



City of Colleyville City Council Agenda

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

Tuesday, July 11, 2017

WORKSESSION

5:00 PM

EXECUTIVE CONFERENCE ROOM THIRD FLOOR

CALL TO ORDER

- WS-1** Final report of the Classification and Compensation Study
- WS-2** Presentation and discussion of Citywide fees and charges as outlined in the Colleyville Code of Ordinances
- WS-3** Discussion of the proposed sidewalks included in the Pleasant Run Road reconstruction project
- WS-4** Discussion of the July 11, 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 attorney regarding pending AG Opinion Request KP-0164 (municipal tree preservation)

Section 551.071 - Legal - Consultation with City Attorney regarding litigation - Lincoln et al v. City of Colleyville and Notice of Claim from Estate of Brandon Heep

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

- a. Glade Road Phase 1B and 2A Property Acquisition Update

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: Paul Vigilletti, Good Shepherd Catholic Community

PLEDGE OF ALLEGIANCE: Assistant City Attorney Alexis Allen

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-17-4148

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

Presentation of the Keep Texas Beautiful Government Environmental Award to the City of Colleyville - Mayor Pro Tem Bobby Lindamood and Parks Manager Heather Dowell

Special recognition provided by Ava Fryer to Sergeant Kevin Walling

Recognition of employees' years of service

Recognition of employee achievements

4. CONSENT: READING AND PUBLIC HEARING - RESOLUTION R-17-4149

4a Approval of the minutes of the June 13, 2017 City Council Worksession

4b Approval of the minutes of the regular City Council meeting of June 20, 2017

4c Approval of the minutes of the June 27, 2017 City Council Worksession

4d Approval of the purchase of 1,008 Neptune water meters, ranging in size from ¾" to 2", from HD Supply Waterworks, through an Interlocal Agreement with the City of Grapevine, in an amount not to exceed \$87,000 and authorize the city manager to execute the purchase agreement

- 4e** Authorizing creation of an employee benefits trust, authorizing the trust agreement, appointing trustees, and authorizing the trust to purchase various forms of insurance for the benefit of City officers, employees, qualified retirees, and their dependents
- 4f** Approval of bid awards for medical insurance to Blue Cross Blue Shield of Texas and dental insurance to CIGNA Dental; and renewal of a contract for the employee assistance program with Alliance Work Partners, and authorize the city manager to execute the agreements

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

5a Ordinance O-17-2014

Consideration of a zoning change from the AG-Agricultural zoning district to the R40-Single Family Residential zoning district on Tract 5A01, Abstract 294, in the Robert Chowning Survey, located at 6260 Pool Road, Case ZC17-007

5b Ordinance O-17-2015

Consideration for approval of amendments to the Land Development Code regarding a proposed requirement that newly installed utilities be underground; specifically Chapter 9 – Subdivision Design & Public Facilities, Section 9.17 Street Design Criteria, proposed Section 9.18 Easements, proposed Section 9.19 Private Utilities, and Chapter 14 – Engineering Design Standards, Section 14-175 Miscellaneous, Case GC17-015

6. RESOLUTION(S): READING AND PUBLIC HEARING

6a Resolution R-17-4150

Consideration of a replat, being Lots 2R1, 2R2, and 2R3, Block 1, of the Morris Addition, a replat of Lot 2, Block 1, of the Morris Addition, located at 7201 Pleasant Run Road, Case PC17-006

6b Resolution R-17-4151

Consideration of a resolution to deny Oncor Electric Delivery Company LLC's application to change rates charged to customers located within the City of Colleyville

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

8. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JULY 11, 2017 - READING AND PUBLIC HEARING - RESOLUTION R-17-4152

9. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin board *Friday, July 7, 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
Colleyville, Texas 76034
www.colleyville.com

Agenda Number WS-1

Agenda Date 07/11/2017

Type Worksession

Department Human Resources

Title

Final report of the Classification and Compensation Study

Strategic Plan

- 1.1 Actively involve and engage stakeholders
- 1.4 Communicate thoroughly and strategically
- 2.2 Recruit and retain a highly-qualified workforce

Explanation

On February 7, 2017, the City entered into an agreement with Management Advisory Group International, Inc. (MAG) to perform a comprehensive compensation and classification study to include evaluation of the City's current health and retirement benefits. The Classification and Compensation Study Committee (the "Committee") has provided input and direction to the consultant throughout the process. The Committee members are:

- Mayor Richard Newton
- Councilmember Nancy Coplen
- Councilmember Tammy Nakamura
- Citizen Representative Bo Bottger
- Citizen Representative Lenonna Nichols
- Citizen Representative Scott Redfearn
- Director of Public Works Jeremy Hutt
- Director of Human Resources Rachel Huitt
- Strategic Services Manager Adrienne Lothery
- Parks Manager Heather Dowell
- Assistant Police Chief Robert Hinton
- Fire Battalion Chief Tim Folden

Since the contract was approved, the Committee has met numerous times to discuss key components of the study. These included identifying a comparative market and comparative benchmark positions, discussion of job broad banding, discussion of options for the public safety pay structure, discussion of the hiring rate, and discussion of implementation options.

On March 21, 2017, the City Council provided direction, based upon the recommendations of the Committee, on the comparative market and comparative benchmark positions (Attachment A). The City Council also agreed with the

Committee's recommendation to change from the current broad banded job titles to functional titles. The consultant recommended at that time to defer a decision on public safety pay structure until they received market data. Based upon the direction provided by City Council at the March 21 meeting, the consultant moved forward with the market study component of the project. The market data was collected from March 22 through mid-May. The consultants had already begun the process of data collection for job analysis. On March 7 and March 8, they met with City employees to begin the job analysis questionnaires. These are questionnaires completed by employees that help to define the responsibilities of each position, including the knowledge, skills, experience, and education required for each position.

The Committee met again on May 18 and June 7 to review the draft results of the job analysis and market survey data. During this time, the consultant was able to provide a summary review of the City's current benefits (Attachment B.) Overall, the consultant's determination of the benefits evaluated is that the City's benefits are in line with other organizations in the market survey. The consultant recommended that the City may want to evaluate its vacation policy, as it appeared to fall slightly below some of the market competitors. A review of the City's retirement plan was not provided to the Committee at that time, however, the consultant did provide the information to staff later. The consultant determined that the City's retirement plan with TMRS appears to be competitive in the plan design with the exception of the cost of living adjustment for retirees. The majority of the cities in the area provide for some portion of retiree cost of living adjustments and the City of Colleyville may want to further evaluate this aspect of its retirement plan to be more in line with market.

Once the consultant received the final market data, evaluated job analysis questionnaires completed by employees, met with department heads, and performed their overall analysis of the data, they developed a proposed pay plan for the City (Attachment C) and began running implementation cost options. On June 26, the Committee met for the final time to review the final proposed pay plan and the implementation costs. Of the 45 positions surveyed, there were three positions not included in the final charts:

- City Manager – the market survey provided little detail on the ranges for City Manager. The majority of respondents provided only actual salary, not ranges.
- Colleyville Center Manager – the market survey did not provide good matches for this position.
- GIS Technician – this position has been reclassified as a Field Technician in Public Works and no longer exists in Colleyville's pay plan.

Of the 42 remaining positions, when evaluating Colleyville's midpoint of the range to the survey averages, the final data indicated that 23 positions were within +/- 5 percent of the market (Attachment C). Within 5 percent of the market is considered to be market competitive. Of the remaining 19 positions that were not market competitive (above +/- 5 percent of the market), 11 were public safety positions. The consultants interpretation of the data concludes that a fair percentage of the salary ranges within

our organization are lower than the market. This is most notable in the Fire and Police Departments.

Implementation Costs

The first implementation cost option provided by the consultant was to continue to keep all employees in pay ranges - not implementing steps for public safety employees. To bring all employees to the minimum of the newly proposed ranges, the total cost is \$453,174. If the City chose to then move all employees within their ranges based on longevity in the position, to minimize compression, it would add an additional \$203,848. The total to do both is \$657,022.

	Bring to Minimum	Add Move in Range *	Totals
General Employees Pay Plan	\$153,148	\$48,147	\$201,295
Public Safety Employees Pay Plan	\$300,026	\$155,701	\$455,727
TOTALS	\$453,174	\$203,848	\$657,022

*Reflects longevity within the position.

The second implementation option was to keep all general employees in pay ranges, but implement steps for public safety employees. To bring all employees to the minimum of the newly proposed ranges, the total cost remains \$453,174. If the City chose to then move all employees within their ranges based on longevity in the position, to minimize compression, it would still add an additional \$203,848. However, to add the step on top of moving to minimum and moving in the range, the total would be \$763,417. Implementing a step program adds \$106,395 to the implementation costs.

	Bring to Minimum	Add Move in Range *	Adjustment to Step	Totals
General Employees Pay Plan	\$153,148	\$48,147	\$ -	\$201,295
Public Safety Employees Step Plan	\$300,026	\$155,701	\$106,395	\$562,122
TOTALS	\$453,174	\$203,848	\$106,395	\$763,417

*Reflects longevity within the position.

The Committee has discussed on numerous occasions the difference between the City's current open range (minimum to maximum) pay ranges and a step pay system for sworn police and fire employees. Many cities in the DFW area are using step plans for public safety. Colleyville's public safety pay plan is currently structured using pay ranges. The market survey data did indicate that the majority of the cities in our market area currently have step plans for public safety, however, in order to not create

disparity among employees, and because of the additional costs of implementation and maintenance of a step system, it is not recommended that Colleyville move to this type of compensation structure.

Financial Impact

During the June 26th Committee meeting, the Committee evaluated the implementation cost options listed above and reviewed the City's preliminary FY 2018 General Fund revenue and expenditure projections. The projected FY 2018 budget includes a "net revenue" estimate of \$315,295. Thus, any expenditure above that amount will result in a deficit position for the proposed budget.

PROJECTED FY2018

TOTAL REVENUES	\$24,411,471
-----------------------	---------------------

TOTAL EXPENDITURES	\$24,096,176
---------------------------	---------------------

NET REVENUE	*\$315,295
--------------------	-------------------

*Estimate based on 5% ad valorem tax revenue.

The Committee considered three possible courses of action to address the wage disparity. Each of these options assumed we would be adopting the newly proposed salary ranges and seeking adjustments in compensation.

Option #1: Cut personnel costs elsewhere within the budget to offset funding needs – NOT RECOMMENDED.

Option #2: Raise revenues (taxes) to fund increases in salaries – NOT RECOMMENDED.

Option #3: Adopt the new ranges while acknowledging that we cannot get to those levels this coming year. Determine a reasonable funding value (staff recommended \$200,000) be allocated as an adjustment toward the goal of reaching the appropriate levels over a series of years.

Recommendations from Committee

Based upon the analysis of the data provided by the consultant, and the discussions of costs and available budget, the Committee recommended the following:

1. Accept the new ranges as the benchmark and continue to measure our progress of getting to those benchmarks;
2. Adjust the pay plan as needed to address reasonableness of certain positions while remaining cognizant of the fiscal restraints of the budget (Committee members discussed \$200,000 of proposed budgetary surplus as a reasonable first-year funding allocation);

3. Review policy on hiring at the minimum of the range and implement new procedures if needed;
4. Carve out additional funds as available to address the wage disparity and compression issues;
5. Focus funding on the areas of most need, and
6. Communicate to employees the plan moving forward.

Further, staff is requesting flexibility in the allocation of funds when it comes to excessive increases. In such cases, the increase may need to be tempered to bring them into line with what the public would deem reasonable.

Conclusion

Over the past several months, the Committee has worked diligently to objectively evaluate and assess the City's classification and compensation program. Notable accomplishments of this Committee include:

- Collaborative teamwork and decision making with elected officials, citizens, and staff members
- Restructure of the broad banded job titles to functional job titles
- Updated job descriptions for all positions
- Analysis of Colleyville's compensation in relation to the market
- Creation of a new market competitive pay plan
- Strategic evaluation of public safety step plans
- Consideration of cost and funding impacts
- Final recommendation to the City Council

The collaborative effort of this Committee has been invaluable and has resulted in the unanimous recommendations listed above.

Attachments

1. Classification and Compensation Study Presentation
2. Attachment A - Benchmarks
3. Attachment B - Benefits Survey Summary
4. Attachment C - Proposed Pay Plans
5. Attachment D - Colleyville Midpoint to Market Midpoint



Classification and Compensation Study

City Council Worksession
July 11, 2017

Study Timeline



- FY17 Comprehensive Compensation and Classification Study (Pay Plan Study)
- November 2016 – Request for Proposals
- December 2016 – Committee Appointed
- January 2017 – Interviews Conducted
- February 2017 – Consultant Selected
 - Management Advisory Group International, Inc. (MAG)
- February to June – Study Conducted
- June 2017 – Final Report to Committee
- June 2017 – Final Report to City Council

Committee Members



Mayor Richard Newton

Councilmember Nancy Coplen

Councilmember Tammy Nakamura

Citizen Representative Bo Bottger

Citizen Representative Lenonna Nichols

Citizen Representative Scott Redfearn

Director of Public Works Jeremy Hutt

Director of Human Resources Rachel Huitt

Strategic Services Manager Adrienne Lothery

Parks Manager Heather Dowell

Assistant Police Chief Robert Hinton

Fire Battalion Chief Tim Folden

Market Comparison



City of Allen

City of Arlington

City of Bedford

City of Coppell

DFW Airport

City of Euless

Town of Flower Mound

City of Grapevine

Grapevine-Colleyville ISD

City of Hurst

City of Irving

City of Keller

City of North Richland Hills

City of Plano

City of Southlake

Tarrant County

Town of University Park

Benefits Comparison



Item	Market Range	Colleyville
Sick Time:	10-15 days	12 days
Maximum Accrual:	720 hours to unlimited	720 hours
Sick shifts/year (Fire):	6 to 7.5	6
Maximum Accrual (Fire):	780 to unlimited	1080
Comp Time (non-exempt):	42 to 240; 480 Fire	Up to 40; 56 for Fire
Comp Time (exempt):	As granted; not specific	Max of 240
Vacation Time:	10 to 26 days	10 to 20 days
Maximum Accrual:	240 to 424 hours	400 hours
Health Insurance Costs:	\$12,046 average	\$12,808
Employer Cost:	\$10,164 average	\$10,563
Employee Cost:	\$ 1,897 average	\$ 2,245
% Employer Funded:	84.4% average	82.5%
% Employee Funded:	15.6% average	17.5%

Retirement Plan Comparison



Colleyville:

Employee Contribution = 7%

Employer Contribution = 2 to 1 match

Vesting 5 years; retirement at 20 years or age 60.

