exterior walls, heating and air conditioning and roof of the Premises; provided, however, that Landlord shall not be required to make any repairs occasioned by the act, omission, or negligence of Tenant, its agents, invitees, contractors, or employees. In the event that the Premises should become in need of repairs required to be made by Landlord, Tenant shall give immediate written notice of the needed repairs to Landlord. Landlord shall not be responsible in any way for failure to make any such repairs until a reasonable time shall have elapsed after delivery of such written notice. Landlord shall be responsible only for the cost of repairs required above, and not for any consequential or other damages resulting therefrom. If repairs cause premises to be unusable for a period of more than

ten (10) consecutive business days, then rent shall abate until such time as repairs are completed.

B. MAINTENANCE BY TENANT. Landlord shall keep the Premises, including all windows, signs and sidewalks, service ways, and loading areas adjacent to the Premises in good, clean, rubbish-free condition, free from waste and nuisance at all times. Landlord shall make all needed repairs, including without being limited to, maintenance of all direct utility connections and replacement of any cracked or broken windows or other glass. Landlord shall keep in good working condition the air conditioning/heating system, the sprinkler system, if any, and the water heater, repairing and replacing such items as may be necessary from time to time. Tenant shall comply at its sole cost and expense with all governmental laws, ordinances, and regulations applicable to the Premises, except that Tenant shall not be obligated to make any structural changes or alterations to the Premises in order to comply therewith unless made necessary by the act or omission of Tenant, in which event, Tenant shall comply at its expense in accordance with plans and specifications approved by Landlord.

C. GARBAGE AND TRASH DISPOSAL. Landlord shall be responsible for making the provision for garbage disposal for the Premises.

ARTICLE IX. CASUALTY

Tenant shall give immediate written notice to Landlord of any damage caused to the Premises by fire or other casualty. In the event that all or any portion of the Premises shall be damaged or destroyed by fire or other casualty, Landlord shall elect either to terminate this Lease or to repair and reconstruct the Premises to their condition immediately prior to such damage or destruction. In the event Landlord elects to terminate this Lease, Landlord shall deliver written notice to Tenant on or before thirty days following receipt of Tenant's written notice of the damage to the Premises, and shall refund to Tenant the prepaid Rent, if any, unaccrued as of the date of damage or destruction, less any sum then owing Landlord by Tenant. If Landlord elects to repair and reconstruct the Premises, this Lease shall continue in full force and effect, and said repairs and reconstruction shall be made within a reasonable time thereafter, and Landlord may elect by the delivery to Tenant of written notice made on or before the Landlord's completion of said repair and reconstruction, to extend the Lease Term by a period of time equal to the period of such repair and reconstruction. During the period of repair and reconstruction of the Premises, Tenant agrees to continue operating its business within the Premises to the extent practicable, and rental shall abate proportionately during the period and to the extent that the Premises are unfit for use by Tenant.

ARTICLE X. CONDEMNATION

A. TERMINATION OPTION. In the event that all or any portion of the improved portion of the Premises or in excess of twenty-five percent 25% of the parking area of the Premises should be appropriated or taken by any public or quasi-public

authority under the power of eminent domain, this Lease may be terminated by either Landlord or Tenant by the delivery of written notice at least thirty (30) days prior to the date title vests pursuant to such taking or acquisition; the termination shall be effective as of the date title vests pursuant to such taking or acquisition, and all rentals shall be paid up to that date.

B. LEASE OBLIGATION AFTER CONDEMNATION. In the event that all or any portion of the Premises should be appropriated or taken by any public or quasi-public authority under the power of eminent domain, and this Lease is not terminated by Landlord or Tenant, the Rent payable hereunder during the unexpired portion of this Lease shall be reduced by multiplying the total rental by a fraction the numerator of which is the Square Foot Area of the Premises after condemnation and the denominator of which is the Square Foot Area of the Premises prior to condemnation. Landlord shall repair any structural damage to the Premises caused by the appropriation or taking.

C. VOLUNTARY CONVEYANCE IN LIEU OF CONDEMNATION. In the event that any authority having the power of eminent domain requests that Landlord convey to such authority all or any portion of the Premises, Landlord shall have the right to make a voluntary conveyance to such authority of all or any portion of the Premises whether or not proceedings have been filed by such authority; and in the event of any such voluntary conveyance, it shall nevertheless be deemed for the purpose of interpreting this Lease that there has been a taking under the power of eminent domain.

D. CONDEMNATION AWARDS. In the event of such an appropriation or taking, whether whole or partial, all awards of compensation shall belong to Landlord, and Tenant expressly waives any claim or right to any such award, except that Tenant shall be allowed to recover from such authority, but not from any portion of any award to Landlord, at Tenant's own cost and expense, the unamortized cost of Tenant's leasehold improvements and trade fixtures.

ARTICLE XI. DEFAULT AND REMEDIES FOR DEFAULT

A. EVENTS OF DEFAULT BY TENANT. The following shall be deemed to be events of default by Tenant under this Lease:

1. Tenant shall fail to pay when due any installment of Rent within ten days after written notice from Landlord or any other payment required Pursuant to this Lease;

2. Tenant shall fail to comply with any term, covenant, or condition of this Lease, other than the payment of Rent, and fail to cure within thirty (30) days after written notice by Landlord, provided, however, that if the nature of Tenant's obligation is such that more than thirty (30) days are required for performance, then Tenant shall not be in default if Tenant commences performance within such thirty (30)-day period and thereafter diligently prosecutes completion of same;

3. Tenant shall be the subject of a petition under Title 11 of the United States Code, as amended, or under any state bankruptcy laws, whether voluntary or involuntary or be adjudged bankrupt or insolvent under said laws;

4. Tenant shall have receiver or trustee appointed for all or substantially all of the assets of Tenant; or Tenant shall make a transfer in fraud of creditors or shall make an assignment for the benefit of creditors; or

5. Tenant shall do or permit to be done any act which results in a lien being filed against the Premises, and does not discharge of record or bond against said lien within fifteen (15) days following written notice by Landlord to Tenant of the filing thereof.

B. REMEDIES. In the event of default and in addition to all other remedies now or hereinafter provided herein or by law:

1. Landlord may at its option enter and take possession of the Premises and of the personal property of Tenant on which it has a contractual lien immediately without any previous notice of intention to reenter, and may remove all persons and property from the Premises and may take full and exclusive possession of the Premises. Landlord may secure, lock up, cut off utility service to, and attempt to relet the Premises, all without any of such actions being deemed a trespass or an election on Landlord's part to terminate the Lease. If, however, any such default on Tenant's part should be fully corrected and cured before Landlord exercises an option to terminate the Lease, and before Landlord has relet the Premises, then the Premises shall be returned to Tenant, and Tenant may continue in possession hereunder. Tenant expressly waives any and all damages by reason of reentry by Landlord under this Lease.

2. In the event that Landlord elects to reenter the Premises without terminating the Lease, then Tenant shall be liable for and shall pay to Landlord all Rent and other indebtedness accrued to that date, plus Rent required to be paid by Tenant to Landlord during the remainder of the Lease Term until the date of expiration of the term, diminished by any net sums thereafter received by Landlord through reletting the Premises during said period (after deducting all expenses incurred by Landlord to relet the Premises). In no event shall Tenant be entitled to any excess of any Rent obtained by reletting over and above the Rent herein reserved. Actions to collect amounts due by Tenant as provided in this Paragraph may be brought from time to time, on one or more occasions, without the necessity of Landlord's waiting until expiration of the Lease Term.

3. Notwithstanding any prior election not to terminate, Landlord may at any time, including subsequent to a reentry as above provided, elect to terminate this Lease on account of such default. Upon termination Tenant shall be liable for and shall pay to Landlord the sum of all Rent and other indebtedness accrued to the date of such termination, plus, as agreed and liquidated damages, an amount equal to the Rent and other charges for the remaining portion of the Lease Term (had such term not been

terminated by Landlord prior to expiration of the Lease Term), less the then fair rental value of the Premises for said period, both discounted to their present value based upon an interest rate of six percent (6%) per annum; the undersigned parties hereby stipulate that the fair rental value shall in no event be deemed to exceed sixty percent (60%) of the Rent provided for herein for said period.

4. In case of Default, Tenant shall also be liable for and shall pay to Landlord, in addition to any sum provided to be paid above: the costs of removing and storing Tenants or other occupant's property; the cost of repairing, altering, remodeling, renovating, or otherwise putting the Premises into condition acceptable to a new tenant or tenants; and all reasonable expenses incurred by Landlord in enforcing Landlord's remedies, including reasonable attorney's fees.

C. **DEFAULT BY LANDLORD.** Landlord shall not be in default unless Landlord fails to perform obligations required of Landlord within a reasonable time, but in no event later than thirty (30) days after written notice by Tenant to Landlord, specifying wherein Landlord has failed to perform such obligation; provided, however, that if the nature of Landlord's obligation is such that more than thirty (30) days are required for performance, then Landlord shall not be in default if Landlord commences performance within such thirty (30)- day period and thereafter diligently prosecutes completion of same.

ARTICLE XII. TRANSFERS AND LIENS

A. **NO LIEN AUTHORITY.** Tenant agrees that it shall not undertake any act which will cause a lien to be filed against the subject property, and Tenant acknowledges that it has no power to encumber or cloud Landlord's title. Tenant further agrees that if, because of any act or omission of Tenant, any mechanics lien or other lien, charge, or order for the payment of money shall be filed against Tenant or any portion of the Premises, or upon the right, title, and interest of Tenant created by this Lease, Tenant shall, at its own cost and expense, cause the same to be discharged of record or bonded within fifteen (15) days after written notice by Landlord to Tenant of the filing thereof. To the extent permitted by law Tenant hereby agrees to indemnify and hold Landlord harmless against and from all costs, liabilities, suits, penalties, claims, and demands resulting therefrom.

B. **ASSIGNMENT AND SUBLETTING.** Tenant may assign this Lease or sublet the Premises only with the prior written consent of Landlord. Tenant acknowledges that this Lease is personal to Tenant for the use specified herein, and that Landlord may withhold its consent, and may further condition any consent on an increase in Rent or any other changes in the terms, covenants, or conditions hereof. The consent by Landlord to any transfer, assignment, or subletting shall not be deemed to be a waiver on the part of Landlord of its rights regarding any future transfers, assignments, or sublettings. If Landlord consents to an assignment or subletting, that consent shall not be effective unless and until Landlord approves in writing the executed assignment or sublease agreement, which agreement shall provide for the Landlord's consent to any amendment, and for the assignee or sublessee to assume all of the obligations and liabilities of Tenant under this Lease, without relieving Tenant of its

obligations under this Lease.

ARTICLE XIII. ACCESS TO PREMISES

Landlord shall have the right to enter upon the Premises (recognizing that Tenant's hours of operation are 8:00 a.m. to 5:00 p.m.) with 24 hours notice for the purpose of inspecting them, making repairs to the Premises, or curing any default of Tenant hereunder that Landlord elects to cure. Landlord shall not be liable to Tenant for any expense, loss, or damage from any such entry. Tenant shall permit Landlord, during the sixty (60)-day period preceding the expiration of this Lease, to enter upon the Premises during normal business hours to exhibit same to prospective tenants.

ARTICLE XIV. INTERPRETATION, NOTICES, AND MISCELLANEOUS

A. **CHOICE OF LAW.** This Lease shall be governed by the laws of the State of Texas.

B. **ADDITIONAL COSTS.** In the event that Tenant fails to perform any covenant under this Lease within ten (10) days after written notice from Landlord, including, but not limited to, obtaining permits and licenses and obtaining those items necessary for said permits and licenses, Landlord may cure such failure for the account of and at the expense of Tenant, and the reasonable expenses paid therefore may be added to the rent due Landlord. The rights granted to Landlord under this section are not exclusive, and Landlord shall have all other legal remedies otherwise available to it.

C. **SUCCESSORS AND ASSIGNS.** The terms, covenants, and conditions contained in this Lease shall apply to, inure to the benefit of, and be binding upon the parties hereto, and their respective successors in interest (subject to any restrictions on transfers contained in Article XII) and legal representatives, except as otherwise herein expressly provided.

D. **FORCE MAJEURE.** In the event that either party is delayed, hindered, or prevented from performing any action required herein, either party shall not be liable or responsible if the delay is due to strike, riot, act of God, shortage of labor or materials, war, governmental laws, regulations, or other restrictions or any other causes of any kind which are beyond the reasonable control of either party, and the period for the performance of such act shall be extended for a period equivalent to the period of such delay.

E. **PARTIAL INVALIDITY.** Any provision of this Lease which shall prove to be illegal, invalid, or unenforceable under present or future laws shall in no way affect, impair, or invalidate any other provision hereof, and this Lease shall be interpreted as if it had been entered into without such an illegal, invalid, or unenforceable provision.

F. **WAIVER.** The waiver by Landlord of any remedy for the breach of any term, covenant, or condition shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained herein. The subsequent acceptance of Rent hereunder by Landlord shall not be deemed to be a

waiver of any preceding default by Tenant of any term, covenant, or condition of this Lease, other than failure of the Tenant to provide the particular Rent payments so accepted, regardless of Landlord's knowledge of such preceding default at the time of acceptance of such Rent.

G. **MERGER OF ESTATES.** The voluntary or other surrender of this Lease by Tenant or a mutual cancellation of this agreement shall not cause a merger, and shall, at Landlord's option, terminate all or any existing sublease or subtenancies, or, at Landlord's option, may operate as an assignment to Landlord of Tenant's interest in any or all subleases or subtenancies.

H. **LIABILITY.** The parties agree that Landlord and Tenant are only responsible for those claims which may be charged against them by virtue of the Texas Tort Claims Act. This agreement may not be construed or interpreted to provide a benefit to any third party to the extent that a third party may bring a cause of action under a third-party beneficiary contract theory.

I. **CONSTRUCTION.** Whenever in this Lease a singular number is used, the same shall include the plural, and the neutered gender shall include the feminine and masculine genders. The captions used in this Lease are for convenience only, do not constitute a part of the Lease, and shall have no effect upon the construction or interpretation of any term, covenant, or condition herein.

J. **NOTICES.** All notices or requests provided for in this Lease must be in writing and must be given by depositing the same in the United States Mail, addressed to the party to be notified, Postage Prepaid, and Registered or Certified with Return Receipt Requested. Notices by mail shall be deemed received upon mailing in accordance with the foregoing requirement. Notices shall be sent to the address designated at the conclusion of this Lease.