City	COLA for Retirees
Allen	70% repeating
Arlington	50% repeating
Bedford	None
Coppell	70% repeating
Euless	70% repeating
Flower Mound	None
Grapevine	70% repeating
Hurst	30% ad hoc
Keller	50% repeating
Irving	30% repeating
McKinney	70% repeating
North Richland Hills	70% repeating
Plano	70% repeating
Southlake	50% repeating
University Park	None

Colleyville	None
-------------	------

Benchmark Positions

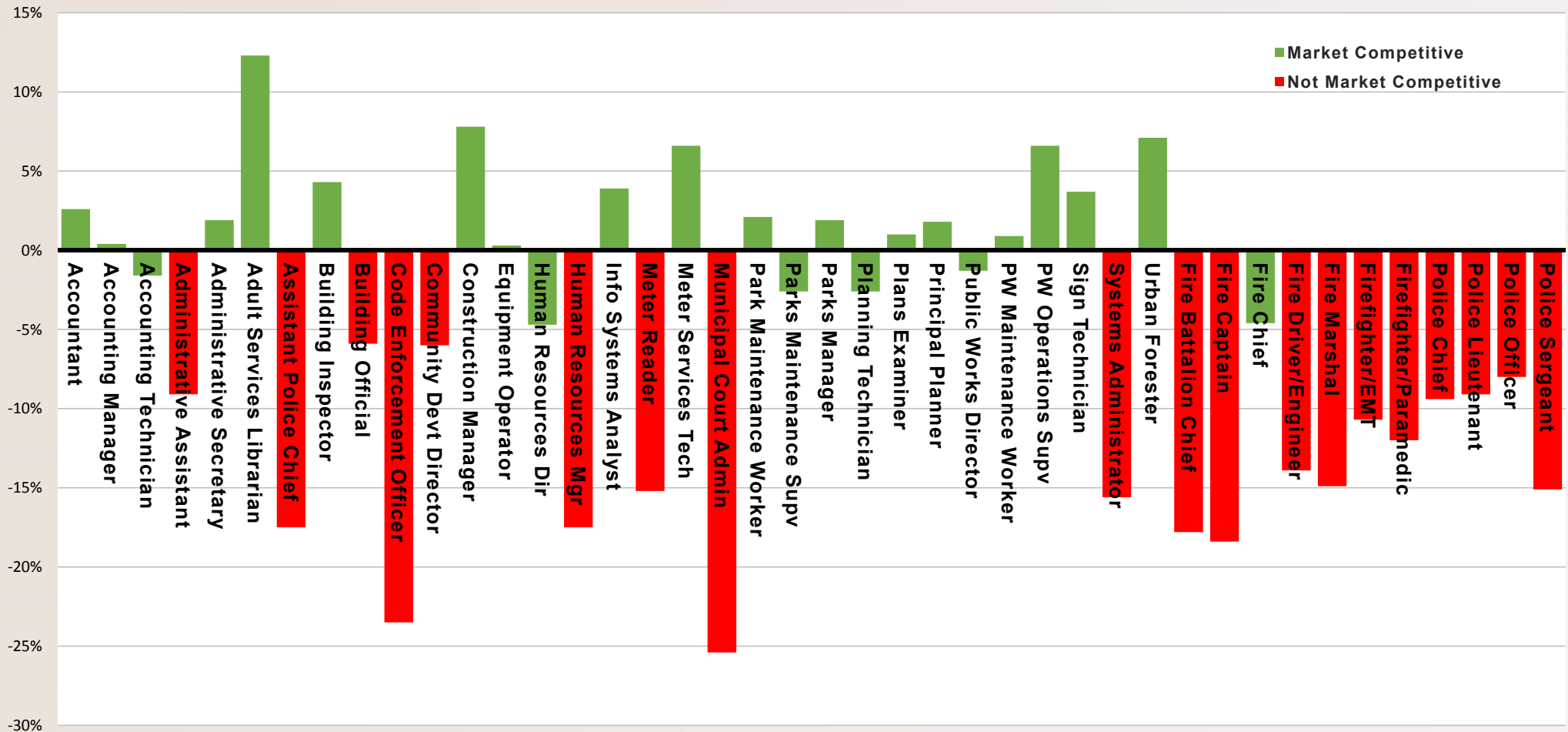


- 45 positions identified for comparison
- 42 positions in final results
 - City Manager – majority of respondents provided actuals, not ranges
 - Colleyville Center Manager – no good matches provided
 - GIS Technician – position has been reclassified; no longer in pay plan

	Percent Above/ Below			Colleyville				Percent Above/ Below			Colleyville		
Positions	Min	Mid	Max	Min	Mid	Max	Positions	Min	Mid	Max	Min	Mid	Max
Accountant	0.4%	2.6%	4.1%	\$ 50,196	\$ 62,745	\$ 75,294	Parks Maintenance Supv	-5.5%	-2.6%	-0.7%	\$ 50,196	\$ 62,745	\$ 75,294
Accounting Manager	-4.7%	0.4%	3.6%	\$ 68,368	\$ 88,878	\$ 109,387	Parks Manager	-4.5%	1.9%	5.8%	\$ 68,368	\$ 88,878	\$ 109,387
Accounting Technician	-4.1%	-1.6%	0.1%	\$ 33,656	\$ 42,070	\$ 50,484	Planning Technician	-4.9%	-2.6%	-1.1%	\$ 39,743	\$ 49,679	\$ 59,615
Administrative Assistant	-6.5%	-9.1%	-10.9%	\$ 29,786	\$ 35,744	\$ 41,701	Plans Examiner	-0.9%	1.0%	2.3%	\$ 44,819	\$ 56,135	\$ 67,451
Administrative Secretary	0.7%	1.9%	2.6%	\$ 36,253	\$ 45,316	\$ 54,378	Principal Planner	0.0%	1.8%	3.1%	\$ 64,129	\$ 80,162	\$ 96,194
Adult Services Librarian	10.1%	12.3%	13.8%	\$ 53,678	\$ 67,097	\$ 80,515	Public Works Director	-4.1%	-1.3%	0.4%	\$ 97,535	\$ 126,796	\$ 156,057
Assistant Police Chief	-15.8%	-17.5%	-18.8%	\$ 92,094	\$ 103,606	\$ 115,117	PW Maintenance Worker	1.0%	0.9%	0.9%	\$ 29,786	\$ 35,744	\$ 41,701
Building Inspector	1.5%	4.3%	6.1%	\$ 44,819	\$ 56,135	\$ 67,451	PW Operations Supervisor	2.5%	6.6%	9.3%	\$ 53,678	\$ 67,097	\$ 80,515
Building Official	-12.5%	-5.9%	-1.7%	\$ 68,368	\$ 88,878	\$ 109,387	Sign Technician	2.4%	3.7%	4.5%	\$ 36,253	\$ 45,316	\$ 54,378
Code Enforcement Officer	-30.3%	-23.5%	-25.8%	\$ 31,454	\$ 39,318	\$ 47,181	Systems Administrator	-17.4%	-15.6%	-14.5%	\$ 53,678	\$ 67,097	\$ 80,515
Community Devt Director	-9.4%	-6.0%	-3.9%	\$ 92,891	\$ 120,758	\$ 148,625	Urban Forester	4.0%	7.1%	9.2%	\$ 50,196	\$ 62,745	\$ 75,294
Construction Manager	3.6%	7.8%	10.3%	\$ 68,368	\$ 84,878	\$ 109,387	Fire Battalion Chief	-26.7%	-17.8%	-10.8%	\$ 79,241	\$ 89,146	\$ 99,050
Equipment Operator	-3.1%	0.3%	2.5%	\$ 33,656	\$ 42,070	\$ 50,484	Fire Captain	-20.6%	-18.4%	-16.6%	\$ 73,307	\$ 78,805	\$ 84,303
Human Resources Dir	-8.6%	-4.7%	-2.3%	\$ 92,891	\$ 120,758	\$ 148,625	Fire Chief	-8.5%	-4.6%	-2.3%	\$ 97,535	\$ 126,796	\$ 156,057
Human Resources Mgr	-19.6%	-17.5%	-16.1%	\$ 53,678	\$ 67,097	\$ 80,515	Fire Driver/Engineer	-17.4%	-13.9%	-11.0%	\$ 61,547	\$ 67,394	\$ 73,241
Info Systems Analyst	2.0%	3.9%	5.1%	\$ 50,196	\$ 62,745	\$ 75,294	Fire Marshal	-17.8%	-14.9%	-12.5%	\$ 79,214	\$ 89,146	\$ 99,050
Meter Reader	-12.4%	-15.2%	-17.1%	\$ 26,595	\$ 31,913	\$ 37,230	Firefighter/EMT	-7.7%	-10.7%	-13.0%	\$ 49,348	\$ 55,763	\$ 62,178
Meter Services Tech	4.9%	6.6%	7.8%	\$ 33,656	\$ 42,070	\$ 50,484	Firefighter/Paramedic	-10.4%	-12.0%	-13.3%	\$ 52,272	\$ 59,067	\$ 65,861
Municipal Court Admin	-28.5%	-25.4%	-23.3%	\$ 50,196	\$ 62,745	\$ 75,294	Police Chief	-12.7%	-9.4%	-7.4%	\$ 97,535	\$ 126,796	\$ 156,057
Park Maintenance Worker	3.9%	2.1%	0.7%	\$ 29,786	\$ 35,744	\$ 41,701	Police Lieutenant	-10.3%	-9.1%	-8.0%	\$ 84,537	\$ 90,032	\$ 95,527
							Police Officer	-8.3%	-8.0%	-7.8%	\$ 52,931	\$ 61,400	\$ 69,868
							Police Sergeant	-16.5%	-15.1%	-13.9%	\$ 69,082	\$ 74,609	\$ 80,135



Colleyville Midpoint



Proposed Pay Plan



DRAFT

Proposed Pay Plans Colleyville TX 2017

<i>Code</i>	<i>Proposed Class Title</i>	<i>Ann Min</i>	<i>Mkt</i>	<i>Ann Max</i>
GENERAL EMPLOYEES				
106		\$27,040	\$31,907	\$39,246
LCPT	LIBRARY CLERK			
107		\$28,392	\$33,502	\$41,208
BLDATT	BUILDING ATTENDANT			
MTRD	METER READER			
108		\$29,811	\$35,178	\$43,268
CTCLK	COURT CLERK			
PMTI	PARKS MAINTENANCE TECHNICIAN I			
FTI	PUBLIC WORKS FIELD TECHNICIAN I			
FISPC	UTILITY CLERK			
109		\$31,302	\$36,936	\$45,432
FMTTC	FACILITIES MAINTENANCE TECHNICIAN			
PMTII	PARKS MAINTENANCE TECHNICIAN II			
FTII	PUBLIC WORKS FIELD TECHNICIAN II			
110		\$32,867	\$38,783	\$47,703
LIBAPT	LIBRARY ASSISTANT			
MSTE	MOW AND SPRAY TECHNICIAN			
PMTC	PERMIT TECHNICIAN			
PDRC	POLICE RECORDS CLERK			

Summary Numbers with Ranges



All employees staying in a range (no steps):

	Bring to Minimum	Add Move in Range*	Totals
General Employees Pay Plan	\$153,148	\$48,147	\$201,295
Public Safety Employees Pay Plan	\$300,026	\$155,701	\$455,727
TOTALS	\$453,174	\$203,848	\$657,022

*Reflects longevity within the position.

Summary Numbers with Public Safety Steps



All employees staying in a range (with steps):

	Bring to Minimum	Add Move in Range*	Adjustment to Step	Totals
General Employees Pay Plan	\$153,148	\$48,147	\$ -	\$201,295
Public Safety Employees Step Plan	\$300,026	\$155,701	\$106,395	\$562,122
TOTALS	\$453,174	\$203,848	\$106,395	\$763,417

*Reflects longevity
within the position.

Summary Numbers



To get all employees to minimum of the new ranges: **\$453,174**

Add moving all employees within their ranges: **\$203,848**

TOTAL **\$657,022**

To add steps: **\$106,395**

TOTAL w/steps **\$763,417**

Preliminary Budget Impact



	PROJECTED FY 2018	PROJECTED FY 2019
TOTAL REVENUES	\$24,411,471	\$24,193,984
TOTAL EXPENDITURES	\$24,096,176	\$23,835,942
NET REVENUE	*\$315,295	\$358,042

*Estimate based on 5%
ad valorem tax revenue

Net revenues = \$315,295
Total all employees in ranges (no steps) = \$657,022
Deficit = -\$341,727

Net revenues = \$315,295
Total all employees in ranges (with steps) = \$763,417
Deficit = -\$448,122

Discussion of Options



- Option #1: Cut other City expenditures to pay for all or part of the implementation costs
- Option #2: Increase revenue by adjusting budget to capture more than 5% of ad valorem taxes (6% or 7%)
 - Revenue estimates with 5% ad valorem tax revenue = \$315,295
 - Revenue estimates with 6% ad valorem tax revenue = \$454,972
 - Revenue estimates with 7% ad valorem tax revenue = \$594,000
- Option #3: Partially fund using a portion of Net Revenue to fund some of the implementation costs
 - Bringing some employees closer to minimum of new range
 - Provide for adjustments as reasonable

Committee Recommendations



1. Accept the new ranges as the benchmark and continue to measure our progress of getting to those benchmarks;
2. Adjust the pay plan as needed to address reasonableness of certain positions while remaining cognizant of the fiscal restraints of the budget (Committee members discussed \$200,000 of proposed budgetary surplus as a reasonable first-year funding allocation);
3. Review policy on hiring at the minimum of the range and implement new procedures if needed;
4. Carve out additional funds as available to address the wage disparity and compression issues;
5. Focus funding on the areas of most need; and
6. Communicate to employees the plan moving forward.

Project Accomplishments



- Collaborative teamwork and decision making with elected officials, citizens and staff members
- Restructure of the broad banded job titles to functional job titles
- Updated job descriptions for all positions
- Analysis of Colleyville's compensation in relation to the market
- Creation of a new market competitive pay plan
- Strategic evaluation of public safety step plans
- Consideration of cost and funding impacts
- Final recommendation to the City Council

Questions and Discussion

Attachment A

Comparative Market Agencies

City of Bedford	Town of Flower Mound	City of North Richland Hills
City of Coppell	City of Grapevine	City of Southlake
DFW Airport	Grapevine-Colleyville ISD	Tarrant County
City of Euless	City of Irving	City of University Park
City of Arlington	City of Keller	City of Hurst

*Cities of Plano and Allen added per City Council request to add Collin County cities.

Comparative Benchmarks

Accountant	Parks Maintenance Supervisor
Accounting Clerk	Parks Manager
Accounting Manager	Planning Technician
Administrative Clerk	Plans Examiner
Administrative Secretary	Police Chief
Adult Services Librarian	Police Lieutenant
Assistant Police Chief	Police Officer
Building Inspector	Police Sergeant
Building Official	Principal Planner
City Manager	Sign Technician
Code Enforcement Officer	Systems Administrator
Colleyville Center Manager	Urban Forester
Community Development Director	
Construction Manager	
Equipment Operator	
Executive Secretary	
Field Maintenance Worker	
Field Operations Supervisor	
Fire Battalion Chief	
Fire Captain	
Fire Chief	
Fire Driver/Engineer	
Fire Marshal	
Firefighter/EMT	
Firefighter/Paramedic	
GIS Technician	
Human Resources Director	
Human Resources Manager	
Information Systems Analyst	
Meter Reader	
Meter Services Worker	
Municipal Court Administrator	
Parks Maintenance Worker	

Preliminary Notes on Benefits...

<i>Item</i>	<i>Market Range</i>	<i>Colleyville</i>
Sick Time:	10-15 days	12 days
Maximum Accrual:	720 hours to unlimited	720 hours
Sick shifts/year (Fire):	6 to 7.5	6
Maximum Accrual (Fire):	780 to unlimited	1080
Comp Time (non-exempt):	42 to 240; 480 Fire	Up to 40; 56 for Fire
Comp Time (exempt):	As granted; not specific	Max of 240
Vacation Time:	10 to 26 days	10 to 20 days
Maximum Accrual:	240 to 424 hours	400 hours
Health Insurance Costs:	\$12,046 average	\$12,808
Employer Cost:	\$10,164 average	\$10,563
Employee Cost:	\$ 1,897 average	\$ 2,245
% Employer Funded:	84.4% average	82.5%
% Employee Funded:	15.6% average	17.5%



ATTACHMENT C - PROPOSED PAY PLANS

GENERAL EMPLOYEES

<i>Proposed Title</i>	<i>Ann Min</i>	<i>Mkt</i>	<i>Ann Max</i>
106	\$ 27,040	\$ 31,907	\$ 39,246
Library Clerk			
107	\$ 28,392	\$ 33,502	\$ 41,208
Building Attendant Meter Reader			
108	\$ 29,811	\$ 35,178	\$ 43,268
Court Clerk Parks Maintenance Technician I Public Works Field Technician I Utility Clerk			
109	\$ 31,302	\$ 36,936	\$ 45,432
Facilities Maintenance Technician Parks Maintenance Technician II Public Works Maintenance Technician II			
110	\$ 32,867	\$ 38,783	\$ 47,703
Library Assistant Mow and Spray Technician Permit Technician Police Records Clerk			
111	\$ 34,510	\$ 40,722	\$ 50,088
Administrative Support Technician Equipment Operator I Meter Services Technician Street Sweeper Operator			
112	\$ 36,236	\$ 42,758	\$ 52,593
Accounting Technician Building Operations Technician			

<i>Proposed Title</i>	<i>Ann Min</i>	<i>Mkt</i>	<i>Ann Max</i>
Equipment Operator II			
Irrigation Specialist			
Library Community Events Coordinator			
Pump Maintenance Operator			
Senior Court Clerk/Juvenile Case Manager			
Sign & Signal Technician			
113	\$ 38,048	\$ 44,896	\$ 55,223
Administrative Secretary			
Deputy Court Administrator			
Mechanic			
Planning Technician			
Police Records Clerk Lead			
Property/Evidence Technician			
Utility Billing Specialist			
114	\$ 39,950	\$ 47,141	\$ 57,984
Parks Maintenance Crew Leader			
115	\$ 41,948	\$ 49,498	\$ 60,883
Code Enforcement Officer			
116	\$ 44,045	\$ 51,973	\$ 63,927
Building Inspector			
Construction Inspector			
Environmental Compliance Officer			
117	\$ 46,247	\$ 54,572	\$ 67,123
118	\$ 48,580	\$ 57,300	\$ 70,480
Librarian			
Plans Examiner			
Urban Forester			
119	\$ 50,988	\$ 60,165	\$ 74,004
Accountant			

<i>Proposed Title</i>	<i>Ann Min</i>	<i>Mkt</i>	<i>Ann Max</i>
120	\$ 53,537	\$ 63,174	\$ 77,704
Assistant City Secretary			
Human Resources Analyst			
Information Systems Analyst			
Parks Maintenance Supervisor			
Police Records Manager			
Public Information Specialist			
Public Works Business Analyst			
Recreation Specialist			
Utility Billing Supervisor			
121	\$ 56,214	\$ 66,333	\$ 81,589
122	\$ 59,025	\$ 69,649	\$ 85,668
GIS Program Administrator			
123	\$ 61,976	\$ 73,132	\$ 89,952
Systems Administrator			
124	\$ 65,075	\$ 76,788	\$ 94,449
Human Resources Manager			
Municipal Court Administrator			
Streets & Drainage Operations Superintendent			
Utility Operations Superintendent			
125	\$ 68,328	\$ 80,628	\$ 99,172
Asst to the City Manager			
Building Official			
Controller			
Facilities Maintenance Manager			
Fleet Manager			
Principal Planner			
126	\$ 71,745	\$ 84,659	\$ 104,130
Colleyville Center Manager			

<i>Proposed Title</i>	<i>Ann Min</i>	<i>Mkt</i>	<i>Ann Max</i>
Construction Manager Parks Manager Recreation and City Events Manager			
127	\$ 75,332	\$ 88,892	\$ 109,337
128	\$ 79,099	\$ 93,336	\$ 114,804
City Secretary Project Engineer			
129	\$ 83,054	\$ 98,003	\$ 120,544
Field Operations Manager Information Systems Manager Strategic Services Manager			
132	\$ 107,029	\$ 113,451	\$ 139,545
Assistant Police Chief City Engineer Deputy Fire Chief			
133	\$ 112,380	\$ 119,124	\$ 146,522
134	\$ 118,000	\$ 125,080	\$ 153,848
Chief Financial Officer Director of Community Development Director of Economic Development & Communications Director of Human Resources Director of Library and Recreation Services Director of Public Works			
135	\$ 123,900	\$ 131,334	\$ 161,540
136	\$ 130,095	\$ 137,900	\$ 169,617
Police Chief Fire Chief			

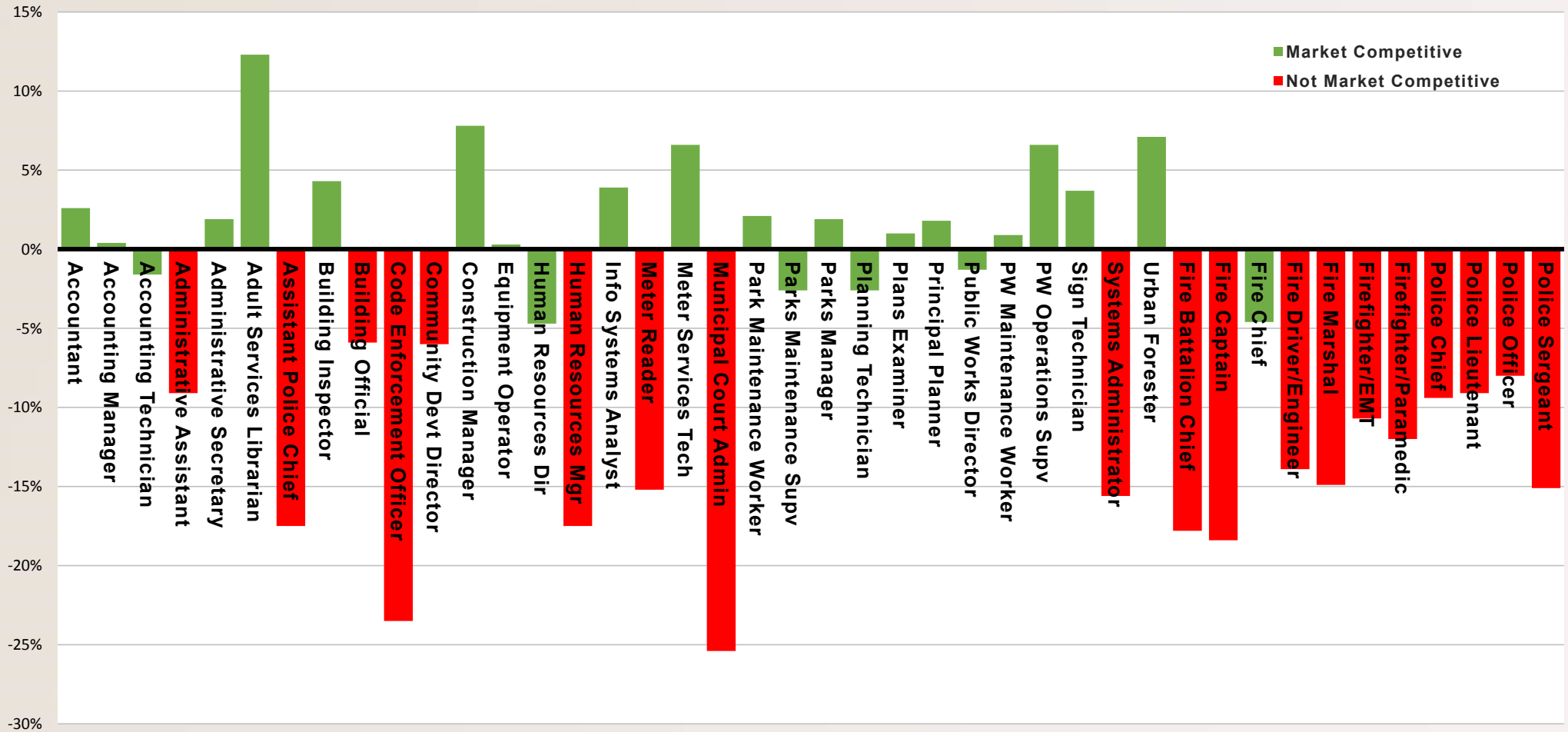
<i>Proposed Title</i>	<i>Ann Min</i>	<i>Mkt</i>	<i>Ann Max</i>
137	\$ 136,600	\$ 144,795	\$ 178,098
138	\$ 143,430	\$ 152,035	\$ 187,003
139	\$ 150,601	\$ 159,636	\$ 196,353

Asst City Mgr / Director of Public Safety
Deputy City Manager

<i>Proposed Title</i>	<i>Ann Min</i>	<i>Mkt</i>	<i>Ann Max</i>
PUBLIC SAFETY			
301	\$ 53,000		
Police Recruit			
304	\$ 54,724	\$ 60,197	\$ 70,430
Firefighter / EMT			
305	\$ 57,460	\$ 63,206	\$ 73,951
Police Officer Firefighter / Paramedic			
307	\$ 72,578	\$ 73,667	\$ 81,402
Fire Engineer			
308	\$ 81,364	\$ 81,770	\$ 90,765
Police Sergeant			
309	\$ 88,700	\$ 91,583	\$ 98,671
Fire Captain			
310	\$ 94,815	\$ 100,741	\$ 119,882
Police Lieutenant			
311	\$ 100,504	\$ 106,786	\$ 127,075
Battalion Chief Fire Marshal			



Colleyville Midpoint





City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-2
Type Worksession
Department City Manager

Agenda Date 07/11/2017

Title

Presentation and discussion of Citywide fees and charges as outlined in the Colleyville Code of Ordinances

Strategic Plan

2.4 Demonstrate stewardship of public resources

Explanation

The purpose of this item is to provide a presentation and discussion of fees and charges as a part of the annual budget process. As the budget contains both revenues and expenditures, it is prudent to review the City's fees and charges during this time.

As a part of the budget submittal process, departments identified needed fee changes and made recommendations for adjustment. The focus was on keeping fees current with the marketplace and ensuring that appropriate cost recovery occurs for staff time or other costs incurred.

Preliminary FY 2018 water and wastewater base rates are also included in the attached presentation, to provide an initial look at how the FY 2018 Utility Fund operating budget will impact base rates. Water and wastewater base rates are based on the revenue necessary to recover the City's costs of operating the water and wastewater utility system. The FY 2018 preliminary base rates are calculated based on the preliminary FY 2018 Utility Fund expenditures presented to the City Council at the June 13, 2017 Worksession. Any changes to the preliminary expenditure projections made as the proposed budget is finalized in July, will change the FY 2018 base rates accordingly.

Staff seeks direction from City Council to determine whether staff should proceed with preparing the necessary ordinance amendments for the fees and charges discussed in the attached presentation. Recommended adjustments could be brought back for formal City Council action at an upcoming City Council meeting.