K. **LANDLORD APPROVAL.** Whenever and wherever Landlord's permission is required under this Lease, said approval or permission shall not be unreasonably withheld or delayed.

L. **USE OF COMMON AREAS.** Tenant shall have use of common areas and grounds, in accordance with the use and fee policies set by the Landlord.

M. **CANCELLATION PROVISION.** Tenant may terminate this Lease on sixty (60) days written notice to Landlord if the notice is given to Landlord within thirty (30) days of Tenant's budget being approved and only if funds are not appropriated by the proper authority to pay for the Rent due hereunder.

N. **ENTIRE AGREEMENT.** This Lease, together with the exhibits described below which are attached hereto and incorporated herein for all purposes, set forth all agreements between Landlord and Tenant relative to the Premises. All prior negotiations and agreements are merged herein, and no subsequent agreement relative to the subject matter hereof or modification of this Lease shall be binding unless reduced to a writing signed by both parties hereto. The following exhibits have

been attached to and incorporated into this Lease:

EXHIBIT "A"	-	Description of the Premises
EXHIBIT "A-1"	-	Floor plan
EXHIBIT "B"	-	Condition of Premises
EXHIBIT "C"	-	Lease Term
EXHIBIT "D"	-	Rental Rates
EXHIBIT "E"	-	Permitted Uses

Executed by Landlord the 21st day of September, 2010,


CITY OF COLLEYVILLE [LANDLORD]

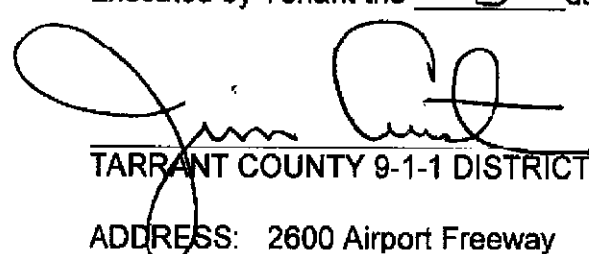
Colleyville City Council

SEP 21 2010

Approved

ADDRESS: Colleyville City Hall
100 Main Street
Colleyville, TX 76034

Executed by Tenant the 5 day of October, 2010,


TARRANT COUNTY 9-1-1 DISTRICT [TENANT]

ADDRESS: 2600 Airport Freeway
Fort Worth, TX 76111

EXHIBIT "A"
DESCRIPTION OF PREMISES

The property to be leased under this agreement is located at 5201 Riverwalk Drive Colleyville, Texas, *and* generally described as:

An approximately 2,500 square foot portion of a the Colleyville Police Department building, as indicated on Exhibit A-1 attached hereto and incorporated herein by reference.

Exhibit A-1 will be a mutually agreeable floor plan outlining the space utilized for the project.

EXHIBIT A-1 FLOOR PLAN

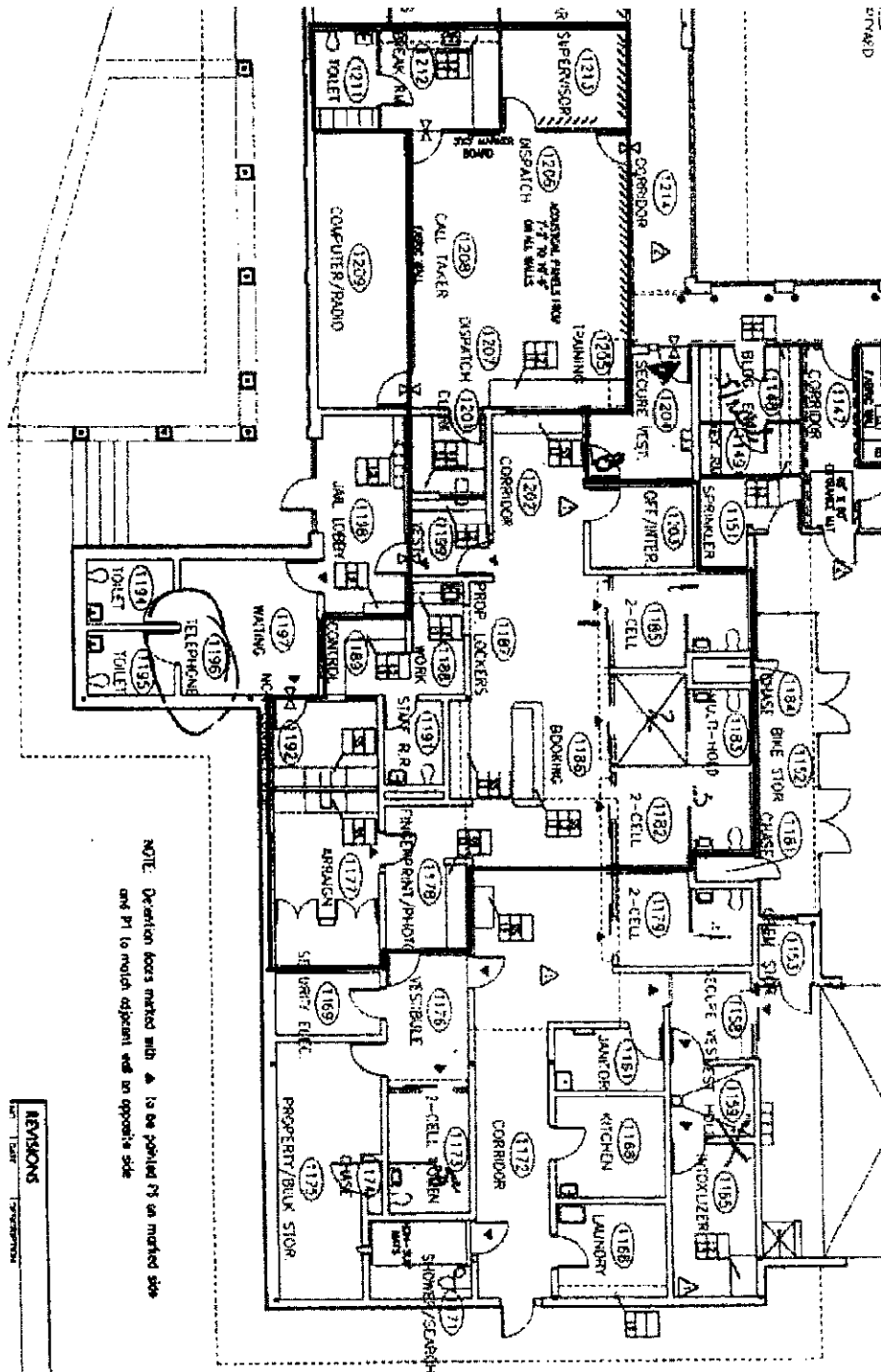


EXHIBIT "B"
CONDITION OF PREMISES

The premises are in good condition.

Any remodeling of the premises is the responsibility of the Tenant subject to approval by Landlord.

EXHIBIT "C"
LEASE TERM

The Commencement Date of the Lease shall be October 1, 2010. The term of the Lease shall coincide with Section 2 of the INTERLOCAL AGREEMENT FOR COMBINED PUBLIC SAFETY DISPATCHING AND JAIL SERVICES FOR THE CITIES OF KELLER, SOUTHLAKE AND COLLEYVILLE executed on 7-6-2010.

"This Agreement shall be for an initial term of six (6) years commencing on October 1, 2010, and ending September 30, 2016, (the "Initial Term") and may be extended thereafter by mutual consent of the parties hereto and for two successive five (5) year terms. (The renewal terms shall be referred to as the "First Renewal Term" and "Second Renewal Term", respectively)"

Furthermore, TC9-1-1 acknowledges and agrees to the provisions in Section 7 **Cancellation.**

EXHIBIT "D"
RENTAL RATES

Tenant shall make a one-time payment of \$20,000 to Landlord within 45 days of Lease signing, as compensation for the use of existing radio consoles and furniture. As a condition of the Lease and as part of the Lease rent, Tenant further agrees to maintain the radio equipment and console in working condition throughout the term of the Lease.

In addition, the annual Rental Rate shall be SIX DOLLARS AND ZERO CENTS (\$ 6.00) per square foot. Rent shall be paid monthly in accordance with Article III of the Lease.

Annual Occupancy Rate For Space at 5201 Riverwalk Drive (2,500 square feet):

\$ 15,000.00 per year

EXHIBIT "E"
PERMITTED USES

The Property shall be used by Tarrant County 9-1-1 District to provide the following types services, including but not limited to:

A regional backup site for the Tarrant County 9-1-1 District

All other uses not consistent with the above will require Landlord's written consent as per Article VI I of the Lease.

October 24, 2016

Tarrant County 9-1-1 District
Attn: Greg Petrey
2600 Airport Freeway
Fort Worth, Texas 76111

Re: First Renewal Term of Interlocal Lease Agreement with the City of Colleyville for facility space located at 5201 Riverwalk, Colleyville, Texas 76034.

Pursuant to the stated terms in the current lease agreement dated October 2010 for leased space at the Colleyville Justice Center located at 5201 Riverwalk, Colleyville, Texas 76034, the partner agencies have the option to renew the lease agreement for an additional (5) year period, known as the First Renewal Term, by mutual consent of all parties.

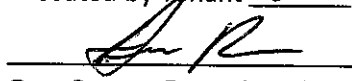
If you agree to this renewal the following will apply:

Renewal Period: October 1, 2016 through September 30, 2021

All originally agreed upon obligations, payments, terms for cancellation, notices, dispute resolution, and all other terms agreed to and detailed in the original Interlocal Lease Agreement dated October 2010, will remain in effect for the duration of this First Renewal Term.

By signing this Letter you agree to the First Renewal Term and the continued terms and conditions as agreed to in the original Interlocal Agreement.

Executed by Tenant 5th day of December, 2016



Greg Petrey, Executive Director [Tenant]

Address: Tarrant County 9-1-1 District
2600 Airport Freeway
Fort Worth, Texas 76111

Executed by Landlord _____ day of _____, 2016

Jennifer Fadden, City Manager [Landlord]

Address: Colleyville City Hall
100 Main Street
Colleyville, Texas 76034

RESOLUTION R-17-4082

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
JANUARY 3, 2017**

WHEREAS, City Council has taken action on certain items on the agenda under Business.

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

Sec. 1. THAT the City Council hereby approves the first renewal term of the Interlocal Lease Agreement with Tarrant County 9-1-1 for facility space at the Colleyville Justice Center, and authorize the city manager to execute the agreement.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 17TH DAY OF JANUARY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 7a

Agenda Date 01/17/2017

Number

Type Report

Department Public Works

Title

Staff presentation on current Capital Improvement Projects

Explanation

Staff will provide the attached presentation on the current capital improvement projects. The City of Colleyville has numerous projects that are currently funded and are underway in some form or fashion. The projects are grouped based on the of project type, including:

Construction
Right-of-Way Acquisition
Road Maintenance
Roadway Rehabilitation
Engineering Design
Facility Projects

Staff will provide a brief overview and update on each project, including:

Construction

- Colleyville Boulevard
- Pleasant Run Road (Shelton to John McCain)
- Bedford Road Retaining Wall
- Glade Road Phase 1
- Portion of Water Project 11: John McCain Water Line
- WW Project 2: Rehabilitate Sewer Manholes Identified to be in Poor Condition
- Water Project 9: Miscellaneous Repairs to Elevated Storage Tanks
- Water Project 7: Demolish Overland Trail Pump Station and Storage Tank
- L.D. Lockett Park Improvements

ROW Acquisition

- Glade Road Phase 2 and Glade Road Phase 3

Road Maintenance Project

- Glade Road - Stafford to Jim Mitchell and Western City Limits to Bransford

Roadway Rehabilitation

- Hunter Lane, John McCain, L.D. Lockett and Westcoat Drive

Design

- McDonwell School Road and Westcoat Drive
- Roberts Road
- Water Projects
- Wastewater Projects
- Glade Road Phase 2, 3, and 4

Facility Projects

- Public Works Service Center Site – Construction of Civil Improvements
- UPS Battery Backup Replacement Justice Center
- Fiber Build Phase 1-3
- Fire Station – Folding Doors
- Installation of Backup Generator for Emergency Power at L.D. Lockett Pump Station and City Hall

Capital Improvement Projects (CIP) Update

January 17, 2017

Current CIP Projects



Construction

- Colleyville Boulevard
- Pleasant Run Road (Shelton to John McCain)
- Bedford Road Retaining Wall
- Glade Road Phase 1
- Portion of Water Project 11: John McCain Water Line
- WW Project 2: Rehabilitate Sewer Manholes Identified to be in Poor Condition
- Water Project 9: Miscellaneous Repairs to Elevated Storage Tanks
- Water Project 7: Demolish Overland Trail Pump Station and Storage Tank
- L.D. Lockett Park Improvements