Attachments

1. Recommended Changes to Fees and Charges Presentation

Discussion of Recommended Changes to Fees & Charges

City Council Worksession
July 11, 2017

Overview



- Review fees and charges annually during the budget process → Budget includes revenues & expenditures
- Departments identified needed changes and made recommendations for adjustment during the budget submission process
- Most fees are listed in Sec. 2-26 of the Code of Ordinances; some fees may be authorized in other sections of the Code that refer to Sec. 2-26 for the specific dollar amount

Objective



- To determine if the City Council would like staff to prepare the necessary ordinance amendments for the fees and charges discussed
- Recommended adjustments could be brought back for formal City Council approval at a subsequent City Council meeting

Colleyville Center

Colleyville Center Background



Colleyville Center Advisory Committee (CCAC)

- 14 members serving 2 year terms
 - 6 organization representatives
 - 8 at-large representatives
- Quarterly meetings
 - provide input on operations and long-term plans
 - consider and recommend rate changes to the City Council



Colleyville Center Background



- Regular review of different rental rates (rotates)
 - 2013: adjusted weekend rental rates; added ballustrada rental
 - 2014: bundled a la carte fees typically incurred by businesses with standard weekday rental rates
 - 2016: adjusted non-profit rates (two year phased-in adjustment)
- Discounts:
 - Colleyville residents/businesses receive a 20% discount on rental rates
 - Colleyville-based non-profits receive
 - Deeply discounted weekday rates (set fee schedule as opposed to a % discount)
 - 50% discount on Friday and Sunday rental rates
 - 20% discount on Saturday rental rates

Colleyville-based Non-Profit Rates



WEEKDAY ROOM RENTAL	NON-PROFIT RATE 1998-2016	Oct. 1, 2016- 25%	Oct. 1, 2017- 20%	COMPARISON - 45% (at one time)
SMALL CONFERENCE	\$60	\$75	\$90	\$87
NORTH HALL	\$80	\$100	\$120	\$116
SOUTH HALL	\$80	\$100	\$120	\$116
NORTH & SOUTH COMBINED	\$140	\$175	\$210	\$203
ENTIRE BUILDING	\$300	\$375	\$450	\$435
GARDEN PLAZA	\$300	\$375	\$450	\$435

Administrative Fees



		Non-profit	Standard
VIDEO	LCD Projector per hour (portable and ceiling mount)	\$65.00 with weekday max \$150.00	\$65.00
	LCD 220" rear screen HD projector per hour	\$75.00 with weekday max \$200.00	\$75.00
	Rolling video cart with electrical and extension	\$2.00	\$10.00
	Gallery flat screen or TV monitor (per event)	\$65.00	\$65.00
	Stage front drop screen	\$10.00	\$40.00
	Portable screen (9')	\$40.00	\$40.00
	Conference room pull-down	\$20.00	\$20.00
	White board/flip chart with easel	\$20.00	\$20.00
	Easel	\$15.00	\$15.00
AUDIO	Baby grand piano	\$100.00	\$100.00
	Stage lighting (one time setting—Per hour)	\$50.00	\$50.00
	Stage lighting and sound board (must use AV tech)	\$200.00 + AV tech	\$200.00 + AV tech
	Podium with microphone	\$20.00	\$35.00
	iPod connection	\$20.00	\$20.00
	Corded microphone on stand—One free with N/S hall	\$15.00	\$15.00
	Wireless microphone (hand held or lapel)	\$25.00	\$50.00
	Colored up lights	\$200.00	\$200.00
ROOM SET	Linens (per linen) weekdays only	\$5.00 \$10.00	\$5.00 \$10.00
	Draped and skirted registration table	\$15.00	\$15.00
	Room change after final set (per table and chair set)	\$20.00	\$20.00
	Repositioning room during event	\$400.00 + \$10.00 ea. Table set	\$400.00 + \$10.00 ea. Table Set

Administrative Fees



		Non-profit	Standard
CATERING	Catering fee 15% of F&B with \$1.50 pp min.	15% F&B	15% F&B
	Kitchen Use/Food Service (when food is brought in) Catering (client self-catering—KU) flat fee based upon set up or attendance whichever is greater	\$1.00 per person weekday or weekend (\$300.00 max)	\$1.00 per person weekday \$2.00 per person weekends (\$300 minimum)
	Deluxe coffee service with condiments	15 cup carafe—\$15.00	15 cup carafe—\$15.00
	Continental Breakfast (w/20 person minimum)	\$10.00 pp including fruit	\$10.00 pp including fruit
	Gourmet box lunch (w/20 person minimum)	\$15.00 pp including beverage	\$15.00 pp including beverage
	Break service (beverage & cookies—W/20 person minimum)	\$5.00 per person	\$5.00 per person
	Water/soda service	\$1.00 per bottle	\$1.00 per bottle
MISC.	Copies 1—50—\$0.25 first copy, \$0.10 thereafter	\$0.25/\$0.10	\$0.25/\$0.10
	Fax machine (incoming and outgoing)	\$2.00 per page	\$2.00 per page
DEPOSITS	Entire building	\$500.00	\$500.00—\$1,000
	Grand hall	\$300.00	\$300.00
	Half hall (North or South)	\$200.00	\$200.00
	Conference room	\$50.00	\$50.00

Miscellaneous Fees/Policies



- Cancellation Policy—Any cancellation of a Friday, Saturday, or Sunday entire building rental or combined north/south hall booking shall result in lessee forfeiting one-half of the deposit. If the cancellation is received 180 to 120 calendar days prior to the event, the lessee will forfeit all of the deposit. If the cancellation is received less than 120 calendar days prior to the event, the lessee will forfeit all monies paid to the Colleyville Center.
- Colleyville Center ~~deposit forfeiture service fees —A service fee of up to \$500.00 up to \$1,000 will be retained from lessee deposit charged to lessee~~ for failure to leave the premises (building and grounds) in as good or better condition than it was prior to being leased **or for failure to pay outstanding balance of other fees**
- AV surcharge—All rented audio visual equipment brought into the building by another vendor incurs a 15 percent charge of the Colleyville Center fee for same equipment.
- Non-profit donations—Any not for profit organization that donates over \$50,000.00 to the Colleyville Center does not incur equipment fees. Supply and service fees are not included in this waiver. If a not for profit organization donates a single piece of equipment, it becomes Colleyville Center property and use of that equipment by that organization does not incur equipment fees.

Miscellaneous Fees/Policies - Continued



- Discount for using local businesses—If a client uses three or more Colleyville businesses during their event, the center will provide complimentary colored up- lighting (\$200.00 value).
- Additional rental hours—If a client requests to extend a rental of the entire building beyond their eight hour rental, additional hours will be available for an additional \$250.00 per hour, within the business hours of the center. The additional hours must be requested in advance. Fees will not be pro-rated for increments of time less than one hour.
- Late fees—The Colleyville Center closes at 12:00 a.m. (midnight) on Friday and Saturday and 11:00 p.m. Sunday through Thursday. Should a client remain on the premises after the building is closed, a fee will be assessed at the rate of ~~\$500.00~~ \$1,000 per hour until such time the building is vacated. Fees will not be pro-rated for increments of time less than one hour.
- Colleyville Center rental hours—The Colleyville Center is available for rental from 8:00 a.m. to 11:00 p.m. Monday through Thursday, 8:00 a.m. to midnight on Friday, 11:00 a.m. to midnight on Saturday, and 11:00 a.m. to 11:00 p.m. on Sunday. Weekday rental rates apply Monday through 4:00 p.m. on Friday. Prime weekend rates apply 4:00 p.m. Friday through 11:00 p.m. Sunday.

Senior Center

Meeting Space Fee



Recommended Fee: **\$5 Rental Fee and \$50 Deposit**

The fee for the reservation of a meeting room at the Senior Center.

The rooms available to be reserved include: the Blue Bonnet, Computer, and Cowboy.

The deposit is fully refundable if the room is left in as good condition as it was found. Recreation Manager or designee will approve the cleanliness and condition of the room and refund the deposit appropriately.

Community Development Building Inspections

Statement of Purpose



The intent of the fee revisions or new fees is to help recover staff costs.

The net effect for the various fee increases proposed is estimated to be revenue neutral or a slight overall increase. Any net increase is not expected to exceed \$5,000.

Review process included:

- looking at what other cities charge
- combining fees to streamline the development process
- breaking apart fees that should be separate
- assessing what staff time is involved in the intake, review, and inspection of the different types of permits proposed for revision

Zoning Fees (PUD's, SUP's, & Variances)



	<u>Current</u>	<u>Recommended:</u>
1. Planned Unit Development (PUD)	\$500+\$5/per acre	\$750 + \$5 per acre
2. Special Use Permit (SUP)	\$175	\$250
1. SUP Residential Accessory Building		
2. SUP Residential Carport		
3. Variances & Appeals	\$175 & \$125	\$250
1. ZBA Variance and/or Appeal		
2. Sign Board appeal		
3. Tree Mitigation appeal		
4. Sidewalk/General Waiver Request		
4. Zoning Verification Letter	\$20	\$50

Justification:

- 1) The revised fee **recovers costs** associated with processing applications, performing plan review, and creation of staff reports and presentations for meetings

Platting Fees (Preliminary, Final)



	<u>Current:</u>	<u>Recommended:</u>
1. Preliminary Plat	\$250 + \$7.50 per lot	\$500 + \$7.50 per lot
2. Final Plat	\$350 + \$7.50 per lot	\$500 + \$7.50 per lot

Justification:

- 1) The revised fee **recovers costs** associated with processing applications, performing plan review, and creation of staff reports and presentations for meetings

Water Heater & HVAC Replacement



	<u>Current:</u>	<u>Recommended:</u>
1. Water Heater Replacement	\$35.80	\$75
2. HVAC Replacement	\$57.00 (Avg.)	\$75

Justification:

- 1) Align all replacement fees under **one uniform permit fee** to simplify fee schedule.
- 2) Current fee variations are not substantiated as there is **no difference in processing and inspecting** the different HVAC equipment types.
- 3) The revised fee **recovers costs** associated with processing applications, performing plan review, and performing field inspection.

Utility Billing

Winter Average Gallons for New Customers



Currently used: 7,000 gallons

Recommended: 9,000 gallons

Background:

- “A monthly sewer volume charge shall also be charged to all customers as set forth hereinafter. The sewer volume charge for residential customers will be based on the individual customer’s average monthly water use during the months of December, January, and February. **Where no preceding winter quarter average is available from records, a volume of 7,000 gallons shall be used for this volume charge.**”
- At the Mayor’s request, staff researched the actual average residential monthly water use for December, January, and February
 - 2017: 9,800
 - 2016: 8,700
 - 2015: 8,500



3-Year Average = 9,000 gallons

Water Base Rates (Preliminary)



Base rate per month for in-City customers

Current:

Water meters 1 inch or less	\$14.01
Water meters of 1.5 inches	\$28.01
Water meters of 2 inches	\$44.82
Water meters of 3 inches	\$84.04
Water meters of 4 inches	\$140.06

Preliminary FY 2018:

Water meters 1 inch or less	\$13.82
Water meters of 1.5 inches	\$27.64
Water meters of 2 inches	\$44.23
Water meters of 3 inches	\$82.93
Water meters of 4 inches	\$138.21

- Water base rates are based on the amount of revenue necessary to recover the City's operating costs.
- Declining debt payments and additional customers to spread costs amongst allows for a base rate decrease in FY 2018.
- Option to consider: Maintain current base rates and use the difference to establish the CIP funding component in the rate structure. Revenue generated in FY 2018 is estimated to be minimal (\$10,000-20,000), but it would establish the mechanism with amounts to be evaluated in the future by the Water & Wastewater Rates Citizen Committee.

Wastewater Base Rates (Preliminary)



Current:

Residential customers	\$12.54
Non-residential customers	\$18.54

Preliminary FY 2018:

Residential customers	\$11.09
Non-residential customers	\$17.09

- Wastewater base rates are based on the amount of revenue necessary to recover the City's operating costs.
- Declining debt payments and additional customers to spread costs amongst allows for a base rate decrease in FY 2018.
- Option to consider: Maintain current base rates and use the difference to establish the CIP funding component in the rate structure. Revenue generated in FY 2018 is estimated to be minimal, but it would establish the mechanism with amounts to be evaluated in the future by the Water & Wastewater Rate Advisory Committee.

Questions and Discussion



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-3

Agenda Date 07/11/2017

Type Worksession

Department Public Works

Title

Discussion of the proposed sidewalks included in the Pleasant Run Road reconstruction project

Strategic Plan

1.1 Actively involve and engage stakeholders

Explanation

In an effort to improve the condition of the public infrastructure, the City is in the process of reconstructing a portion of Pleasant Run Road. This construction project includes upsizing of an existing 6-inch water line, extension of a sanitary sewer line, improvements to the sanitary sewer service to the soccer field concession stand, the installation of a ribbon curb, along with the rehabilitation of the existing asphalt roadway, and an 8-foot trail along the east side of Pleasant Run Road and a 5-foot sidewalk along the west side of Pleasant Run Road from L.D. Lockett, up to the existing sidewalk at the roundabout on John McCain Road.

The construction contract was awarded to the contractor, North Texas Contracting, Inc. with a total bid amount of \$4,938,170.50 on June 6, 2017 by Resolution R-17-4141, attached for reference. In order to provide information to the public and to the adjacent properties, the City hosted a public meeting to discuss the details of the project and introduce the contractor to the community, (presentation attached for reference). This public meeting was held on June 21, 2017 at the Colleyville Public Library. There were 13 properties represented and approximately 19 people in attendance.

During the public meeting, residents inquired about the sidewalk that is proposed to be added in the western parkway. Some residents expressed an interest in removing that element from the project and others stated the desire to have that included. Following the public meeting the City received correspondence from several residents via a form letter, which states their objection to the proposed sidewalk. The submitted documents are attached for reference.

If the City chooses to remove this amenity from the project, the City would experience a reduction to the overall project cost of approximately \$124,100. The costs savings would be the result of not having to construct the sidewalk, the associated ADA ramps, pedestrian railing, and a box culvert that would be needed to accommodate the sidewalk.

Attachments

1. Proposed Sidewalk in the Pleasant Run Road Project Presentation
2. Resolution R-17-4141
3. Public Meeting Presentation
4. Citizen Correspondence

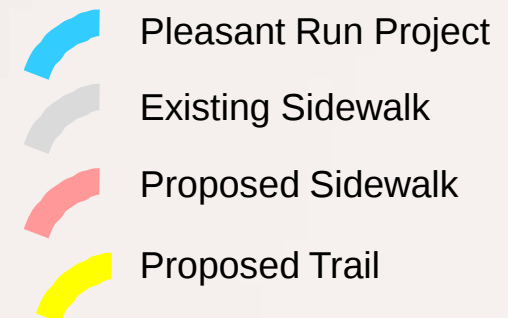
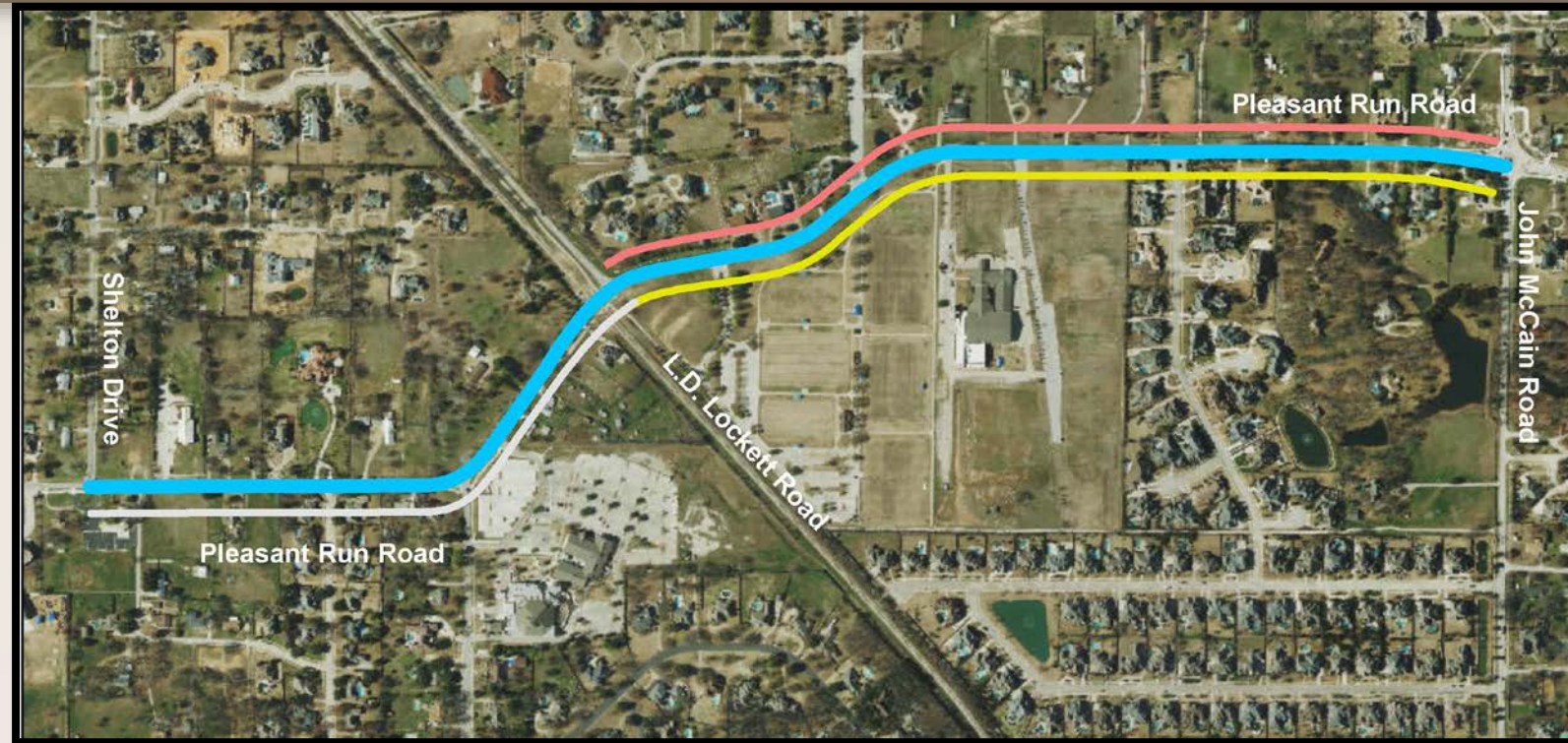
Proposed sidewalk in the Pleasant Run Road Project

**City Council Worksession
July 11, 2017**

Pleasant Run Road Project



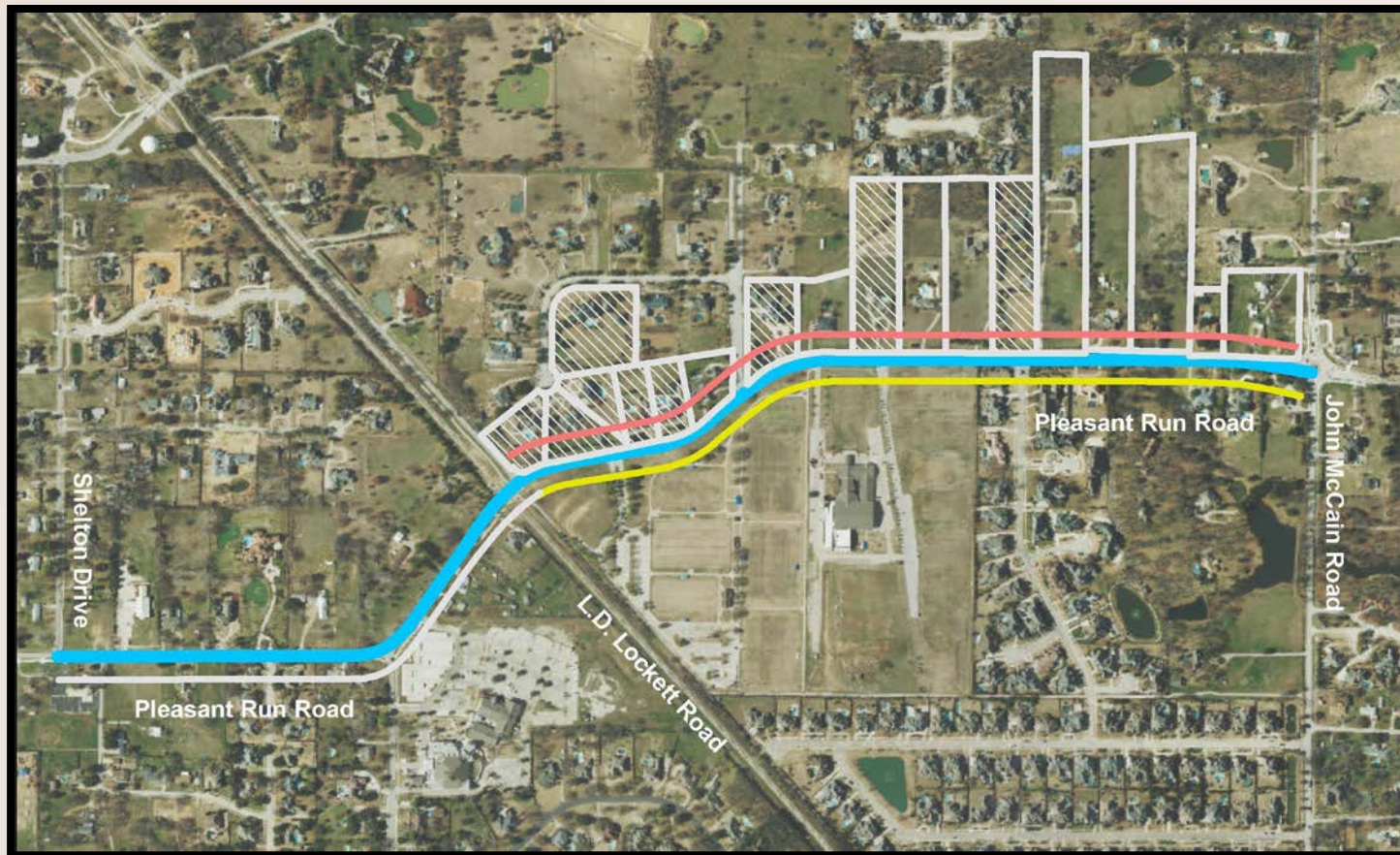
- **Project Includes**
 - Reconstruction of the road
 - New utilities
 - Trail on the east
 - Sidewalk on the west
- **Construction Contract**
 - Approved on June 6, 2017
- **Public Meeting**
 - Held on June 21, 2017
 - A total of 19 attendees which represented 13 properties
- **Construction**
 - Project construction began July 5, 2017
 - Construction is expected to take nine months to complete



Citizen Request



- **Citizen request received**
 - The City received a request from nine (9) different property owners requesting to eliminate the sidewalk from the western parkway



DATE: JUNE 21, 2017
TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: Teal Powell [Name]
6400 Cutter Ridge Ct. [Address]
COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

☒ We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

☒ We object to this planned 5-ft sidewalk, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

- ☒ Safety/privacy concerns over increased pedestrian traffic near my property.
- ☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.
- ☒ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.

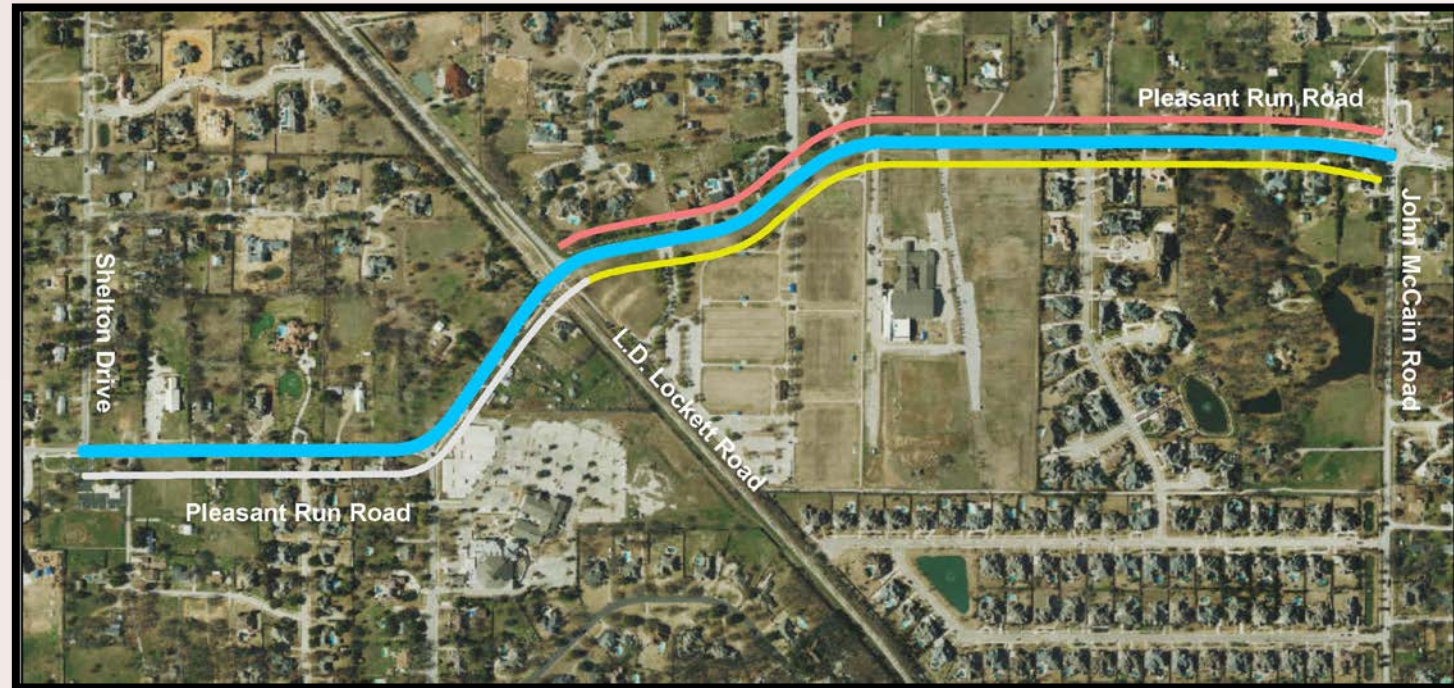
☒ Other: the park is right across the street — great place for a paved trail (sidewalk).

[Signature]

Options



- The project is currently progressing as originally designed with the sidewalk located between L.D. Lockett Road and John McCain Road
- If the City preferred, the sidewalk located between L.D. Lockett Road and John McCain Road, could be removed from the project
 - The removal of this amenity from the project would result in a reduction to the overall project cost by approximately \$124,100.
 - The cost to add this section of sidewalk at a later time, once the project has been completed, will likely exceed the cost of performing the construction with the current project due to economies of scale



Questions and Discussion

RESOLUTION R-17-4141

A RESOLUTION APPROVING A CONSTRUCTION CONTRACT WITH NORTH TEXAS CONTRACTING, INC., FOR THE PLEASANT RUN ROAD PROJECT (SHELTON DRIVE TO JOHN MCCAIN ROAD), IN AN AMOUNT NOT TO EXCEED \$4,938,170.50, WHICH INCLUDES A \$600,000 CONTINGENCY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT AND ANY ASSOCIATED CHANGE ORDERS UNDER \$50,000

WHEREAS, the Colleyville City Council is committed to the best interests of the health, safety, and welfare of the citizens of Colleyville; and

WHEREAS, the Colleyville City Council adopted Resolution R-16-4037 on September 20, 2016, approving a Comprehensive Five-Year Capital Improvement Program for Fiscal Years 2017-2021; and

WHEREAS, the construction of Pleasant Run Road (Shelton Drive to John McCain Road) was included in the Comprehensive Five-Year Capital Improvement Program for Fiscal Year 2017.

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

- Sec. 1. THAT all matters stated above are found to be true and correct and are incorporated herein by reference as if copied in their entirety.
- Sec. 2. THAT the City Council hereby approves the construction contract with North Texas Contracting, Inc., for the Pleasant Run Road Project (Shelton Drive to John McCain Road), depicted as Exhibit "A."
- Sec. 3. THAT the city manager is hereby authorized to execute the construction contract and any associated change orders under \$50,000.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 7 AYES, 0 NAYS, AND 0 ABSTENTIONS
ON THIS THE 6TH DAY OF JUNE 2017.