ROW Acquisition

- Glade Road Phase 2 and Glade Road Phase 3

Road Maintenance Project

- Glade Road - Stafford to Jim Mitchell and Western City Limits to Bransford

Roadway Rehabilitation

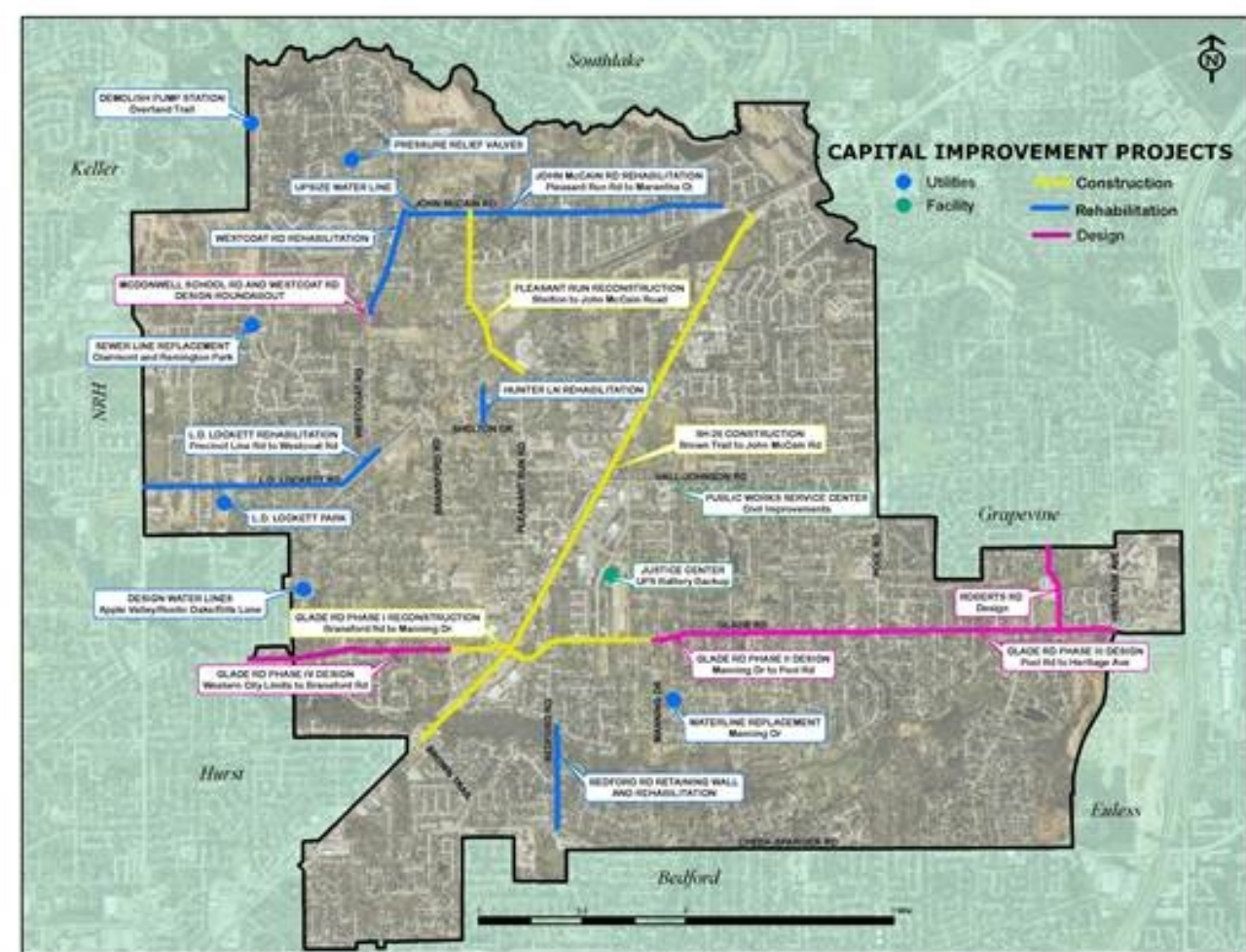
- Hunter Lane, John McCain, L.D. Lockett and Westcoat Drive

Design

- McDonwell School Road and Westcoat Drive
- Roberts Road
- Water Projects
- Wastewater Projects
- Glade Road Phase 2, 3, and 4

Facility Projects

- Public Works Service Center Site – Construction of Civil Improvements
- UPS Battery Backup Replacement Justice Center
- Fiber Build Phase 1-3
- Fire Station – Folding Doors
- Installation of Backup Generator for Emergency Power at L.D. Lockett Pump Station and City Hall



State Highway 26



Project Information

- This project includes the reconstruction of SH26 from John McCain Road to Brown Trail. The road will be built as a six lane road with a center median. The project will also realign the intersection of Main Street/Thompson Terrace and SH26 and the intersection of Tinker Road/Oak Pointe and SH26. This project is being administered by the Texas Department of Transportation. ***The project has been awarded to a contractor and preliminary construction activity began in November 2016.***

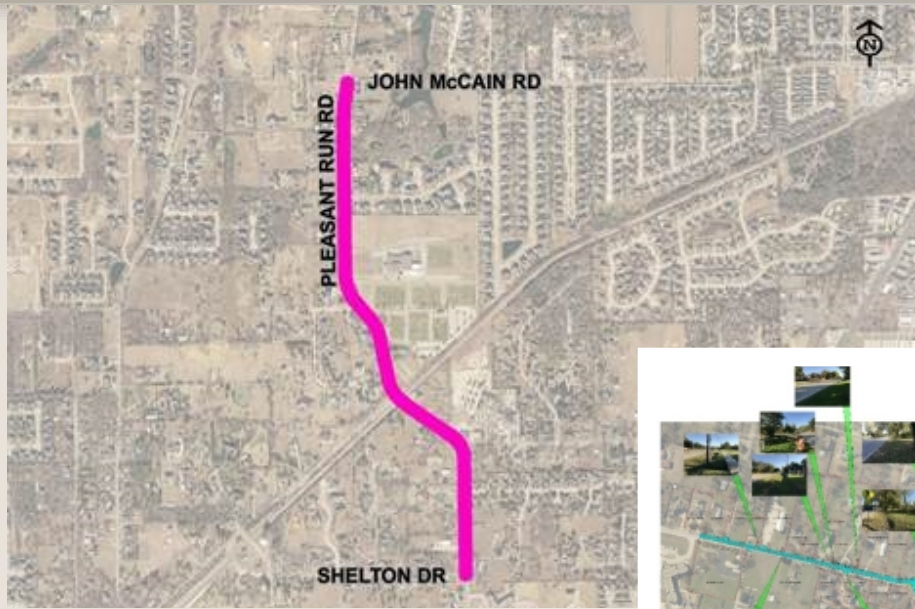
Funding

- Project Budget: \$31,848,898 (2016 CIP Amount)
- Funding Sources: NCTCOG, TxDOT, Tarrant County, City
- Total Expended to Date: City has paid \$1,654,435 (TIF Funds)

Key Dates

- December 1, 2015 – MOU Approved, R-15-3936
- February 10, 2016 – Bid Opening
- May 3, 2016 – Advance Funding Agreements approved, R-16-3987 and R-16-3986

Pleasant Run Road (Shelton to John McCain)



Funding

- Project budget: \$4,300,000
- Current funding sources:
 - Capital Projects Fund - \$2,743,300
 - CEDC Fund - \$300,000
 - Utility Fund - \$186,000
 - Water Impact Fees - \$1,070,700



Project Information

- This project includes the reconstruction of the existing asphalt roadway of Pleasant Run Road from John McCain Road to Shelton Drive as well as the replacement of the water and sewer lines that are identified needs in the area. **Preliminary design is complete and the project is planned to be bid late Spring and to begin construction in the summer of 2017.** The construction is expected to take approximately 9 months to complete. During the December 20, 2016 City Council meeting worksession, City Council requested the addition of sidewalks to the west side of the roadway. Staff is working with the consultant to include this request into the current scope of the project.

Bedford Road Retaining Wall



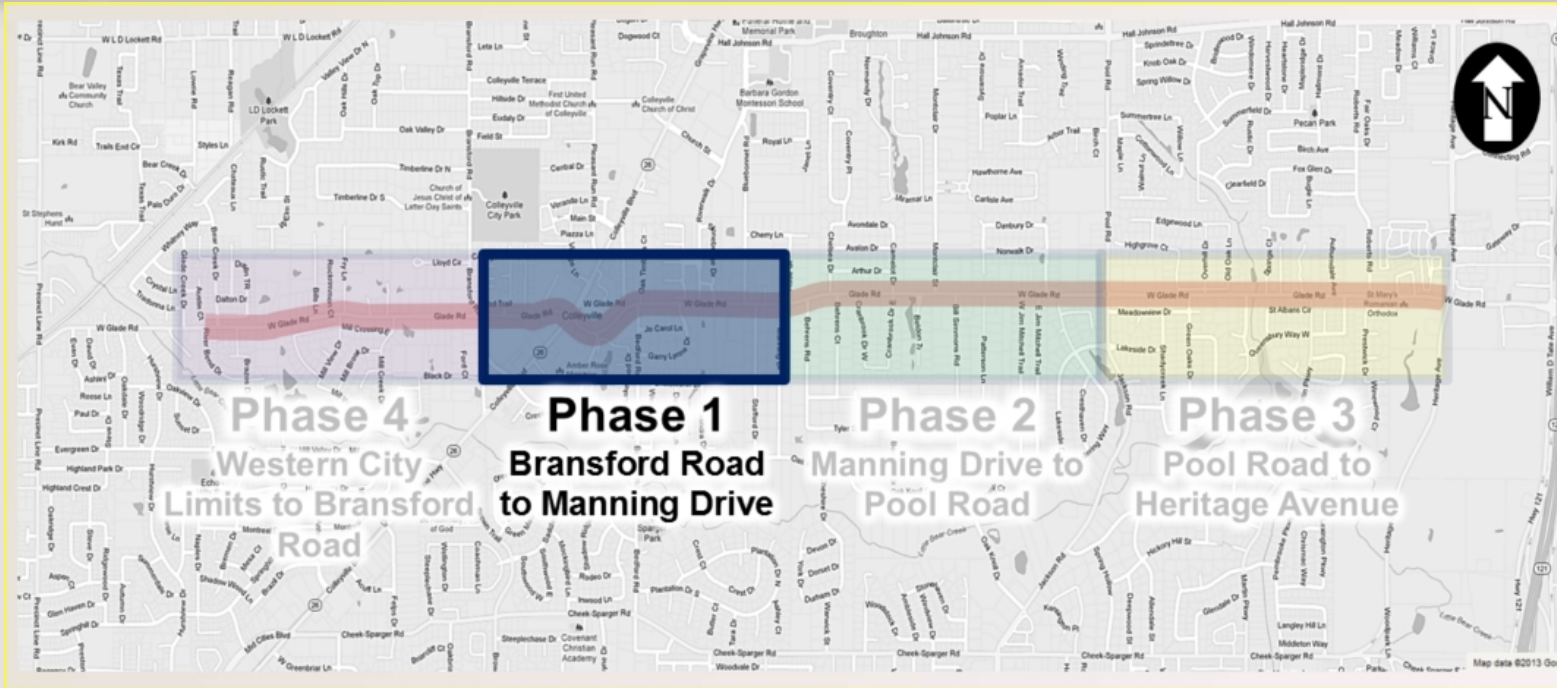
Funding

- Project budget: \$870,000
- Funding source
 - Capital Projects Fund

Project Information

- This project is to replace the existing railroad tie retaining wall that is along the back of the curb of Bedford Road. The existing wall is in poor condition and has deteriorated to a point where it needs to be replaced. The wall ranges in height from 2 – 7 feet and is approximately 1,000 feet in length. ***The design for the project is complete and is currently in the process of being bid. Staff will present the results of the bid for City Council consideration during a February City Council meeting.***

Glade Road Phase 1



Funding

- Project budget: \$3,755,000
- Funding source
 - TIF Fund

Project Information

This project includes the reconstruction of Glade Road from Bransford Road to Manning Drive. It will include a new westbound through lane at the Bransford Road intersection, a roundabout at Riverwalk Drive, realignment of Bedford Road, lowering of Glade Road at Bluebonnet to remove the stop signs and a 10' trail on the north side and 5' sidewalk on the south side. ***The project is currently in the ROW acquisition process and once construction begins it is expected to take 13 months to complete.***

Portion of Water Project 11



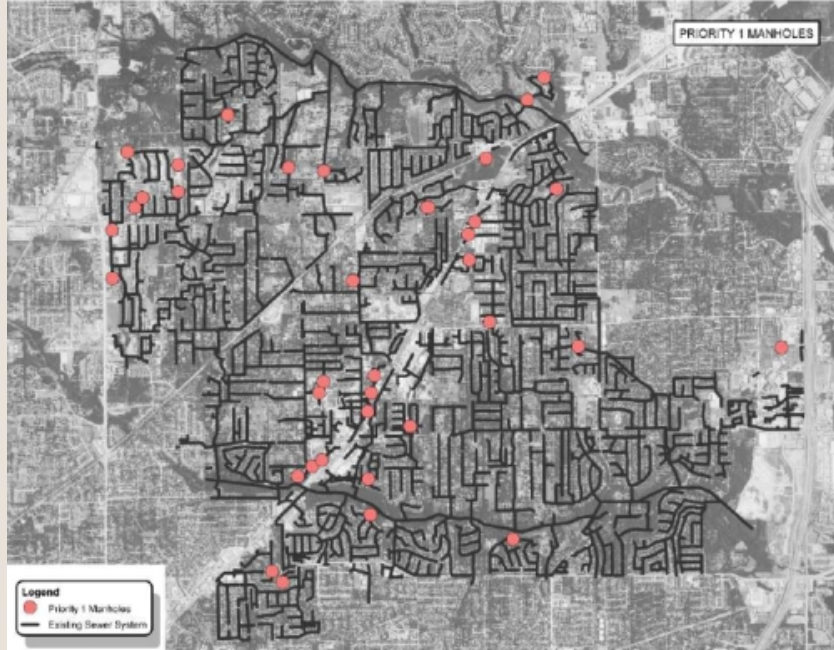
Funding

- Project budget: \$446,000
- Funding sources:
 - Utility Fund

Project Information

- This partial project includes the replacement and upsizing of the waterline that runs parallel to the John McCain roadway. This project is being coordinated with this roadway project to prevent the need for a future project in the same area, which would damage the newly constructed street. Design of the water line is complete. ***The project will advertise in January with an award in February.*** The work is expected to begin in the Spring of 2017 and take approximately 4 months to complete. Staff is coordinating the rehabilitation of John McCain with Tarrant County Precinct 3 to follow the completion of the water line construction project, the roadway project is contingent upon the Tarrant County crew's availability.

WW Project 2



Funding

- Project Budget: \$186,000
- Funding Source
 - Utility Fund



Project Information

- This project includes the rehabilitation of Priority 1 manholes as identified in the manhole assessment in conjunction with formation of the *2014 Water and Wastewater Master Plan*. The methods will vary depending on the type and severity of the defect. Priority 1 manholes present severe defects and if left untreated lead to manhole failures which can result in various problems for the sanitary sewer collection system. ***The construction contract is currently out for bid and is scheduled for City Council consideration of award at the February 7, 2017 City Council meeting.***

Water Project 9



Funding

- Project Budget: \$226,600
- Funding Source
 - Utility Fund

Project Information

- This project will provide miscellaneous repairs at the elevated storage tank sites. These are repairs that were identified and recommended to be addressed during the assessment that was performed during the development of the Water and Wastewater Master Plan. **Staff is currently soliciting quotes for the work.** The project includes several items of repair which include dirt work, concrete work, fencing work, tank steel work, and painting. The work has been split in order to obtain the most advantageous pricing and any agreements in excess of \$50,000 will be brought forward for City Council approval

Water Project 7



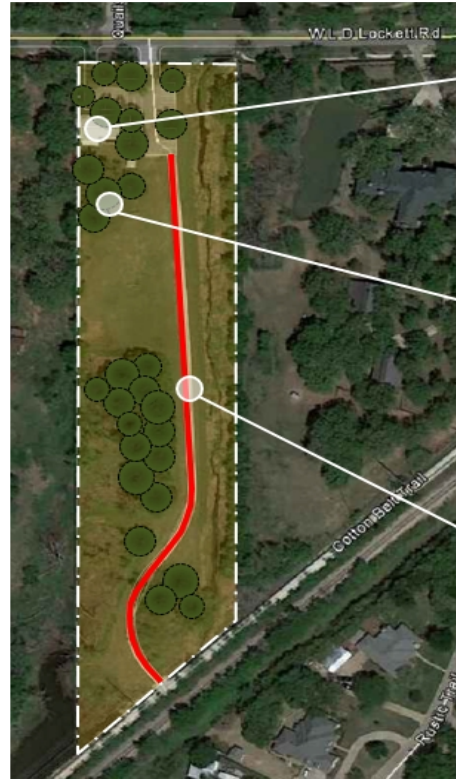
Funding

- Project Budget: \$130,000
- Funding Source
 - Utility Fund

Project Information

- The existing ground storage tank and pump station located on Overland Trail is no longer needed and has been out of service for the past several years. The site would require extensive upgrades if it was to be brought back online. The removal of this component of the water system was confirmed during the Water and Wastewater Master Plan process and the demolition of the site was recommended as a project. **Staff is currently soliciting quotes for the demolition and removal of just the existing steel tank, as well as some safety site improvements**

L.D. Lockett Park Improvements



Funding

- Project budget: \$535,062.68
- Current funding sources:
 - Capital Projects Fund - \$60,451.62
 - Parkland Dedication Fund - \$389,801.77
 - CEDC Fund - \$57,677.13
 - Parks Tomorrow Fund - \$27,132.16

Project Information

- L.D. Lockett Park is in progress. This project includes removal of the old house and parking lot. These will be replaced with a new concrete parking lot, restroom and pavilion. The park will provide other amenities including; a multi-use water fountain, bike repair station, bike racks, benches and landscaping. The new park is projected to be complete in spring of 2017

Glade Road ROW Acquisition



Funding



- Project budget: \$430,000
- Funding source
 - TIF Fund

Funding



- Project budget: \$190,000
- Funding source
 - TIF Fund

Project Information

This project includes the right-of-way acquisition for Glade Road Phase 2 and Glade Road Phase 3. ***An update and discussion of Glade Road Phase 2 and Glade Road Phase 3 will take place during the Glade Road Worksession on January 24, 2017.***

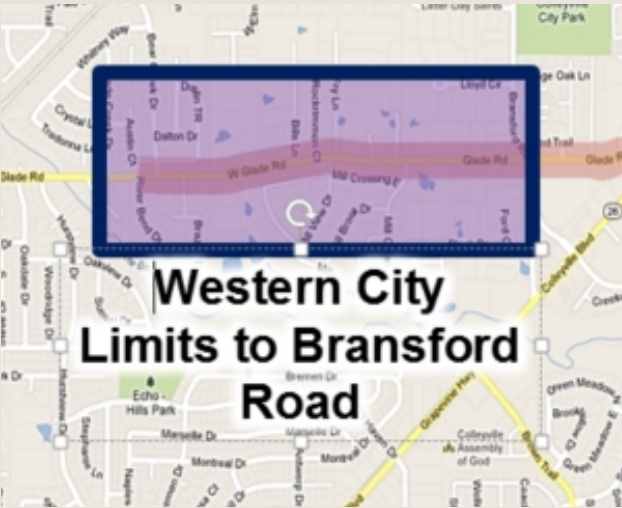
The initiation of the acquisition of property is expected to begin late 2017.

Glade Road Maintenance



Funding

- Project budget: \$142,000
- Funding source
 - Capital Projects Fund



Funding

- Project budget: \$198,000
- Funding source
 - Capital Projects Fund



Project Information

- This project includes a surface treatment, including an asphalt overlay, which will address the surface condition of the roadway and improve the ride quality. This will be a short term solution that will provide a better driving surface until such time that the complete reconstruction can be performed. ***Staff is working with the asphalt contractor to finalize the schedule and staff will present an update during the Glade Road Worksession on January 24, 2017.***

Rehabilitation Projects



Hunter Lane

- Project budget: \$172,000
- Funding source:
 - Capital Projects Fund

Project Status

- ***The project was completed in late December***



John McCain

- Project budget: \$1,647,222
- Current funding sources:
 - Capital Projects Fund - \$1,253,222
 - County Funding (Labor) - \$394,000

Project Status

- This project includes the rehabilitation of the existing asphalt roadway of John McCain from Westcoat Drive to Maranatha Court and utility improvements in the area. ***The start of work will be contingent on the availability of Tarrant County work crews and is expected to occur this summer.***

L.D. Lockett Road

- Project budget: \$725,000
- Fund source:
 - Capital Projects Fund

Project Status

- This project includes the rehabilitation of the existing asphalt roadway of L.D. Lockett Road from Precinct Line Road to Westcoat Drive. ***The work is expected to begin in the Summer of 2017 and will require several months to complete.***

Westcoat Drive

- Project budget: \$613,849
- Funding sources:
 - Capital Projects Fund

Project Status

- The section between McDonwell School Road to L.D. Lockett Road is complete. The section between McDonwell School Road to John McCain is being scheduled and ***is expected to be performed in summer 2017.***

Design - McDonwell School Road and Westcoat Drive Roundabout



Funding

- Project budget: \$100,000
- Funding source
 - Roadway Impact Fees

Project Information

- This project is the design of a roundabout at the intersection of McDonwell School Road and Westcoat Drive. Previously, a traffic study was performed to evaluate necessary improvements to the intersection. The long term solution was the installation of a roundabout at the intersection to increase efficiency and capacity of the intersection. The design of the roundabout will begin in Spring of 2017. **Staff is working on the RFQ for the design consultant selection.**



Design – Roberts Road



Funding

- Project budget: \$162,000
- Funding source
 - Capital Projects Fund

Project Information

- This project includes the design of the project that will provide for the reconstruction of Roberts Road from Glade Road to the Grapevine city limits in accordance with the Master Thoroughfare Plan to include curb and gutter, sidewalks and drainage improvements. A key element of this project will be improvements to the effectiveness of the intersection located at the intersection of Glade Road and Roberts Road. The design project is expected to begin in spring of 2017. ***Staff is working on the RFQ for the design consultant selection.***

Design - Water Projects



Water Project 8 – Pressure Relief and Flow Control Valves (John McCain/Bandit Vicinity)

Water Project 10 – Apple Valley Subd. / Rustic Oaks Subd./Bills Lane Water Line

Funding

- Project budget: \$42,500
- Funding source
 - Utility Fund

Project Description

- This project includes the design of 2 pressure release and flow control valves needed to regulate flow from the high pressure plane to the low pressure plane. ***Staff is currently working with the design consultant to finalize the scope of services for the design.***



Funding

- Project budget: \$70,000
- Fund Source
- Utility Fund

Project Description

- This project includes the addition of an 8-inch water line to connect Apple Valley Drive to Bill's Lane and the replacement of a 2-inch line along Black Drive with an 8-inch line. This project will address dead end lines, increase fire flow to the area, and improve capacity. Easements may be required for these connections. ***Staff is currently working with the design consultant to finalize the scope of services for the design.***

Design - Wastewater Projects



Wastewater Project 3 (Partial) – Sewer Line Replacement along Manning Drive

Funding

- Project budget: \$27,000
- Funding source
 - Utility Fund

Project Description

- This project includes several segments that have already been completed. This partial project is the replacement of a segment of sewer line in Manning Drive due to its condition. ***Staff is currently working with the design consultant to finalize the scope of services for the design.***



Wastewater Project 4 – Remington Park/Clairemont Subd. Sewer Line Replacement

Funding

- Project budget: \$33,000
- Funding source
 - Utility Fund

Project Description

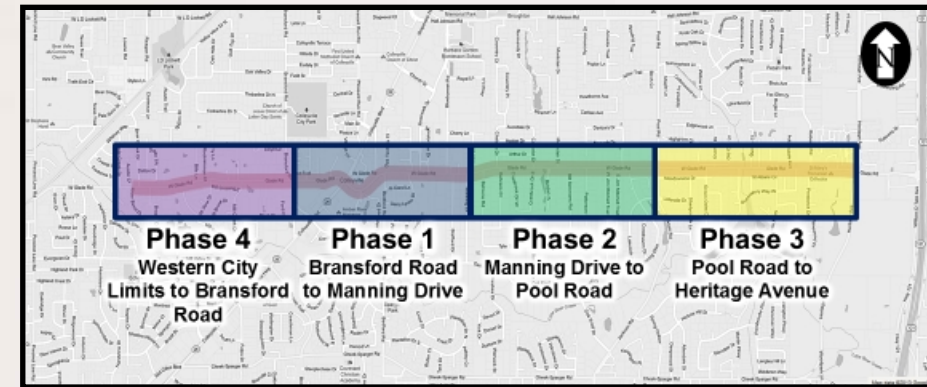
- This project is the replacement of 4 segments of 10-inch sewer lines to improve grades and capacity. The lines currently surcharge due to inadequate slopes. ***Staff is currently working with the design consultant to finalize the scope of services for the design.***

Glade Road Design (Phase 2, 3 and 4)



Funding

- Project Budget: \$1,433,477
- Funding Source: TIF Fund



Project Information

- This project includes the reconstruction of Glade Road. This project is split into 3 sections; Manning Drive to Pool Road, Pool Road to Heritage Avenue, and the Western City limits to Bransford Road.
Further City Council discussion and direction expected at the January 24, 2017 Worksession

Construction of Civil Improvements – Public Works Service Center

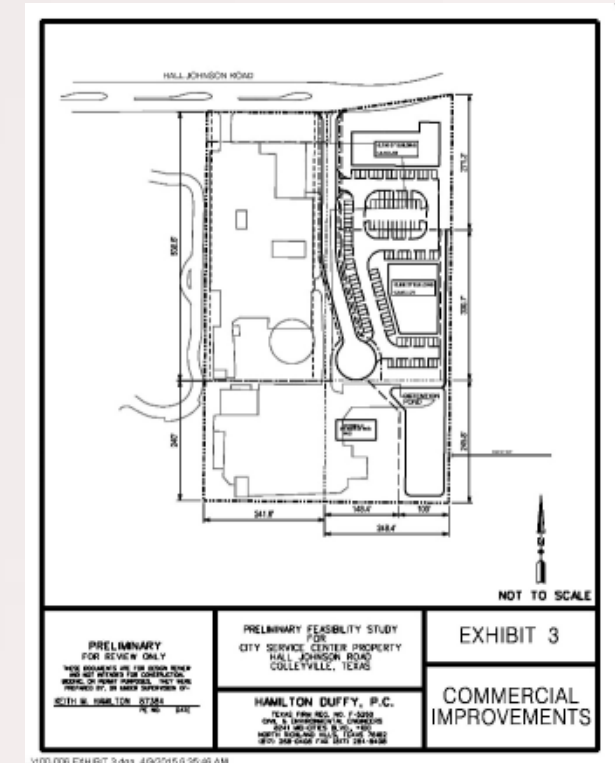


Funding

- Project budget: \$500,000
- Funding source
 - Other City Funding

Project Information

- This project includes the reconstruction of the access road located at the Public Works Service Center site at 1601 Hall-Johnson Road and drainage improvements.



UPS Battery Backup Replacement Justice Center



Funding

- Project budget: \$85,000
- Funding source
 - CCPD Fund

Project Information

The UPS battery backup system at the Colleyville Justice Center has been in production since April 2002 upon the building opening. This UPS resolves uninterrupted power relief for the Emergency Operation Center, Tarrant County 911 Failover Center, and the Main City of Colleyville Data Center. The Current GE UPS system is considered to reach its end of life by the manufacturer in November of 2017. ***This project will be going out for bid in March of 2017.***

Fiber Build Phase 1-3



Funding

- Project Budget: \$394,700
- Funding Source
 - Colleyville Tomorrow Fund

Project Status

- The GCISD/Colleyville ILA is in final negotiations
- The Grapevine/Colleyville ILA is currently being drafted by Grapevine

Project Information

This is a fiber project that will span approximately six years combining the financial resources of the cities of Colleyville, Grapevine, and the Grapevine/Colleyville Independent School District (GCISD). The City of Grapevine, acting as a contractor, will bore several miles of underground conduit throughout Colleyville and Grapevine to help all three entities deliver fiber to all of their internal buildings in order to replace costly annual fiber leases from internet service providers.

Fire Station #1

(Folding Doors)



Project Information

- Installation of four-fold doors at Fire Station # 1
- High quality; low maintenance; dependable
- Heavy duty durable construction
- Full visibility of door opening and closing operations

Funding

- Project Budget: \$66,000
- Funding Source: General Fund

Key Dates

- Approval to purchase and install four-fold apparatus bay doors at Fire Station #3 was obtained during early FY 2016

Project Status

- As a result of substantial price increases for the purchase and installation of the four-fold doors, ***the project was put on hold***. The original request was for Station #1 however, the assigned funds will not cover the cost. This is mainly due to additional electrical work that will be needed for proper installation. Discussion on moving the funds to cover the cost for installing the doors at Station # 3 occurred however, Station # 1 is a higher priority due to maintenance costs and the doors get greater use. Additional discussions on funding will be required.

Installation of Backup Generator



City Hall

Funding

- Project Budget: \$181,000
- Funding Sources:
 - General Fund - \$56,000
 - TIF: \$125,000

Project Status

- Staff has submitted a grant application that has been selected by the State and has been forwarded to FEMA for review.

Project Information

- This project includes the purchase and installation of a backup power generator that will serve both City Hall and the Library in the event of a power outage. In order to maximize the use of City funds, **staff has submitted a grant application that would help fund the cost of this project.**



L.D. Locket Pump Station

Funding

- Project Budget: \$140,000
- Funding Source
 - Utility Fund

Project Status

- Staff has prepared and submitted a grant application for this project which is currently being considered

Project Information

- This project includes the installation of a backup generator at the L.D. Lockett pump station. This will allow the City to continue to deliver water during a prolonged power outage. **Staff has submitted a grant application that would help fund the cost of this project.**



Questions and Discussion



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 7b

Agenda Date 01/17/2017

Number

Type Report

Department Finance

Title

Monthly Financial Report - December 2016

Strategy Map Connection

F1- Protect and preserve the City's top financial ratings

F4- Adhere to the City's financial and budgetary policies

Explanation

General Fund

The percentage of the current year taxes collected is 62.92%, which exceeds the percentage collected through the same period last fiscal year. Due to a software and database conversion problem last fiscal year, Tarrant Appraisal District experienced problems with the final tax roll and as a result, tax bills were delayed in being sent out, creating a delay with collections.