Mayor Richard Newton
Place 1, Tammy Nakamura
Place 4, George Dodson
Place 6, Mike Taylor

Aye
Aye
Aye
Aye

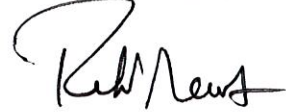
Mayor Pro Tem Bobby Lindamood
Place 3, Kathy Wheat
Place 5, Nancy Coplen

Aye
Aye
Aye

ATTEST:

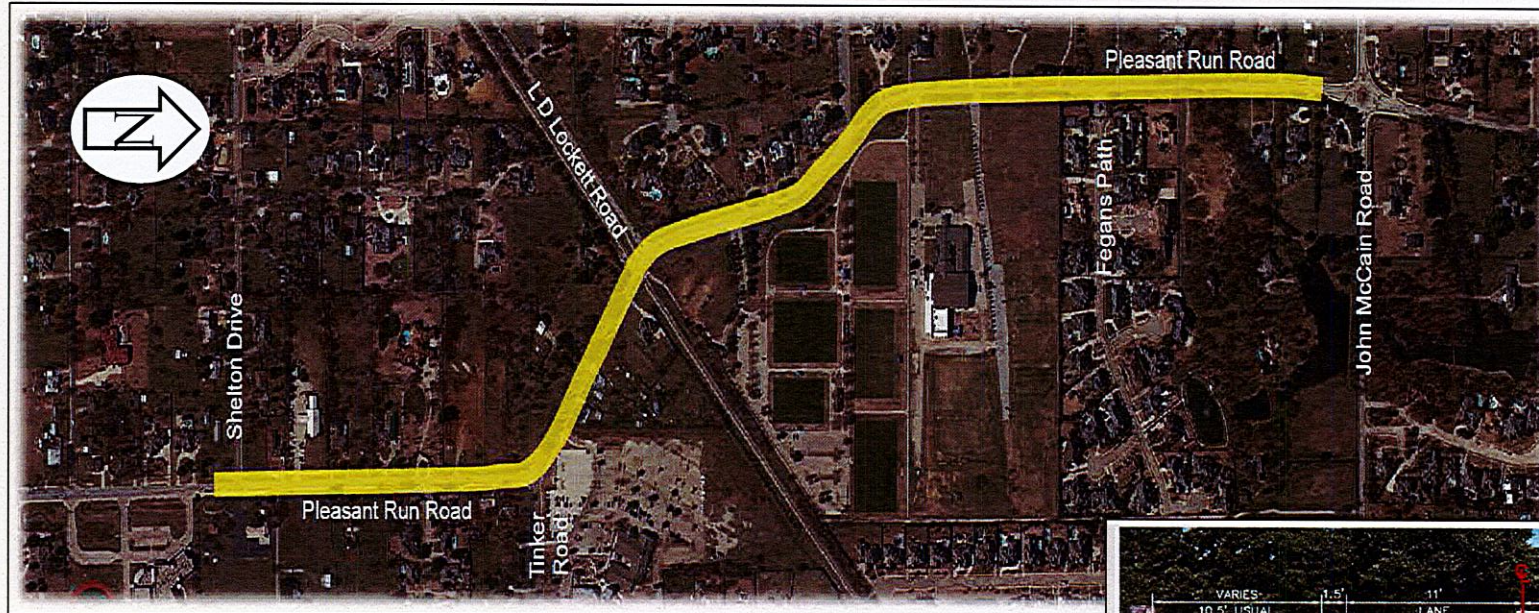

Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE

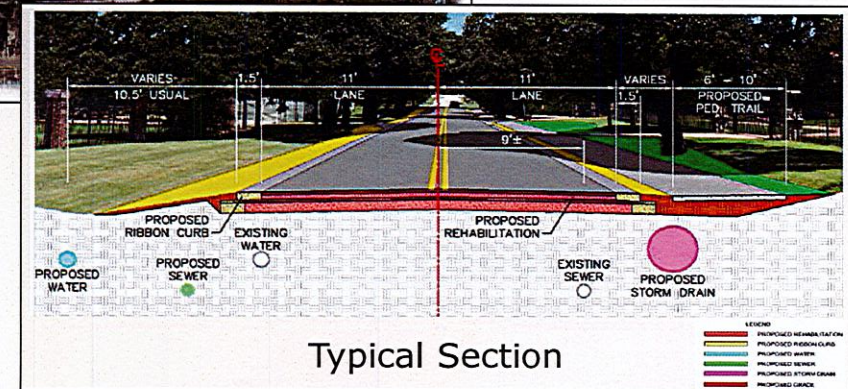

Richard Newton
Mayor

Pleasant Run Road

Exhibit A



Location Map



Typical Section

Pleasant Run Road

Shelton Drive to John McCain Road

Public Meeting
June 21, 2017

Presentation Format



- Project scope
- The Project Team
- Construction timeline
- What to expect
- Communication
- Questions



The Project Team

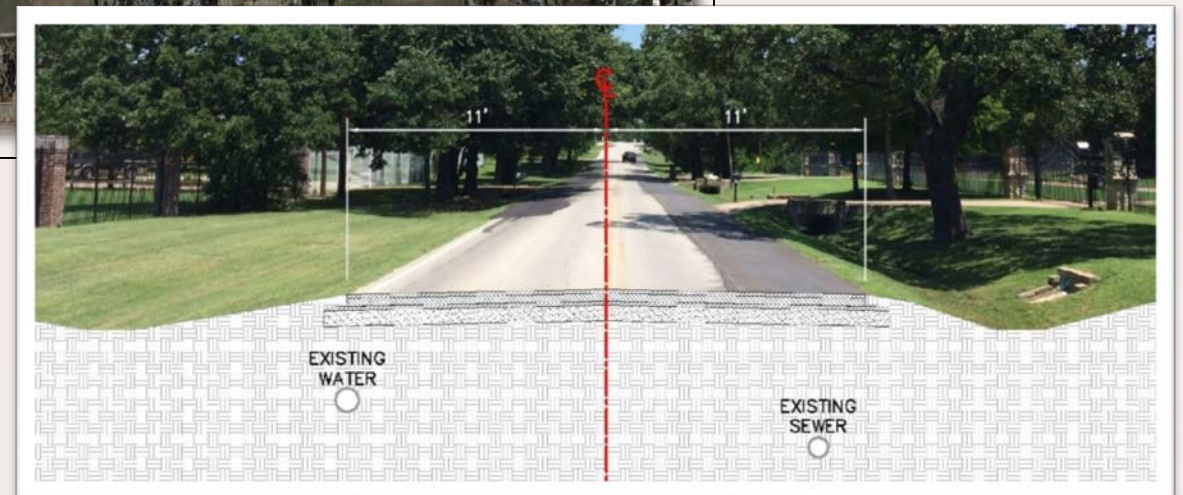


NORTH TEXAS
CONTRACTING

Pleasant Run Road - existing

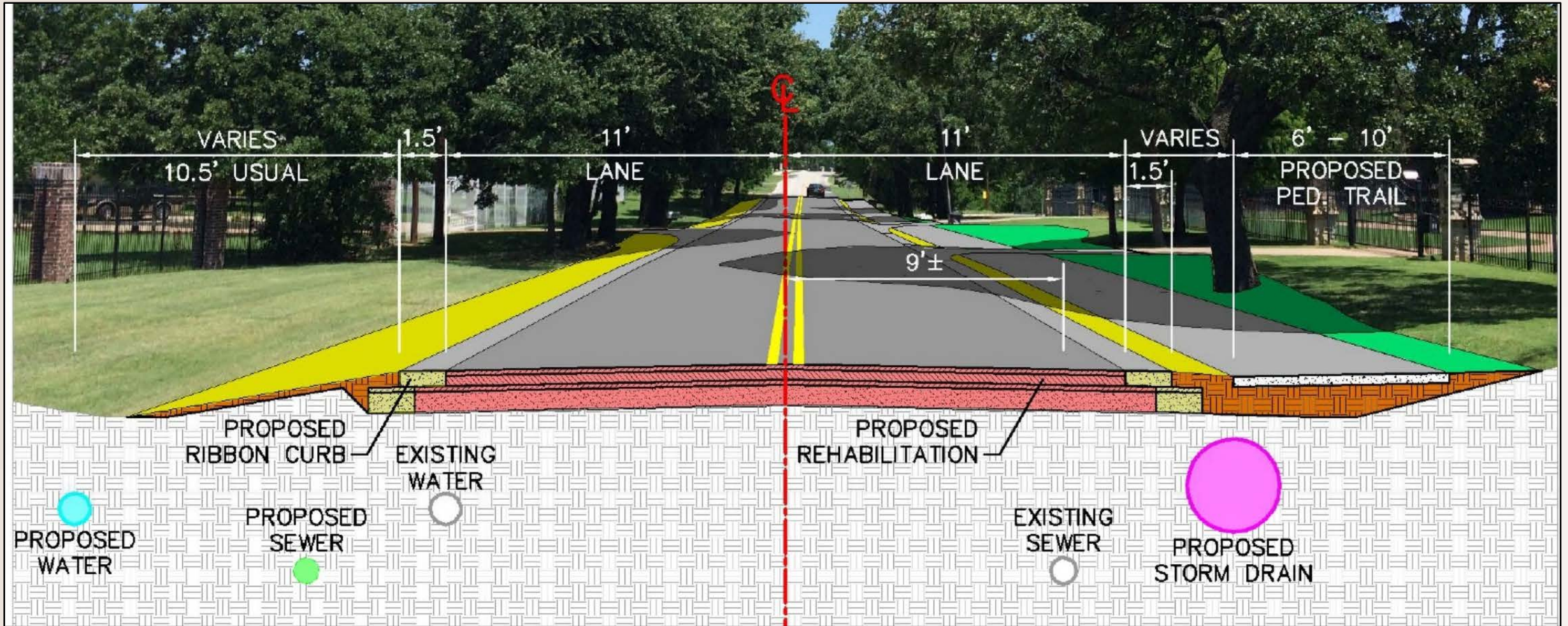


Location Map



Existing Cross Section (typ.)

Pleasant Run Road - proposed



Proposed Cross Section (typ.)