For the month of December, sales tax is up 5.52% (\$14,081) from revenues reported for the same time period last year. Per GASB accounting rules, the December 2016 sales tax allocation is the first month of sales tax revenue recorded in Fiscal Year 2017. October 2016 and November 2016 sales tax allocations are reported in the prior fiscal year, as the sales upon which the taxes were collected occurred in August 2016 and September 2016, respectively. This is the highest December sales tax allocation ever received.

Franchise fee revenue currently exceeds budgeted projections by 13.94%, but lags behind the amount received for the same time period last year. This is due in part to the lack of growth in land phone lines each year. Also the quarterly cable franchise payments are behind last year's receipts by 7.26%.

The quarterly mixed beverage tax allocation came in at \$27,755, an increase of 5.92% compared to last fiscal year.

Thirteen new residential building permits were issued in December 2016, compared to 22 that were issued in December 2015. Revenues received for licenses and permits are ahead of budgeted projections by almost 21%. Ambulance revenues are lagging behind the amount received last fiscal year due to the change in ambulance billing vendors as of October 1st. Intermedix, by contract, has 120 days to wrap up their billings and close out their accounts receivables. Emergicon and SafetyPad are going

to be less initially due to the start-up costs and the time it takes to start collecting on the 30, 60, 90 day revenue payments collected. It is expected that the Emergicon revenues will substantially increase and surpass the revenues that were being generated through Intermedix. Rental revenues for Colleyville Center currently exceed receipts for the same period last year. Cost recovery for the Center is currently 56.8%.

The average amount expended by the General Fund departments at the end of December is 19.79% of the total appropriations.

Utility Fund

Year to date, water usage has decreased when compared to the same time period last year (22.1 million gallons). In 2015 watering restrictions were lifted. Consumption, which was high throughout the summer, continued into the month of October. In addition, through October 21st, 2015, there was no measurable rainfall. October 2015 consumption was almost 84 million gallons more than the same period this year (83,998,200 gallons). October 2015 consumption was 330,956,000 gallons compared to October 2016 (247,085,200 gallons). November and December consumption has increased compared to 2015 in part due to the drier weather and a revised rate structure. Water revenue in FY17 is down approximately \$200,000 compared to the same period last year. The average amount expended by the Utility Fund departments at the end of December was 20.47% of the total appropriations.

Attachments

1. Monthly Financial Report - Presentation
2. December 2016 Monthly Financial Report

Monthly Financial Report

City Council Meeting
January 17, 2017

Purpose & Background



- Charter requirement, per Section 9.06 (B)

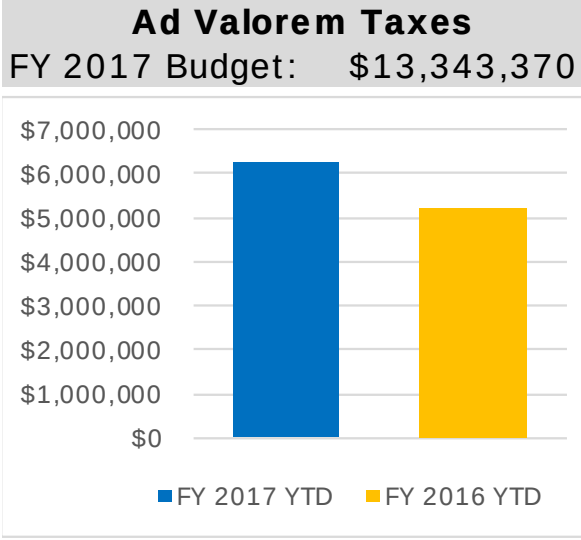
“The City Manager shall submit to the City Council at its second formal meeting each month the financial condition of the City by budget items, budget estimates versus accruals for the preceding month and for the fiscal year to date. Such records are to be made public by the City Council during open meeting.”
- The purpose of this presentation is to:
 - Review the Monthly Financial Report included in the agenda packet,
 - Provide comments and explanation on the different components, and
 - Highlight items of significance.

Measurement Basis

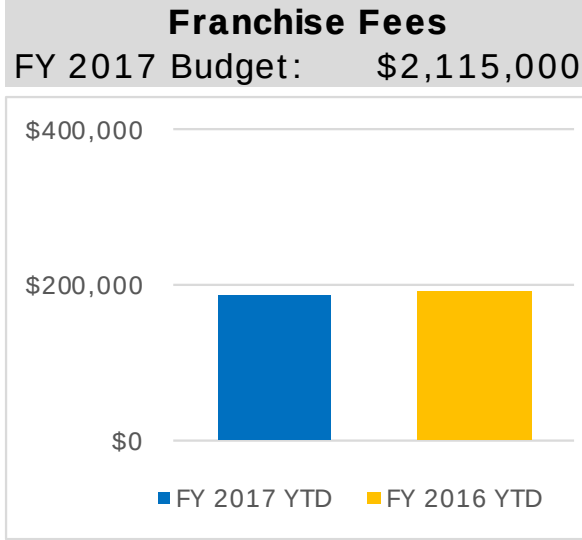


- Budget (expenditure) amounts are what is authorized by the City Council
- The Monthly Financial Report compares actual activity vs. budget
 - Reflective of cash transactions
 - Are revenues coming in as expected, to be able to fund the amount of expenditures in the adopted budget?
 - Are expenditures trending as expected?
- The Monthly Financial Report provides the most helpful information to understand the City's financial position, similar to an income statement in the private sector.
- In governmental accounting, there is less focus on the balance sheet, which is prepared annually to record changes in position based on the activity that year and also reflects increases/decreases due to things like developer contributions or depreciation (that are not cash transactions like those revenues and expenditures shown from a budgetary basis).

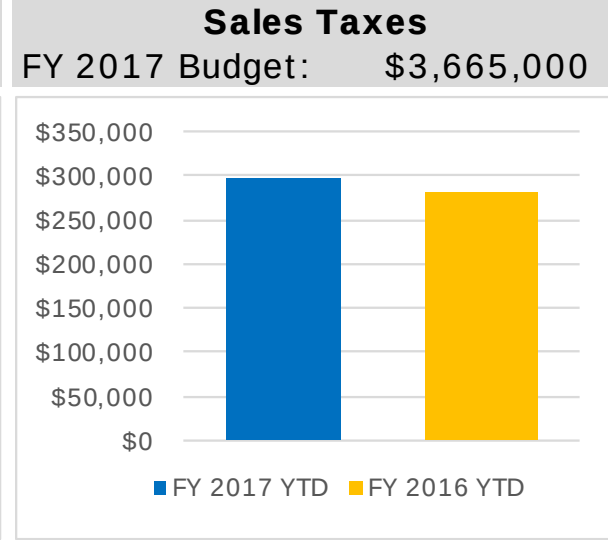
Monthly Financial Report: December 2016 General Fund Revenues



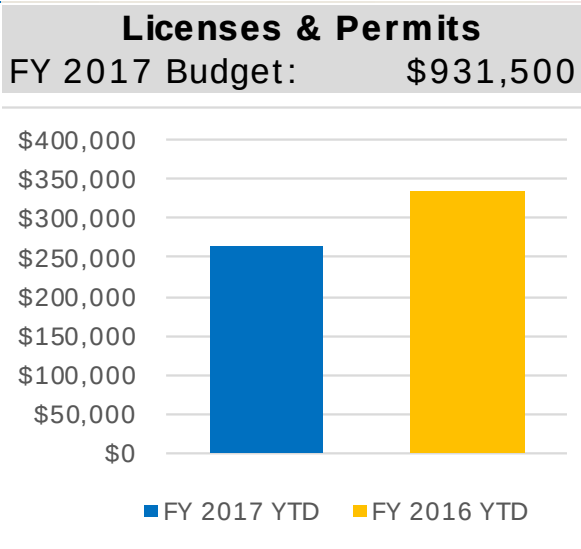
% Change FY/FY: 19.45%
 - Based on 2016 property values
 - Most collections in Dec., Jan., & Feb.



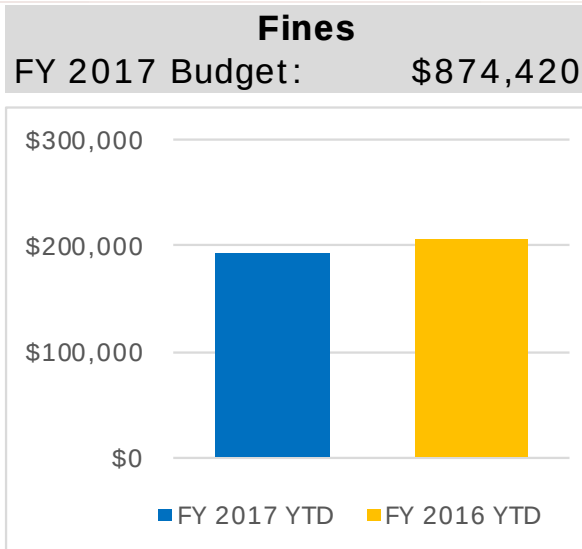
% Change FY/FY: -3.00%
 - Use of City ROW by utilities
 - Gas, Electricity, Telecom., Cable, Waste



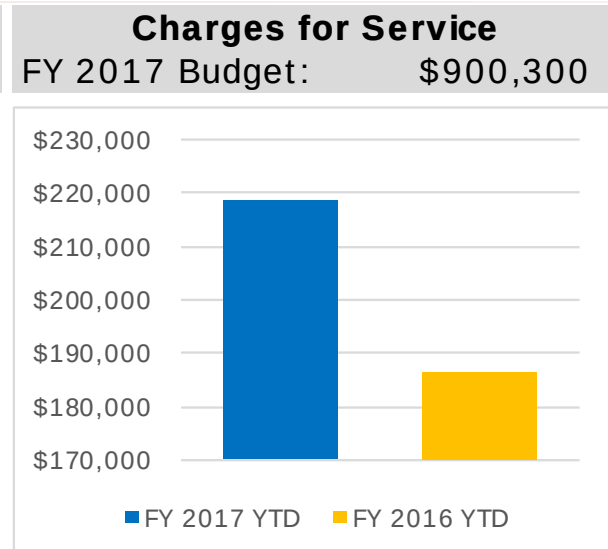
% Change FY/FY: 5.56%
 - Receipts are from sales 2 months prior
 - Sales tax revenues are Dec. - Nov.
 - Also includes mixed beverage tax



% Change FY/FY: -20.94%
 - Building, plumbing, mechanical, fence, electrical, sign, etc. permit fees



% Change FY/FY: -5.37%
 - Includes fines from citations, alarm fees and library fines



% Change FY/FY: 17.31%
 - Includes zoning, ambulance, parks/rec., engineering, & Colleyville Center

Example: Charges for Service detail

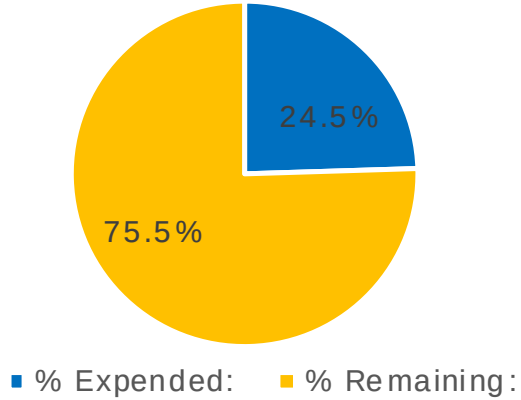


REVENUE SOURCE	FY 2017 BUDGET	RECEIVED AS OF 12/31/2016	PERCENT OF BUDGET RECEIVED	PERCENT OF FISCAL YEAR COMPLETE	RECEIVED AS OF 12/31/2015	PERCENT CHANGE OVER PRIOR YEAR
Re-zoning	\$10,000	\$2,000	20.00%	25.00%	\$2,665	100.00%
Plat Fee/Site Plan	8,200	2,330	28.41%	25.00%	2,455	-5.09%
Board of Adjustment	2,000	875	43.75%	25.00%	525	66.67%
Sale of Material	100	1	1.00%	25.00%	315	-99.68%
Weed Mowing	6,500	8,175	125.76%	25.00%	1,414	477.99%
Ambulance	320,000	76,938	24.04%	25.00%	82,595	-6.85%
Recreation Program	165,000	28,062	17.01%	25.00%	19,802	41.72%
Non-Resident Fee Parks	39,000	21,760	55.79%	25.00%	21,060	3.32%
Field Use Charge	21,500	10,940	50.88%	25.00%	10,210	7.15%
Engineering & Inspection	62,500	11,303	18.08%	25.00%	0	100.00%
Material Testing	12,500	2,261	18.08%	25.00%	0	100.00%
Colleyville Center Rental	240,000	48,590	20.25%	25.00%	39,294	23.66%
Lot Drainage Insp Fee	13,000	5,500	42.31%	25.00%	6,125	-10.20%
TOTAL CHARGES FOR SERVICE	\$900,300	\$218,734	24.30 %	25.00 %	\$186,461	17.31 %