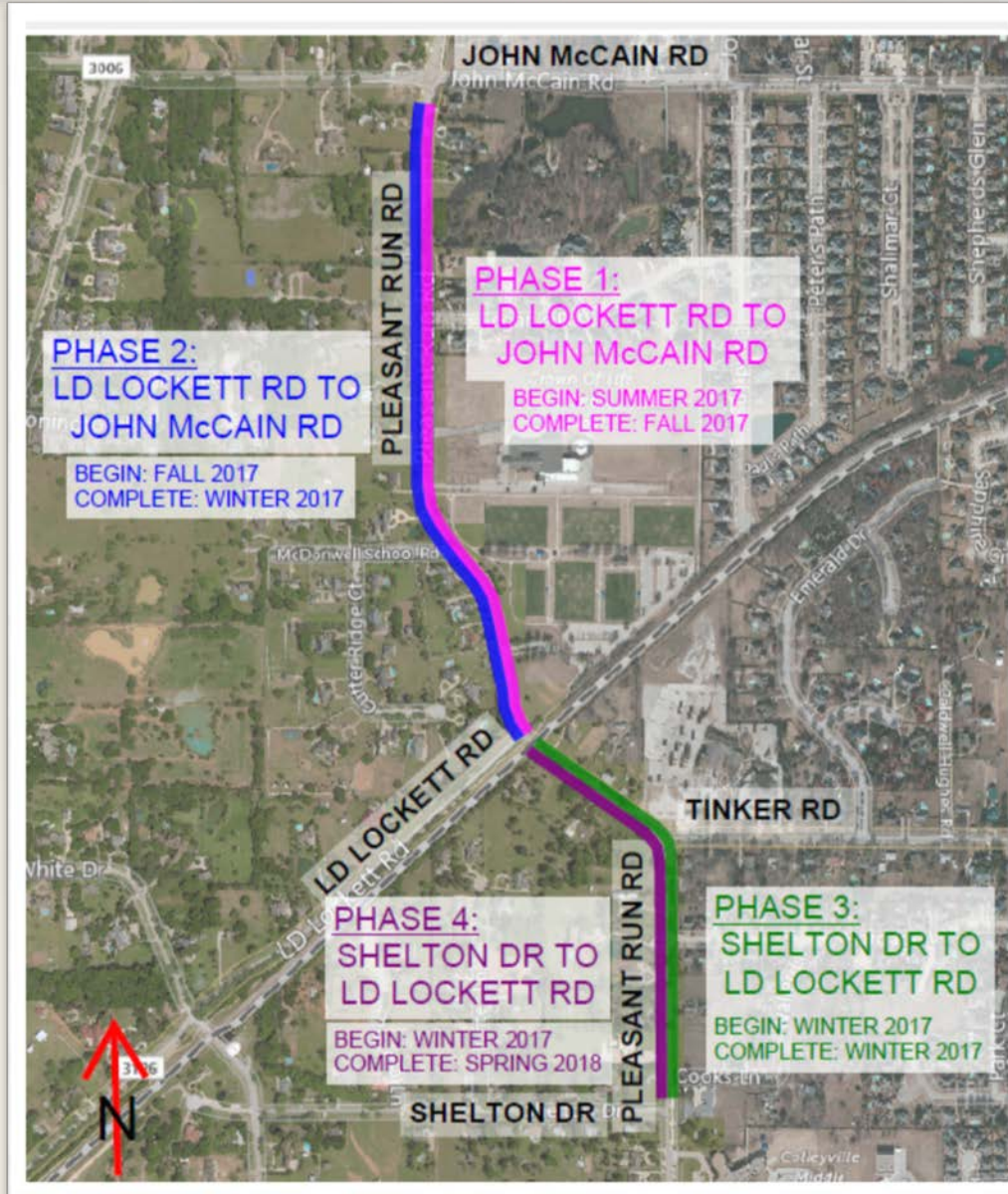
Construction Sequencing



Phases 1 & 2

L.D. Lockett Road to John McCain Road

Anticipate –approx. 3 months per phase



Phases 3 & 4

Shelton Drive to L.D. Lockett Road

Anticipate –approx. 2 months per phase

Project Timeline



Week of June 19, 2017 – this week

- Locate existing utilities, right of way staking, electronic message boards

July 5, 2017

- Begin construction - utility installation north of L.D.Lockett to John McCain



Project Timeline



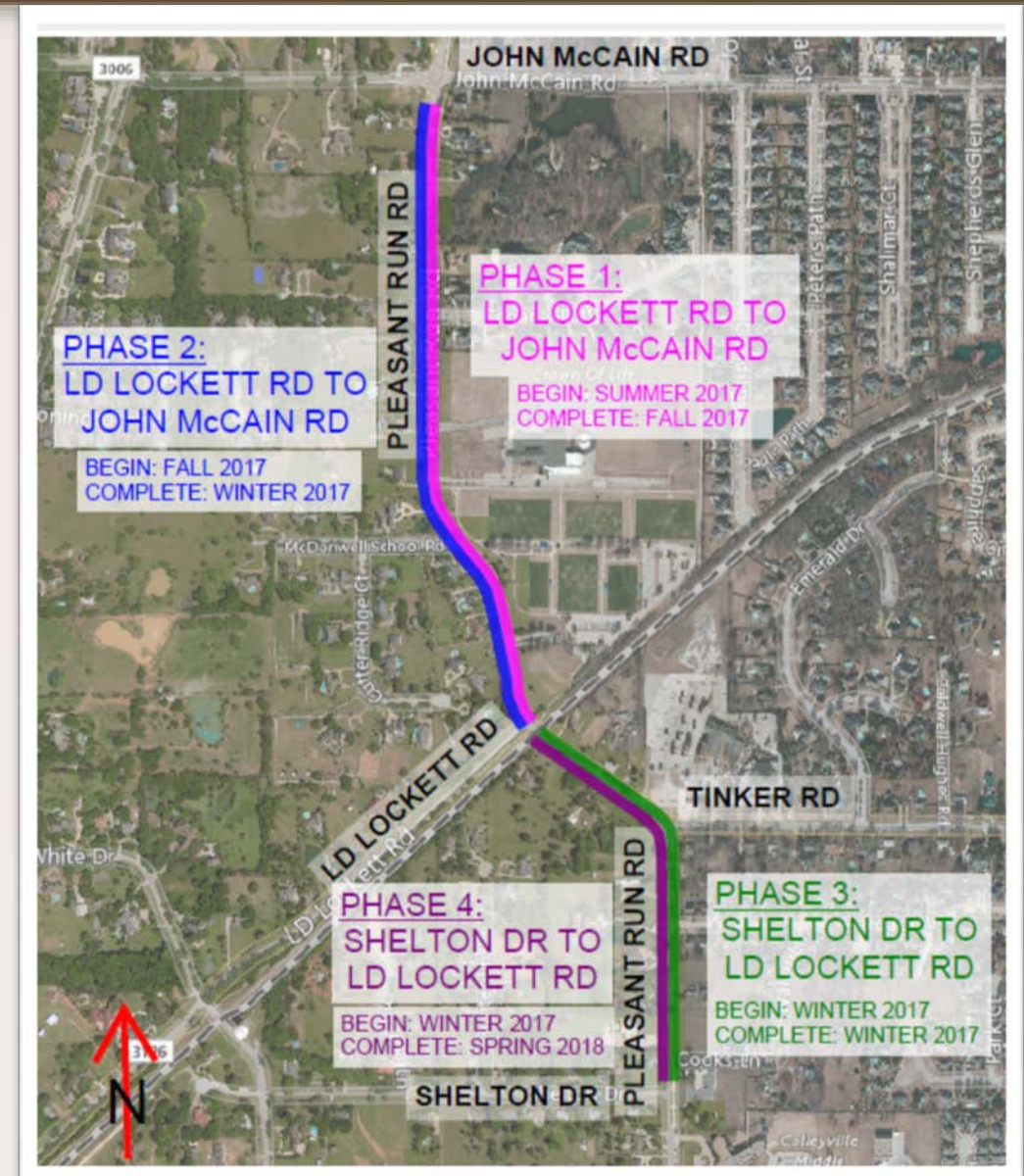
North of L.D. Lockett Road

Phase 1 - August (Anticipated)

- Traffic detour between L.D. Lockett Road and John McCain Road (approx. 2-3 months)

Phase 2 - October (Anticipated)

- Shift traffic to the newly constructed road while contractor constructs the other side (approx. 2 months)



Project Timeline (cont'd)



South of L.D. Lockett Road

Phase 3 - December (Anticipated)

- Traffic detour between Beverly Drive and L.D. Lockett Road (approx. 2 months)

Phase 4 - February (Anticipated)

- Shift traffic to the newly constructed road while contractor constructs the other side (approx. 2 months)



Project Timeline (cont'd)

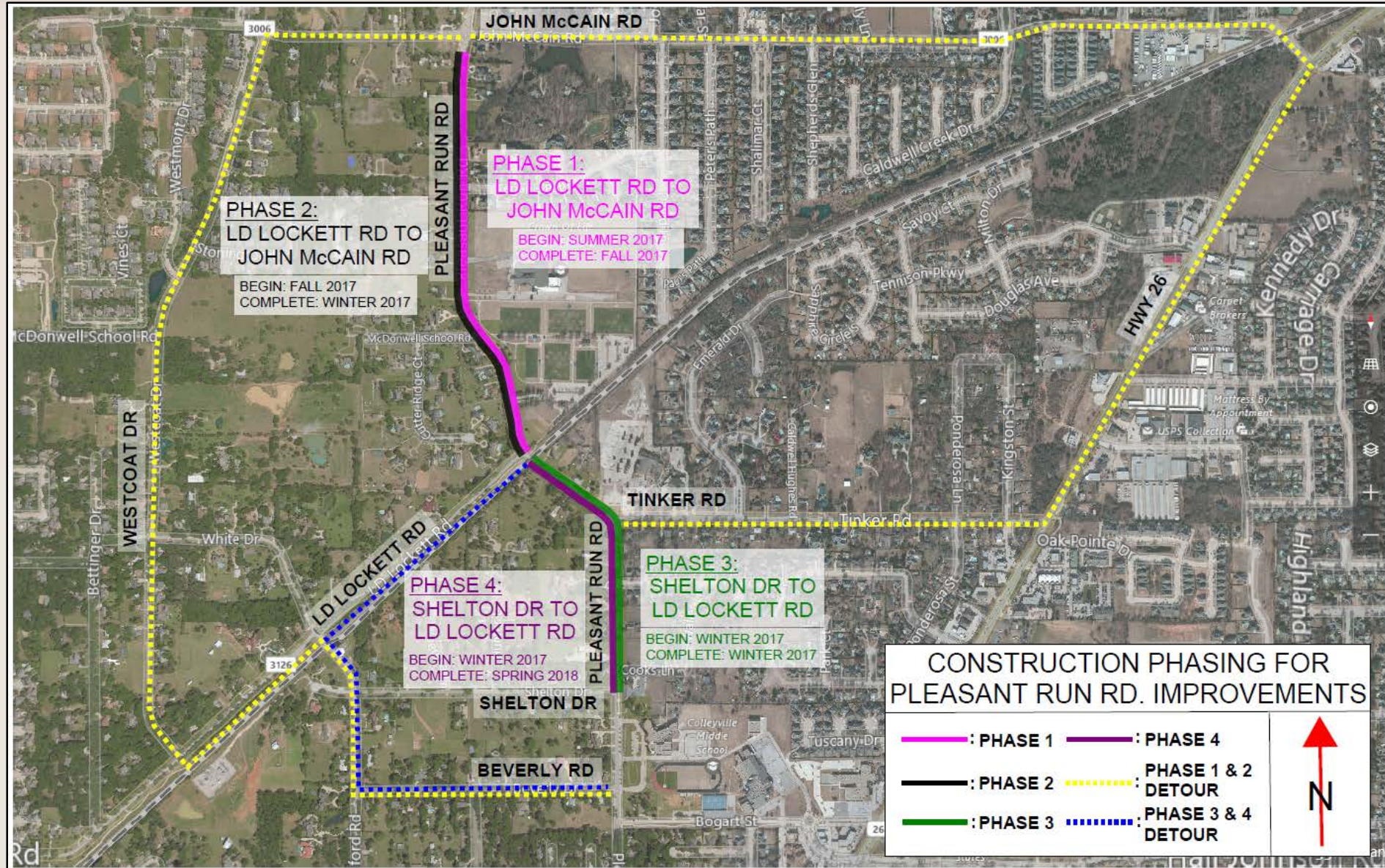


Spring 2018

- Clean-up and completion of project



Phasing Detours



Safety

For your safety

- Message Boards
- Construction Zones
- Be Alert



What to expect during construction



- Working hours 7:00 a.m. – 6:00 p.m., Monday - Saturday
- Flaggers will direct traffic, as needed
- ***Detours planned***
- Access to driveways and neighborhoods will be maintained during construction; however, delays should be expected during working hours
- Normal trash pickup and recycling, mail service and school bus routes
- Clean-up



Review



Next 2 weeks

- Mobilize equipment, locate utilities, right of way staking, electronic message boards

July 5, 2017

- Begin north of L.D. Lockett

December 2017

- Begin south of L.D. Lockett

Spring 2018

- Completion



Communication



- **City staff on-site**
 - o Phone and email
- **Project webpage**
 - o www.Colleyville.com
- **Colleyville E-news**
 - o subscribe@Colleyville.com

The screenshot shows the City of Colleyville website. At the top is a banner image of a park with a pond and trees, with the "CITY OF COLLEYVILLE" logo in the top right corner. Below the banner is a navigation bar with links: HOME, CITIZENS, BUSINESS, VISITORS, GOVERNMENT, DEPARTMENTS, and ABOUT US. A search bar is located on the left side of the page. The main content area features a sidebar on the left with two promotional images: "COLLEYVILLE PUBLIC LIBRARY Summer 2017" and "COLLEYVILLE PARKS & RECREATION Recreation Sensation Summer 2017". The main content area displays the "Public Works Project: Pleasant Run" page. The page includes a table with project details.

Public Works Project: Pleasant Run	
Location	Pleasant Run Road (Shelton Drive to John McCain Road)
Project Information	The project will consist of rebuilding the road with the addition of ribbon curb, sidewalks and trails, upsizing of the existing water line, the addition of sanitary sewer, and improvements to the drainage system along the corridor.
Construction Start Date	July 2017
Completion Date	Spring 2018
Current Activity	Contractor will mobilize into the area the first part of July.
Upcoming Closures/Detours	No closures or detours are scheduled at this time.
Estimated Cost	\$4.9 M
Funding Source	Street Capital Projects Fund, Utility Fund, Water Impact Fees, Perimeter Street and Sidewalk fees, and Colleyville Economic Development Corporation Funds
Project Manager	Oscar Chavez Project Engineer ochavez@colleyville.com 817.503.1106

Last Update: June 20, 2017

At the bottom of the page is a footer with the City of Colleyville logo and contact information: "City of Colleyville | 100 Main Street, Colleyville, Texas 76034 | 817-503-1000 | [Contact the city](#)"

Questions



Craig Knight, Construction Manager

817.503.1093

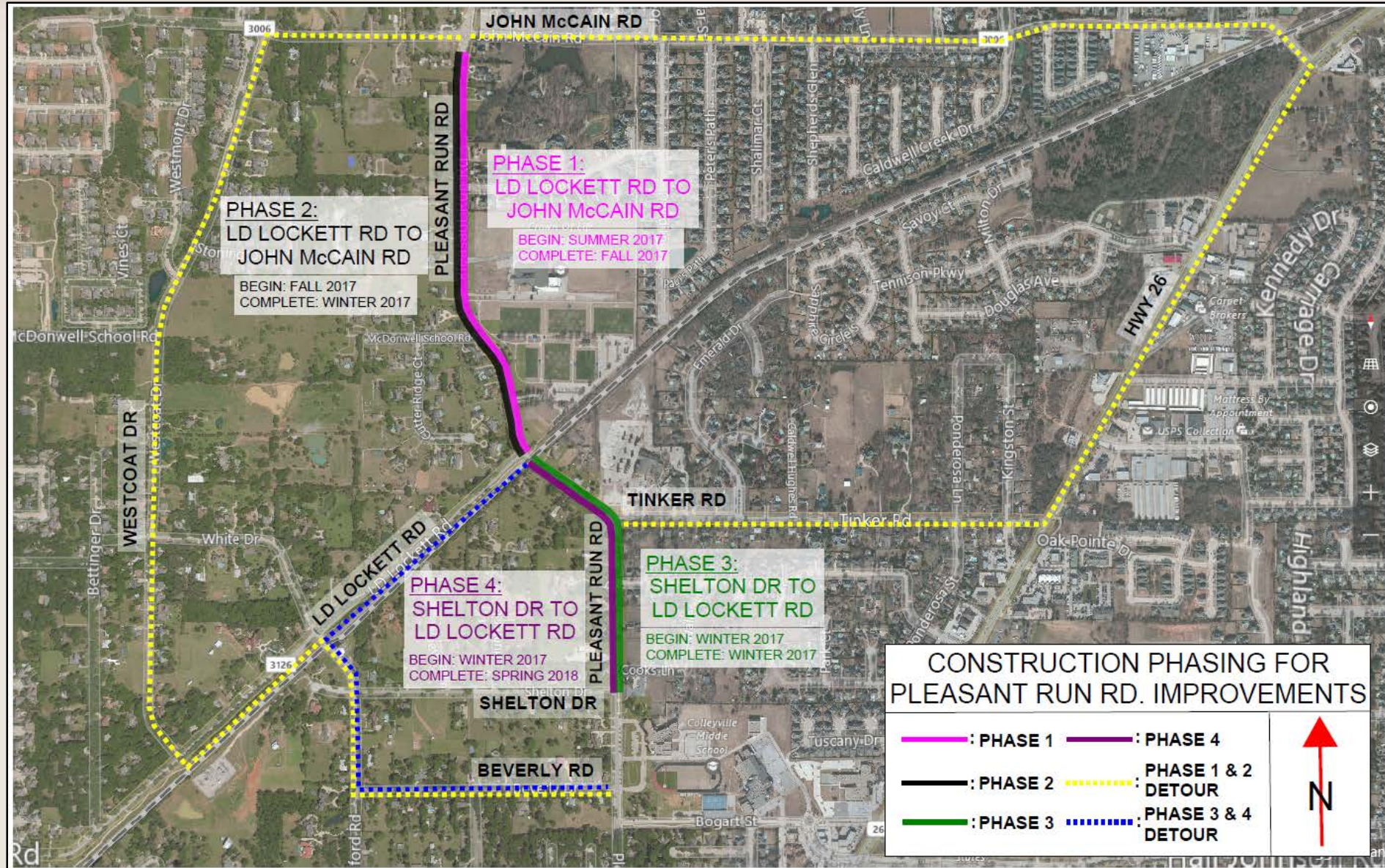
cknight@Colleyville.com

Engineering Division Office

817.503.1090



Phasing Detours



Citizen Correspondence

Jason Worley

From: Jason Worley
Sent: Friday, June 23, 2017 12:19 PM
To: 'newton@colleyville.com'; 'blindamood@colleyville.com'; 'tnakamura@colleyville.com'; 'kwheat@colleyville.com'; 'gdodson@colleyville.com'; 'ncoplen@colleyville.com'; 'mtaylor@colleyville.com'; 'cknight@colleyville.com'; 'mwood@colleyville.com'; 'ctaylor@colleyville.com'; 'jhutt@colleyville.com'; 'ochavez@colleyville.com'; 'mnorton@colleyville.com'
Subject: request to reconsider/remove new 5ft sidewalk, west side of Pleasant Run Rd rebuild (between LD Lockett and John McCain)
Attachments: pleasant_run_sidewalk_map_zoomed.png; pleasant_run_5ft_sidewalk_objections_signed.pdf