Monthly Financial Report: December 2016 General Fund Expenditures

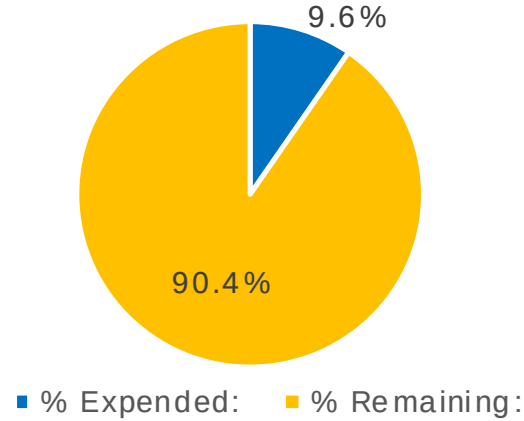
Public Safety

FY 2017 Budget: \$9,669,103
% Expended: 24.5%
% Remaining: 75.5%



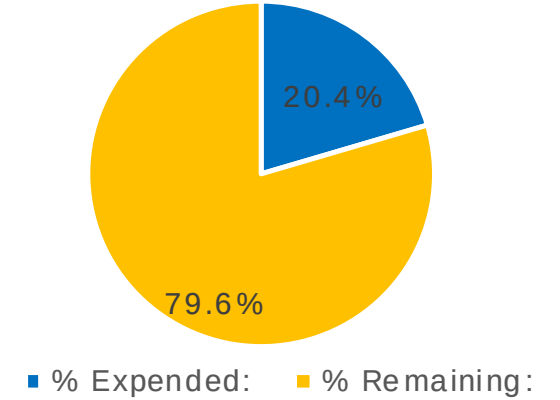
Infrastructure

FY 2017 Budget: \$5,650,948
% Expended: 9.6%
% Remaining: 90.4%



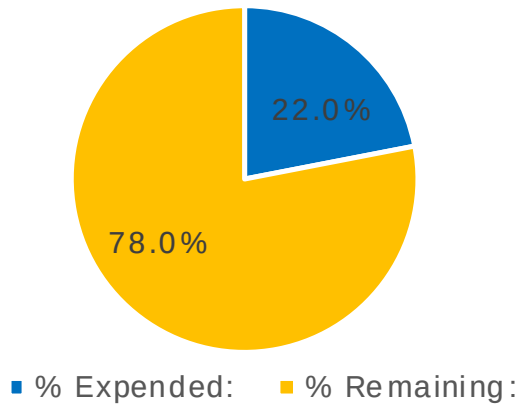
Development

FY 2017 Budget: \$1,026,458
% Expended: 20.4%
% Remaining: 79.6%



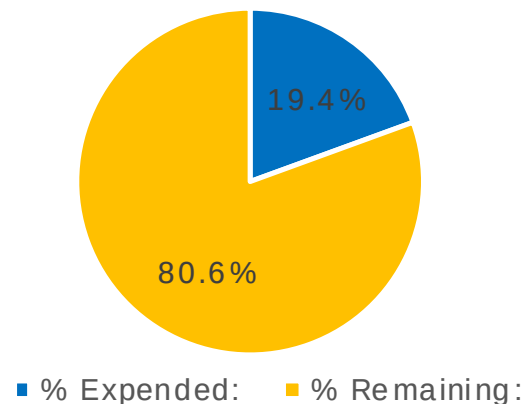
Operational Support

FY 2017 Budget: \$3,290,676
% Expended: 22.0%
% Remaining: 78.0%



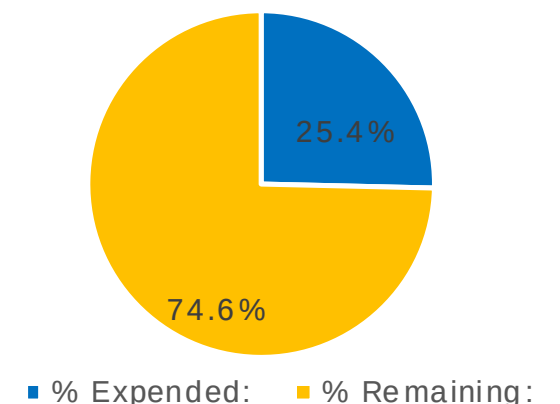
Community Assets & Programs

FY 2017 Budget: \$2,783,978
% Expended: 19.4%
% Remaining: 80.6%



Technology

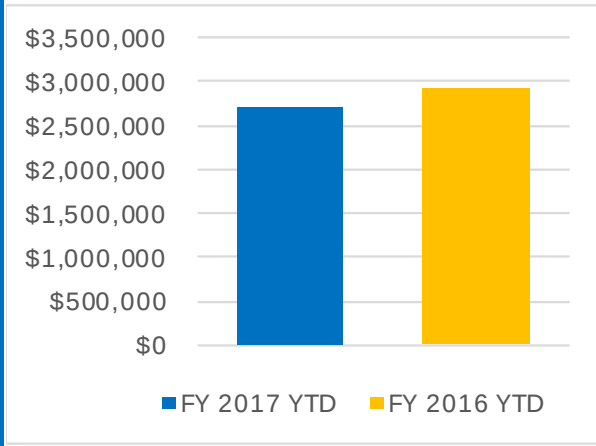
FY 2017 Budget: \$908,598
% Expended: 25.4%
% Remaining: 74.6%



Monthly Financial Report: December 2016

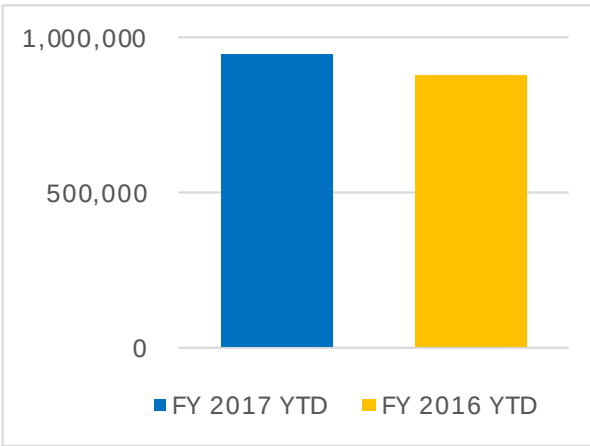
Utility Fund

Water Sales



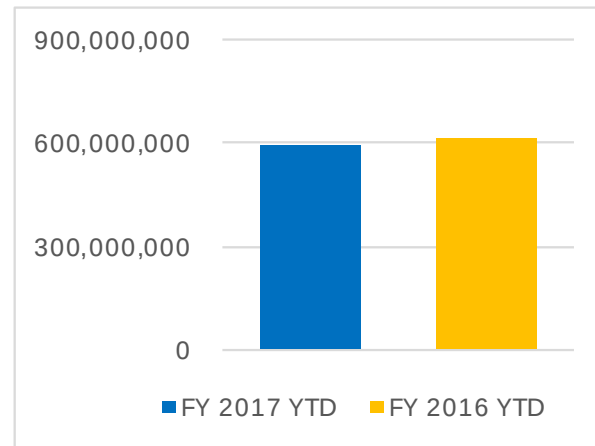
% Change FY/FY: -6.82%

Wastewater Sales



% Change FY/FY: 7.82%

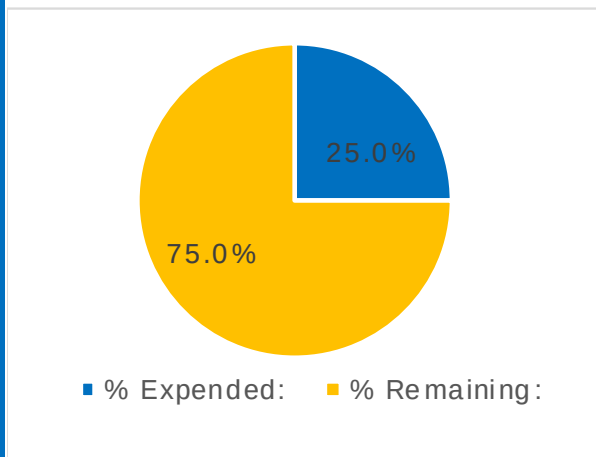
Gallons of Water Sold



% Change FY/FY: -3.59%

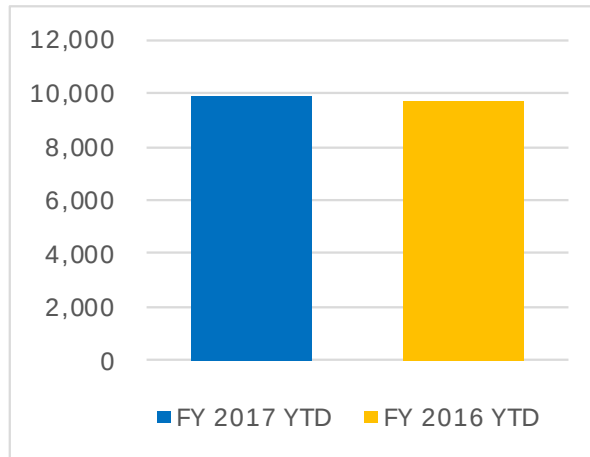
Utility Fund Expenditures

FY 2017 Budget: \$15,511,920
% Expended: 25.0%
% Remaining: 75.0%



Number of Water Customers

FY 2017 YTD: 9,893
FY 2016 YTD: 9,701



% Change FY/FY: 1.98%

Notes

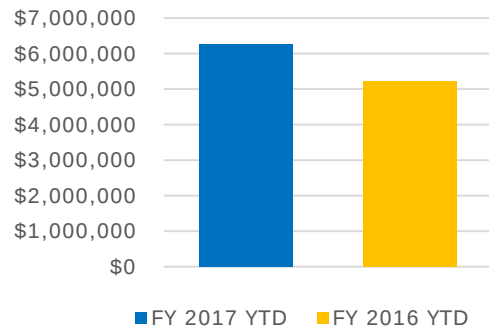
Rainfall totals (in inches):
Oct 16-Dec 16 5.83
Oct 15-Dec 15 23.51

Monthly Financial Report: December 2016

General Fund Revenues

Ad Valorem Taxes

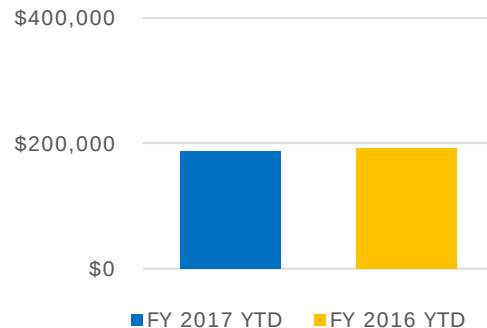
FY 2017 Budget: \$13,343,370



% Change FY/FY: 19.45%
 - Based on 2016 property values
 - Most collections in Dec., Jan., & Feb.

Franchise Fees

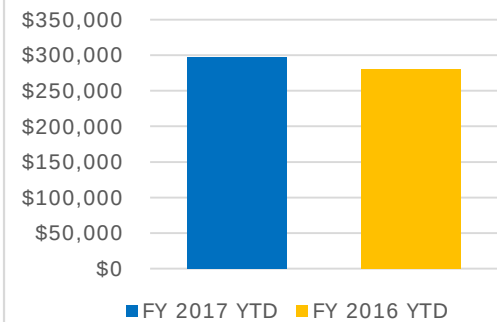
FY 2017 Budget: \$2,115,000



% Change FY/FY: -3.00%
 - Use of City ROW by utilities
 - Gas, Electricity, Telecom., Cable, Waste

Sales Taxes

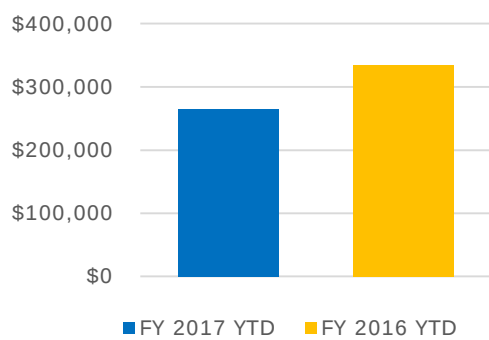
FY 2017 Budget: \$3,665,000



% Change FY/FY: 5.56%
 - Receipts are from sales 2 months prior
 - Sales tax revenues are Dec. - Nov.
 - Also includes mixed beverage tax

Licenses & Permits

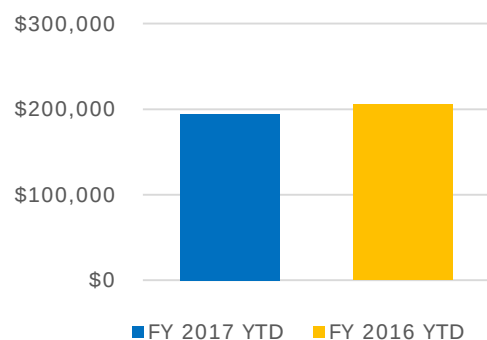
FY 2017 Budget: \$931,500



% Change FY/FY: -20.94%
 - Building, plumbing, mechanical, fence, electrical, sign, etc. permit fees

Fines

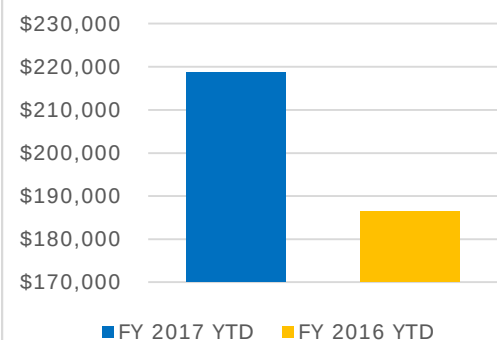
FY 2017 Budget: \$874,420



% Change FY/FY: -5.37%
 - Includes fines from citations, alarm fees, and library fines

Charges for Service

FY 2017 Budget: \$900,300



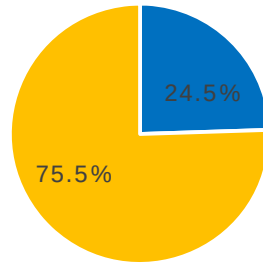
% Change FY/FY: 17.31%
 - Includes zoning, ambulance, parks/rec., engineering, & Colleyville Center charges

Monthly Financial Report: December 2016

General Fund Expenditures

Public Safety

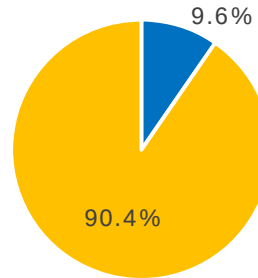
FY 2017 Budget: \$9,669,103
 % Expended: 24.5%
 % Remaining: 75.5%



■ % Expended: ■ % Remaining:

Infrastructure

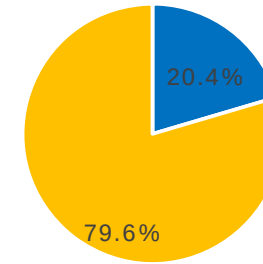
FY 2017 Budget: \$5,650,948
 % Expended: 9.6%
 % Remaining: 90.4%



■ % Expended: ■ % Remaining:

Development

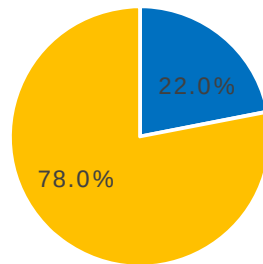
FY 2017 Budget: \$1,026,458
 % Expended: 20.4%
 % Remaining: 79.6%



■ % Expended: ■ % Remaining:

Operational Support

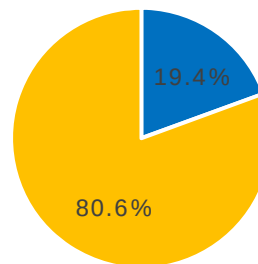
FY 2017 Budget: \$3,290,676
 % Expended: 22.0%
 % Remaining: 78.0%



■ % Expended: ■ % Remaining:

Community Assets & Programs

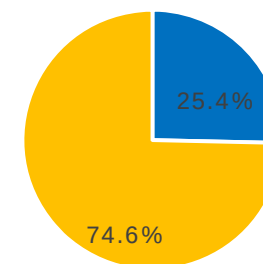
FY 2017 Budget: \$2,783,978
 % Expended: 19.4%
 % Remaining: 80.6%



■ % Expended: ■ % Remaining:

Technology

FY 2017 Budget: \$908,598
 % Expended: 25.4%
 % Remaining: 74.6%

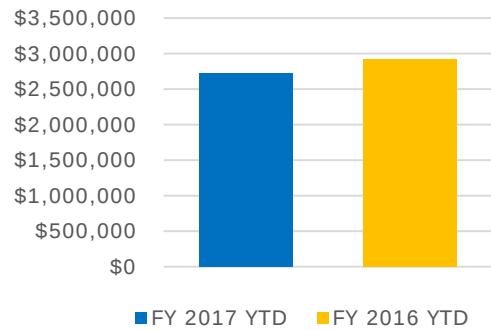


■ % Expended: ■ % Remaining:

Monthly Financial Report: December 2016

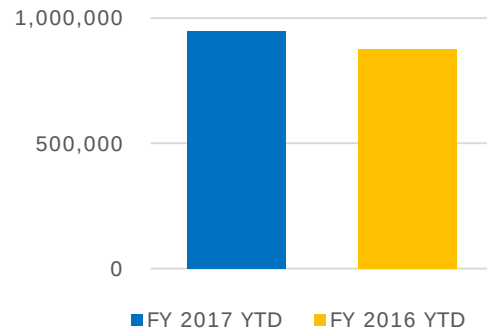
Utility Fund

Water Sales



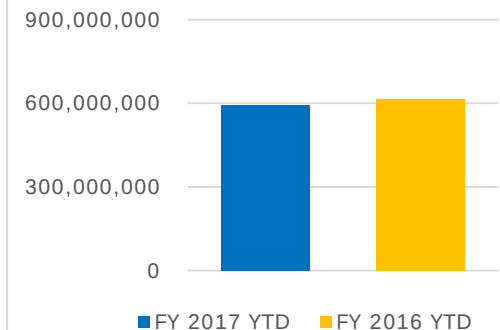
% Change FY/FY: -6.82%

Wastewater Sales



% Change FY/FY: 7.82%

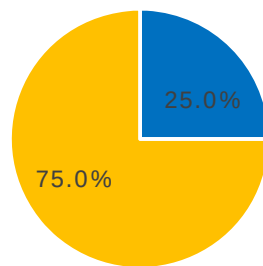
Gallons of Water Sold



% Change FY/FY: -3.59%

Utility Fund Expenditures

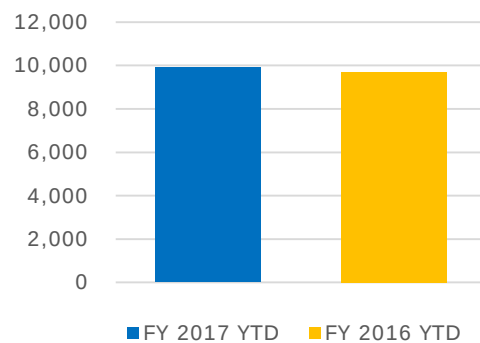
FY 2017 Budget: \$15,511,920
 % Expended: 25.0%
 % Remaining: 75.0%



■ % Expended: ■ % Remaining:

Number of Water Customers

FY 2017 YTD: 9,893
 FY 2016 YTD: 9,701



% Change FY/FY: 1.98%

Notes

Rainfall totals (in inches):
 Oct 16-Dec 16 5.83
 Oct 15-Dec 15 23.51

MONTHLY FINANCIAL REPORT - DECEMBER 2016

GENERAL FUND		RECEIVED			RECEIVED	
	FY 2017	FY 2017 YTD	PERCENT	PERCENT OF	FY 2016 YTD	PERCENT
REVENUE SOURCE	BUDGET	AS OF	OF BUDGET	FISCAL YEAR	AS OF	CHANGE OVER
		12/31/2016	RECEIVED	COMPLETE	12/31/2015	PRIOR YEAR
Current Taxes	\$13,258,370	\$6,247,518	47.12%	25.00%	\$5,215,164	19.80%
Delinquent Taxes	30,000	0	0.00%	25.00%	12,877	-100.00%
Penalty & Interest	55,000	3,793	6.90%	25.00%	5,200	-27.05%
TOTAL AD VALOREM TAXES	\$13,343,370	\$6,251,312	46.85%	25.00%	\$5,233,242	19.45%
Oncor Electric	\$900,000	\$0	0.00%	25.00%	\$0	0.00%
Tri-County Electric	105,000	0	0.00%	25.00%	0	0.00%
Atmos Gas	350,000	0	0.00%	25.00%	0	0.00%
AT&T	70,000	15,670	22.39%	25.00%	17,039	-8.04%
Verizon/Others	60,000	18,995	31.66%	25.00%	13,196	43.94%
Refuse/Recycling	155,000	30,192	19.48%	25.00%	30,842	-2.11%
Cable TV	475,000	122,196	25.73%	25.00%	131,762	-7.26%
TOTAL FRANCHISE TAXES	\$2,115,000	\$187,053	8.84%	25.00%	\$192,839	-3.00%
Sales Tax	\$3,575,000	\$269,274	7.53%	25.00%	\$255,192	5.52%
Mixed Beverage Tax	90,000	27,755	30.84%	25.00%	26,203	5.92%
TOTAL SALES TAXES	\$3,665,000	\$297,029	8.10%	25.00%	\$281,396	5.56%
Building	\$600,000	\$166,876	27.81%	25.00%	\$206,926	-19.35%
Plumbing	55,000	14,814	26.93%	25.00%	24,430	-39.36%
Mechanical	35,000	11,084	31.67%	25.00%	16,551	-33.03%
Electrical	45,000	14,468	32.15%	25.00%	19,743	-26.72%
City License	35,000	12,100	34.57%	25.00%	10,650	13.62%
Building Plan Review Fee	110,000	25,789	23.44%	25.00%	34,807	-25.91%
New Business	3,500	2,210	63.14%	25.00%	911	142.59%
Sign Permit	7,000	2,185	31.21%	25.00%	3,545	-38.36%
Fence Permit	10,000	5,900	59.00%	25.00%	4,925	19.80%
Fire Permits	16,000	2,015	12.59%	25.00%	6,380	-68.42%
Irrigation Permit	15,000	7,097	47.31%	25.00%	5,727	23.91%
TOTAL LICENSES & PERMITS	\$931,500	\$264,537	28.40%	25.00%	\$334,594	-20.94%
Fines	\$800,000	\$184,231	23.03%	25.00%	\$193,262	-4.67%
Alarm Fees	53,000	6,449	12.17%	25.00%	7,037	-8.36%
Library Fines	21,420	3,591	16.77%	25.00%	5,002	-28.19%
TOTAL FINES	\$874,420	\$194,271	22.22%	25.00%	\$205,301	-5.37%

MONTHLY FINANCIAL REPORT - DECEMBER 2016

REVENUE SOURCE	FY 2017 BUDGET	RECEIVED AS OF 12/31/2016	PERCENT OF BUDGET RECEIVED	PERCENT OF FISCAL YEAR COMPLETE	RECEIVED AS OF 12/31/2015	PERCENT CHANGE OVER PRIOR YEAR
Re-zoning	\$10,000	\$2,000	20.00%	25.00%	\$2,665	100.00%
Plat Fee/Site Plan	8,200	2,330	28.41%	25.00%	2,455	-5.09%
Board of Adjustment	2,000	875	43.75%	25.00%	525	66.67%
Sale of Material	100	1	1.00%	25.00%	315	-99.68%
Weed Mowing	6,500	8,175	125.76%	25.00%	1,414	477.99%
Ambulance	320,000	76,938	24.04%	25.00%	82,595	-6.85%
Recreation Program	165,000	28,062	17.01%	25.00%	19,802	41.72%
Non-Resident Fee Parks	39,000	21,760	55.79%	25.00%	21,060	3.32%
Field Use Charge	21,500	10,940	50.88%	25.00%	10,210	7.15%
Engineering & Inspection	62,500	11,303	18.08%	25.00%	0	100.00%
Material Testing	12,500	2,261	18.08%	25.00%	0	100.00%
Colleyville Center Rental	240,000	48,590	20.25%	25.00%	39,294	23.66%
Lot Drainage Insp Fee	13,000	5,500	42.31%	25.00%	6,125	-10.20%
TOTAL CHARGES FOR SERVICE	\$900,300	\$218,734	24.30%	25.00%	\$186,461	17.31%
SRO Officer Reimb	\$98,996	\$0	0.00%	25.00%	\$0	0.00%
Keller Court	227,697	0	0.00%	25.00%	0	0.00%
TOTAL INTERGOVERNMENTAL	\$326,693	\$0	0.00%	25.00%	\$0	0.00%
Sale of Surplus Property	\$5,000	\$0	0.00%	25.00%	\$23,339	-100.00%
Interest Income	25,000	8,813	35.25%	25.00%	0	100.00%
Miscellaneous	55,000	6,842	12.44%	25.00%	12,614	-45.76%
Use of Available Cash	1,000,000	0	0.00%	25.00%	0	0.00%
Antenna Lease	90,000	34,369	38.19%	25.00%	31,707	8.40%
TOTAL MISCELLANEOUS	\$1,175,000	\$50,024	4.26%	25.00%	\$67,660	-26.07%
TOTAL GENERAL FUND REVENUES	\$23,331,283	\$7,462,960	31.99%	25.00%	\$6,501,492	14.79%

MONTHLY FINANCIAL REPORT - DECEMBER 2016

	FY 2017 BUDGET	THROUGH 12/31/2016	THROUGH 12/31/2015	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
% OF CURRENT TAX ROLL COLLECTED	99.0%	62.92%	62.66%	0.26%	0.41%
RESIDENTIAL BLDG PERMITS	160	45	44	1	2.27%
COMMERCIAL BLDG PERMITS	8	1	5	(4)	-80.00%
CITATIONS ISSUED	11,000	2,095	1,816	279	15.36%

GENERAL FUND EXPENSES

	FY 2017 BUDGET	EXPENDED THROUGH 12/31/2016	PERCENT OF BUDGET RECEIVED	PERCENT OF FISCAL YEAR COMPLETE	BUDGET REMAINING
City Council	\$174,289	\$42,188	24.21%	25.00%	\$132,101
City Manager	624,048	127,278	20.40%	25.00%	496,770
City Secretary	224,481	51,919	23.13%	25.00%	172,562
Finance	529,806	126,448	23.87%	25.00%	403,359
Legal	200,000	18,939	9.47%	25.00%	181,061
Engineering	458,973	78,232	17.05%	25.00%	380,741
Economic Development	199,828	37,976	19.00%	25.00%	161,852
Building Inspection	407,041	92,692	22.77%	25.00%	314,349
Community Development	419,589	79,136	18.86%	25.00%	340,453
Fire	4,546,827	1,133,232	24.92%	25.00%	3,413,595
Police	4,702,861	1,147,988	24.41%	25.00%	3,554,873
Parks	1,286,061	229,324	17.83%	25.00%	1,056,737
Recreation	387,316	63,877	16.49%	25.00%	323,439
Street Maintenance	4,025,593	262,397	6.52%	25.00%	3,763,196
Library	724,703	162,445	22.42%	25.00%	562,258
Communications	59,281	7,172	12.10%	25.00%	52,109
Colleyville Center	385,898	85,568	22.17%	25.00%	300,330
Human Resources	320,339	66,719	20.83%	25.00%	253,620
Municipal Court	419,415	88,424	21.08%	25.00%	330,991
Fleet Services	237,505	54,500	22.95%	25.00%	183,005
Facility Services	526,877	148,853	28.25%	25.00%	378,024
Information Services	908,598	230,477	25.37%	25.00%	678,121
Non Departmental	953,559	281,712	29.54%	25.00%	671,847
Capital Equipment Reserve	402,000	0	0.00%	25.00%	402,000
Compensation Adjustment	204,873	0	0.00%	25.00%	204,873
TOTAL EXPENSES	\$23,329,761	\$4,617,497	19.79%	25.00%	\$18,712,264

MONTHLY FINANCIAL REPORT - DECEMBER 2016

UTILITY FUND

REVENUE SOURCE	FY 2017 BUDGET	RECEIVED AS OF 12/31/2016	PERCENT OF BUDGET RECEIVED	PERCENT OF FISCAL YEAR COMPLETE	RECEIVED AS OF 12/31/2015	PERCENT CHANGE OVER PRIOR YEAR
Water Sales	\$10,869,131	\$2,720,696	25.03%	25.00%	\$2,919,875	-6.82%
Sewer Sales	3,650,000	946,360	25.93%	25.00%	877,730	7.82%
Sewer Installation	15,000	4,500	30.00%	25.00%	4,900	-8.16%
Water Installation	42,000	11,550	27.50%	25.00%	15,840	-27.08%
Sewer Tie-on Charges	0	0	0.00%	25.00%	0	0.00%
Engineering Charges	5,000	0	0.00%	25.00%	0	0.00%
Penalties	237,000	68,899	29.07%	25.00%	102,922	-33.06%
Miscellaneous	13,000	5,640	43.39%	25.00%	8,443	-33.19%
TOTAL OPERATING INCOME	\$14,831,131	\$3,757,646	25.34%	25.00%	\$3,929,710	-4.38%
Interest Income	\$25,000	\$4,653	18.61%	25.00%	\$188	100.00%
Use of Available Cash	750,000	0	0.00%	25.00%	0	0.00%
TOTAL NON-OPERATING INCOME	\$775,000	\$4,653	0.60%	25.00%	\$188	100.00%
TOTAL INCOME	\$15,606,131	\$3,762,298	24.11%	25.00%	\$3,929,897	-4.26%

	THROUGH 12/31/2016	THROUGH 12/31/2015	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
GALLONS OF WATER SOLD	593,293,700	615,399,100	(22,105,400)	-3.59%
NUMBER OF WATER CUSTOMERS	9,893	9,701	192	1.98%

UTILITY FUND EXPENSES

	FY 2017 BUDGET	EXPENDED THROUGH 12/31/2016	PERCENT OF BUDGET RECEIVED	PERCENT OF FISCAL YEAR COMPLETE	BUDGET REMAINING
Billing	\$426,102	\$82,811	19.43%	25.00%	\$343,291
Operations	13,095,348	2,425,987	18.53%	25.00%	10,669,361
Utility Support	1,237,273	229,006	18.51%	25.00%	1,008,267
Non-Departmental	320,803	82,872	25.83%	25.00%	237,931
Debt Service	359,900	354,538	98.51%	25.00%	5,363
Compensation Adjustment	28,208	0	0.00%	25.00%	28,208
Transfers	44,286	0	0.00%	25.00%	44,286
TOTAL EXPENSES	\$15,511,920	\$3,175,213	20.47%	25.00%	\$12,336,707



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 7c
Type Report
Department City Council

Agenda Date 01/17/2017

Number

Title

Update on the status and activities of the Regional Transportation Council (RTC) - Councilmember Mike Taylor

Explanation

Councilmember Mike Taylor will provide an update on the status and activities of the Regional Transportation Council (RTC).