Mayor, Members of Colleyville City Council, and City Engineers and Planners:

On June 21, 2017 6pm, the City held a public meeting at the City Library, to unveil detailed plans for the Pleasant Run Rd reconstruction project.

Thank you for the proactive engagement with the public on these topics.

The plans presently include an 8-ft trail/sidewalk on the east side of the street section, and a 5-ft sidewalk on the west side of the street section.

Please find attached a letter signed by the majority of the homeowners that own the land immediately adjacent to the west side of Pleasant Run Rd, between LD Lockett and John McCain.

These nine homeowners do not wish to have the 5-foot sidewalk installed on the west side of Pleasant Run, for reasons explained in the attached letter and signed statements.

The primary concerns expressed include:

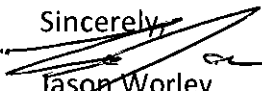
- Privacy, security and safety concerns
- Drainage and water runoff/absorption concerns. This 5-ft sidewalk section adds at least 0.4 acres of non-permeable concrete to an already drainage-challenged area. There is standing water along this part of Pleasant Run for days after significant rainfall.
- Tax dollars could be better used elsewhere. The planners indicated as much as \$200,000 for the sidewalks on this project.

We were unable to contact the remaining seven homeowners in the 24 hours following the meeting, and since construction is scheduled to begin July 5, we have acted quickly to communicate our position.

Thank you for your consideration, and your willingness to hear from and work with the residents.

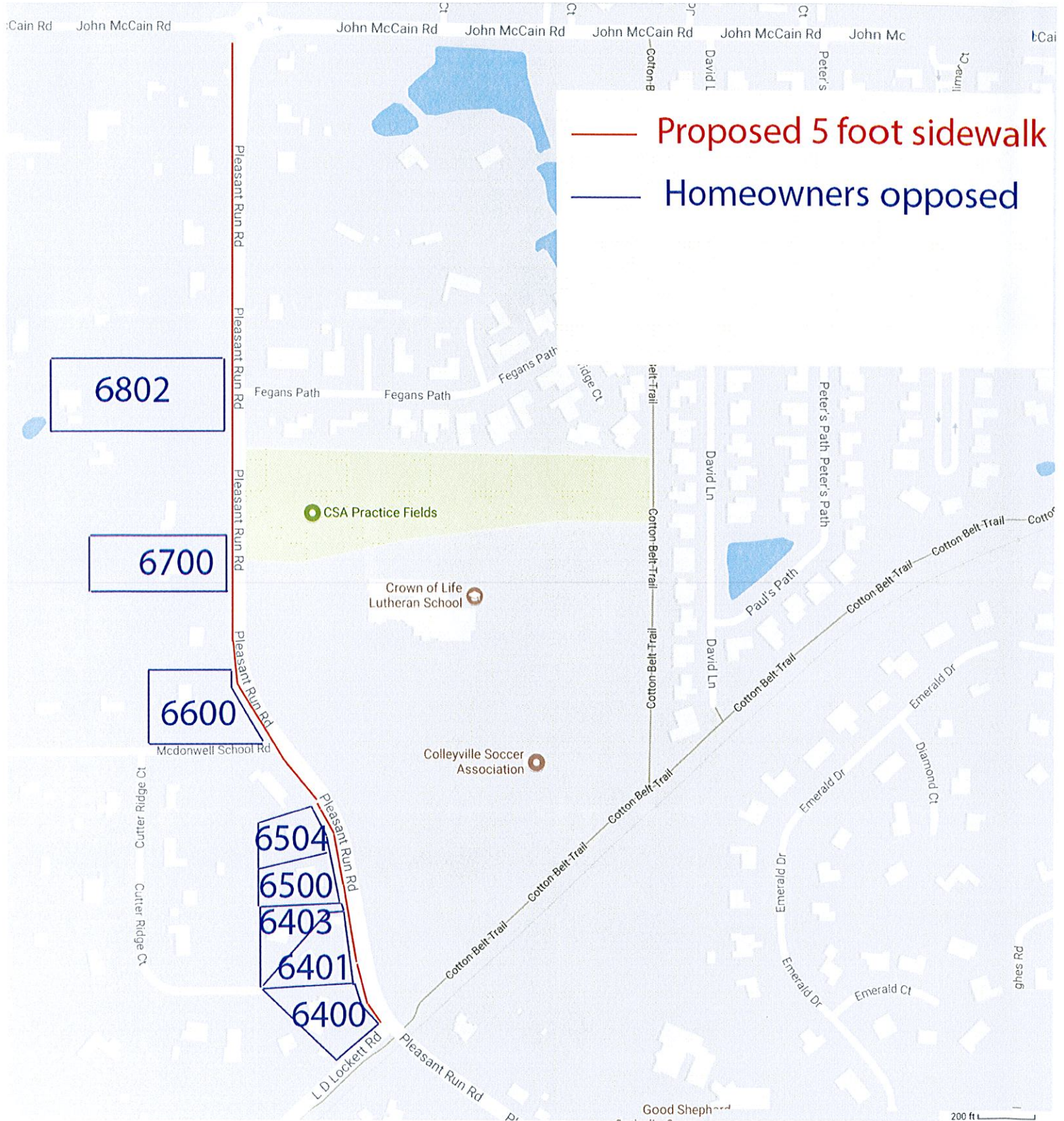
We ask that you please remove the 5-ft sidewalk from the Pleasant Run Rd reconstruction plan.

Sincerely,


Jason Worley

6401 CUTTER RIDGE CT,
COLLEYVILLE, TX 76034

Citizen Correspondence



Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: Archie & Beth Hughes [Name]
6500 Pleasant Run Rd [Address]
COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

I / We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

I / We **object to this planned 5-ft sidewalk**, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

- ☒ Safety/privacy concerns over increased pedestrian traffic near my property.
- ☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.
- ☒ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.

[] Other: _____

Sincerely,

Archie Hughes

Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: Ted Powell [Name]

6400 Cutter Ridge Ct. [Address]
COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

☒ We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

☒ We **object to this planned 5-ft sidewalk**, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

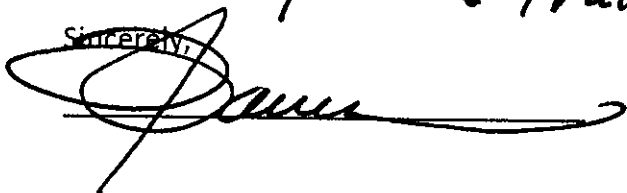
☒ Safety/privacy concerns over increased pedestrian traffic near my property.

☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.

☒ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.

☒ Other: the park is right across the
street — great place for a
paved trail (sidewalk).

Sincerely,



Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: Laura Powell [Name]
6400 Cutter Ridge Ct [Address]
COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

① We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

① We object to this planned 5-ft sidewalk, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

☒ Safety/privacy concerns over increased pedestrian traffic near my property.

☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.

☒ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.

☒ Other: continue the sidewalk on the side of the park. We don't see any point in tearing up home owners properties

Sincerely,

Laura Powell

Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: Jim & Ashley Leigh [Name]
6504 Pleasant Run Rd. [Address]
COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

I / We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

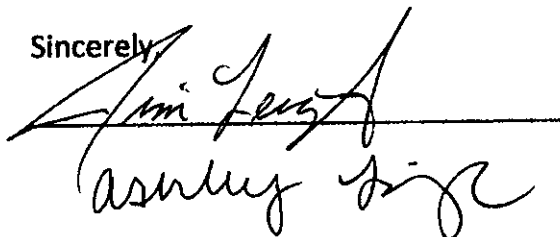
We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

I ☒ We object to this planned 5-ft sidewalk, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

- ☒ Safety/privacy concerns over increased pedestrian traffic near my property.
- ☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.
- ☒ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.

☐ Other: _____

Sincerely,


Jim Leigh

Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: Chris and Kerin Cantarella

6600 Pleasant Run Rd
COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

I / We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

I / We **object to this planned 5-ft sidewalk**, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

- [X] Safety/privacy concerns over increased pedestrian traffic near my property.
- [X] Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.
- [X] Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.
- [X] Other: it will ruin the entry to our property on Pleasant Run as we have a very expensive entry way that has been part of our property since our home was built. It would lessen the value of our home.

Citizen Correspondence

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Cantarella".A handwritten signature in cursive script, appearing to read "Kerin Cantarella".

Chris Cantarella & Kerin Cantarella

Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: HAROLD LEDBETTER [Name]

6700 PLEASANT RUN RD [Address]
COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

I / We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

I / We **object to this planned 5-ft sidewalk**, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

- ☐ Safety/privacy concerns over increased pedestrian traffic near my property.
- ☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.
- ☒ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.

☐ Other: _____

Sincerely,


Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: Bob M Lormack [Name]

6402 Pleasant Run Rd [Address]

COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

I / We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

I / We **object to this planned 5-ft sidewalk**, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

- ☐ Safety/privacy concerns over increased pedestrian traffic near my property.
- ☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.
- ☐ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.
- ☐ Other: _____

Sincerely,

Bob M Lormack

Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: LAWRENCE + DEBRA WORLEY [Name]
6401 CUTTER RIDGE CT, [Address]
COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

I / We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

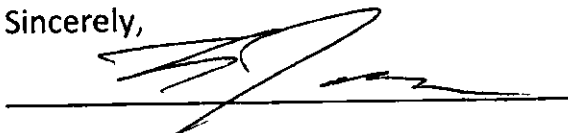
We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

I / We **object to this planned 5-ft sidewalk**, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

- ☒ Safety/privacy concerns over increased pedestrian traffic near my property.
- ☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.
- ☒ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.

☐ Other: _____

Sincerely,



Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: Felix and Amy Alcantara [Name]

6403 Cutter Ridge Ct [Address]

COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

I / We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

I / We **object to this planned 5-ft sidewalk**, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

- ☒ Safety/privacy concerns over increased pedestrian traffic near my property.
- ☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.
- ☒ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.

☐ Other: _____

Sincerely,



Citizen Correspondence

DATE: JUNE 21, 2017

TO: MAYOR OF COLLEYVILLE, CITY COUNCIL MEMBERS, CITY MANAGER

FROM: Ted & Laurie Benesh [Name]
6405 Cutter Ridge Ct. [Address]
COLLEYVILLE, TX 76034

RE: PROPOSED 5-FT SIDEWALK ON WEST SIDE OF PLEASANT RUN RD

I / We own the property referenced above, which is directly adjacent to Pleasant Run Rd, north of L.D. Lockett.

We have been made aware of a planned 5-ft pedestrian sidewalk that would be parallel to Pleasant Run Rd, which would encourage foot traffic on or near our property line.

I / We object to this planned 5-ft sidewalk, and ask that you please remove it from the Pleasant Run Road reconstruction plan, for the following reason(s):

- ☒ Safety/privacy concerns over increased pedestrian traffic near my property.
- ☒ Drainage and runoff concerns due to increased impermeable surface, in an already drainage-challenged area.
- ☒ Waste of my taxpayer dollars. There is a proposed 8-ft pedestrian trail planned on the other side of Pleasant Run Rd that will accommodate foot traffic and bicycles.
- ☐ Other: _____

Sincerely,

Ted W. Benesh
Laurie Benesh



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-4

Agenda Date 07/11/2017

Type Worksession

Department City Secretary

Title

Discussion of the July 11, 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 07/11/2017

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 attorney regarding pending AG Opinion Request KP-0164 (municipal tree preservation)

Section 551.071 - Legal - Consultation with City Attorney regarding litigation - Lincoln et al v. City of Colleyville and Notice of Claim from Estate of Brandon Heep

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

a. Glade Road Phase 1B and 2A Property Acquisition Update

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-17-4148

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF
JULY 11, 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 11TH DAY OF JULY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Nancy Coplen	_____
Place 6, Mike Taylor	_____		

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 07/11/2017

Type Announcements, Proclamations, and Presentations

Department Human Resources

Title

Presentation of the Keep Texas Beautiful Government Environmental Award to the City of Colleyville - Mayor Pro Tem Bobby Lindamood and Parks Manager Heather Dowell

Special recognition provided by Ava Fryer to Sergeant Kevin Walling

Recognition of employees' years of service

Recognition of employee achievements

Attachments

1. Employees' years of service recognition

Employee Recognition – Years of Service