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 9

Agenda Date 01/17/2017

Type Report

Department City Secretary

Title

Sign Board of Appeals Minutes - February 9, 2016

Planning and Zoning Commission Minutes - December 12, 2016

Attachments

1. Sign Board of Appeals Minutes - February 9, 2016
2. Planning and Zoning Commission Minutes - December 12, 2016



City of Colleyville Sign Board of Appeals Minutes

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Tuesday, February 9, 2016

City Council Chambers

Call to Order

The Sign Board of Appeals meeting of the City of Colleyville was called to order by Board member McNosky on February 9, 2016 at 7:26 p.m.

Roll Call

Present: Board members Jason Elms, Judson Orlando, Raymond Allee, Wayne Maynard, and Dee McNosky, Dee Kamerman, Alternate 1

Staff Present: Abra Nusser, Taci Wrisley, Shane Pace, Eddie Wilson, Amy Shelley, and Matthew Boyle (City Attorney)

1. SWEARING IN OF NEWLY APPOINTED MEMBERS

Taci Wrisley swore in newly appointed members:

Wayne Maynard, Place 3

Raymond Allee, Place 5

2. APPROVAL OF MINUTES

Board member Elms made a motion to approve the October 14, 2014 minutes. Board member Orlando seconded.

The motion to approve the October 14, 2014 minutes carried by the following vote:

Aye: 5 – Elms, Allee, Orlando, Maynard, and McNosky

3. ELECTION OF OFFICERS

Board member Elms made a motion to appoint Dee McNosky as Chairperson and Judson Orlando as Vice-Chairperson.

The motion to appoint Dee McNosky as Chairperson and Judson Orlando as Vice-Chairperson carried by the following vote:

Aye: 5 – Elms, Allee, Orlando, Maynard, and McNosky

4. REGULAR AGENDA ITEMS

Approval of the updated bylaws for Sign Board of Appeals

Board member Elms made a motion to approve the updated bylaws for the Sign Board of Appeals. Board member Allee seconded.

The motion to approve the updated bylaws for the Sign Board of Appeals carried by the following vote:

Aye: 5 – Elms, Allee, Orlando, Maynard, and McNosky

5. PUBLIC HEARING AGENDA ITEMS

5a Request for a variance to certain provisions of Chapter 7 (Sign Regulations) of the Land Development Code, on Lot 3R2, Block A, of the Colleyville Shopping Village Addition, located at 6209 Colleyville Blvd (The Benefit Link), Case SC15-003

Shane Pace presented the case and briefed the Board.

The public hearing was opened at 7:38 p.m.

Lynn Bural, the applicant, came forward and briefed the Board.

Board member Elms questioned staff regarding whether a variance would be required if the wall were a solid wall versus there being a gap between two smaller walls. Shane Pace replied no variance would be needed with this particular sign if the wall were solid.

Board member McNosky questioned Mr. Bural regarding which street the sign would face. Mr. Bural replied it would be angled and face Colleyville Boulevard.

There being no one else wishing to speak, the public hearing was closed at 7:41 p.m.

Discussion continued regarding the lack of need for a variance if the wall were solid.

Board member Maynard questioned staff regarding whether the sign would be lighted. Shane Pace replied yes.

Board member Orlando made a motion to deny Case SC15-003. Board member Maynard seconded.

The motion to deny Case SC15-003 carried by the following vote:

Aye: 4 – Allee, Orlando, Maynard, and McNosky

Nay: 1 - Elms

- 5b** Request for an appeal of interpretation, and variance to certain provisions of Chapter 7 (Sign Regulations) of the Land Development Code, on Lot 2A, Block 1, of the KISD Addition, located at 8170 Precinct Line Road (Taco Bell), Case SC15-004

Shane Pace presented the case and briefed the Board.

Board member Elms questioned staff regarding why the proposed building materials in question were reviewed as a sign. Shane Pace replied the building materials were submitted with the sign permit application.

The public hearing was opened at 7:53 p.m.

Michael Stansberry, the applicant, came forward and briefed the Board.

Board member Elms questioned Mr. Stansberry regarding whether the proposed building materials were considered signs in other locations. Mr. Stansberry replied no, he does not believe the proposed building materials are signs.

Board member McNosky stated she would not consider the proposed building material a trademark of Taco Bell.

Discussion continued regarding what a sign is and what building materials are.

There being no one else wishing to speak, the public hearing was closed at 8:03 p.m.

Board member McNosky questioned staff regarding which part of the request needed to be acted on first. Matthew Boyle replied the first action that need to be taken would be the appeal of interpretation. He further explained the definition of a sign.

Mr. Stansberry stated he believed the proposed building materials would offer lighting for safety.

Matthew Boyle questioned staff regarding whether a lighting threshold

would need to be met for this site. Eddie Wilson replied no.

Discussion occurred amongst the Board regarding whether the proposed building material was a sign and what the intent of the materials is.

Board member Maynard made a motion to approve Case SC15-004. Board member Allee seconded.

The motion to approve Case SC15-004 carried by the following vote:

Aye: 4 – Allee, Maynard, Elms, and McNosky

Nay: 1 – Orlando

Board member McNosky called for a brief recess at 8:13 p.m.

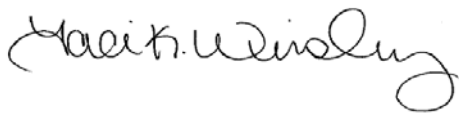
The Board reconvened at 8:14 p.m.

Due to the Board approving the appeal of interpretation, no further action was needed.

6. ADJOURNMENT

The meeting adjourned at 8:15 p.m.

The minutes were written and prepared by:



Taci Wrisley

Planning and Zoning Assistant

The meeting minutes were approved on January 10, 2017 by a vote of 5-0.



City of Colleyville Planning and Zoning Commission Minutes

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Monday, December 12, 2016

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Dodson on December 12, 2016, at 7:04 p.m.

Roll Call

Present: Commissioners Susan Mathisen, George Dodson, Sam van Bever, Charles Kelley, Don Davis, and Jason Elms

Absent: Commissioner Veronica Baughman

Staff Present: Ben Bryner, Oscar Chavez, Fire Chief Brian Riley, Araceli Botello, and Assistant City Attorney Evan Fisher

1. SWEARING IN OF NEWLY APPOINTED MEMBERS

Araceli Botello swore in newly appointed member:

Charles Kelley, Place 5

2. APPOINTMENT TO THE PARK LAND DEDICATION COMMITTEE

Commissioner Elms made a motion to appoint Commissioner Kelley to the Park Land Dedication Committee. Commissioner Davis seconded.

The motion to appoint Commissioner Kelley to the Park Land Dedication Committee carried by the following vote:

Aye: 6 –Mathisen, Dodson, van Bever, Kelley, Davis, and Elms

3. APPROVAL OF MINUTES

Commissioner van Bever made a motion to approve the November 14, 2016 minutes. Commissioner Kelley seconded.

The motion to approve the November 14, 2016 minutes carried by the following vote:

Aye: 6 – Mathisen, Dodson, van Bever, Kelley, Davis, and Elms

4. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

There were no citizen comments/presentations regarding items not on the agenda.

5. PUBLIC HEARING AGENDA ITEMS

- 5a** Consideration for approval of amendments to Chapter 7 – Sign Regulations in the Land Development Code regarding directory signage, specifically Section 7-150 Permanent Freestanding Signs – Sign Classifications & Regulations, Section 7-160 Permanent Freestanding Signs – Allowable Districts, and Section 7-165 Permanent Freestanding Signs – Area, Height and Setback Requirements, Case GC16-019

Ben Bryner presented the case and briefed the Commission.

The public hearing was opened at 7:21 p.m.

There being no one present wishing to speak, the public hearing was closed at 7:22 p.m.

Commissioner Mathisen questioned staff regarding the type of materials permitted for monument signs. Ben Bryner responded by detailing the permitted materials for monument signs. He went on to state that a monument sign is a sign mounted on a solid base or pedestal with no visible space between the sign and the base or pedestal. The sign is not mounted on visible poles, struts, wires, or other visible structures. The sign base or pedestal may be constructed of any solid material. The sign shall be a minimum of 4-1/2 inches thick, and the base or pedestal shall be a minimum of 6 inches thick.

Commissioner Kelley questioned staff regarding properties in the City

that meet the 250,000 square feet requirement and the requirement being viable for application. Mr. Bryner responded that Town Center is the largest development in the City of Colleyville, followed by Colleyville Downs which is less than 200,000 square feet. Commissioner Elms questioned staff regarding the square footage of the Albertson's shopping center development. Mr. Bryner responded that Albertson's is approximately 140,000 square feet.

Commissioner Elms questioned staff regarding other potential multi-tenant properties in the City that would be eligible to request the proposed signage. Mr. Bryner responded the Village at Colleyville has the size to qualify, but is not eligible due to public streets. Therefore, no other developments would be able to have directory signs if the amendment is approved.

Commissioner Davis questioned staff regarding the proposed 250,000 square feet requirement. Mr. Bryner responded the 250,000 square feet was proposed at a City Council Worksession. Mr. Bryner went on to state the original proposal requested 100,000 square feet, but there were concerns of visual clutter.

Discussion continued regarding the 250,000 square feet requirement.

Commissioner Mathisen questioned staff about the height restriction on the proposed signage. Mr. Bryner responded the general business sign regulations allow for a maximum of 8 feet in height for monument signs and 5 feet in height for major shopping center entry-wall signs.

Discussion continued regarding the height and location of the proposed signage.

Commissioner Elms questioned staff regarding the Planning and Zoning Commission's role in developing the regulations. Mr. Bryner responded the intent is for the development to address the specifics of the signage, such as location and appearance. Commissioner Elms added the 250,000 square feet requirement should be reduced to 200,000 square feet or less.

Commissioner Elms questioned staff regarding the proposed regulations being incorporated into the existing sign ordinance. Mr. Bryner responded yes, the proposed amendments would be made to the sign regulations chapter of the Land Development Code.

Commissioner Kelley questioned staff regarding the permitted font

size, logos, and illumination. Staff responded the Land Development Code speaks only to illumination. Mr. Bryner added that the regulations should avoid getting into specifics of content to prevent legal issues. City Attorney, Evan Fisher, added that Section 7-145, D of the Land Development Code speaks to the illumination of signage and that no additional amendments are required.

Discussion continued regarding addressing the specifics of the proposed signage.

Commissioner Mathisen questioned staff regarding whether the signs are proposed to be permanent. Mr. Bryner responded the signs would be permanent.

Chairman Dodson questioned staff regarding sign permits. Mr. Bryner responded sign permit applications are received and reviewed by the Building Inspections and Community Development departments. Mr. Bryner added that the permits are issued by Building Inspections, but a Planner will review the regulations for compliance. Chairman Dodson questioned staff regarding requirements for letter size. Staff responded that there are no requirements in the Land Development Code.

Discussion continued regarding requirements and restrictions for lettering on signs.

Commissioner Mathisen questioned staff regarding the locations of the proposed signs and the proximity to internal stop signs. Mr. Bryner responded the placement of internal signs are determined by the property management company.

Commissioner Davis questioned staff regarding a two sided versus four sided sign. Mr. Bryner responded there was no concern with a four sided sign. Staff added there was concern about the overall square footage allowance, which was reduced to 25 square feet.

Discussion continued regarding two sided signs.

Commissioner Elms made a motion to approve Case GC16-019 with the recommendation to reduce the 250,000 square feet requirement to 200,000 square feet. Commissioner Kelley seconded.

The motion to approve Case GC16-019 carried by the following vote:

Aye: 6 – Mathisen, van Bever, Dodson, Kelley, Davis, and Elms

- 5b** Consideration for approval of amendments to Chapter 8 – Plat Review Procedures in the Land Development Code regarding plat approval to be made by the City Council, specifically Section 8 – 130 Approval Authority Over Subdivision Plats, Case GC16-020

Ben Bryner presented the case and briefed the Commission.

The public hearing was opened at 8:06 p.m.

There being no one present wishing to speak, the public hearing was closed at 8:06 p.m.

Commissioner van Bever questioned staff regarding the approval process of plats by the Planning and Zoning Commission. Ben Bryner responded by describing the proposed process where plats, both approved and denied by the Planning and Zoning Commission, would then go to City Council. Staff added that plats denied would continue to go forward to City Council with a recommendation of denial which would then require a super-majority vote from City Council for the plat to be approved.

Commissioner Mathisen questioned staffed regarding minor plats approved by staff. Staff responded with an example of a minor plat which may be approved by staff such as a large property subdividing into two smaller lots.

Commissioner van Bever made a motion to approve Case GC16-020. Commissioner Elms seconded.

The motion to approve Case GC16-020 carried by the following vote:

Aye: 6 – Mathisen, Dodson, van Bever, Kelley, Davis, and Elms

6. ADJOURNMENT

The meeting adjourned at 8:10 p.m.

The minutes were written and prepared by:



Araceli Botello
Planning Technician

The meeting minutes were approved on January 9, 2017 by a vote of 6-0.

RESOLUTION R-17-4085

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
JANUARY 17, 2017**

WHEREAS, City Council has taken action on certain items on the agenda under Business.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF COLLEYVILLE, TEXAS:**

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON
THIS THE 17TH DAY OF JANUARY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor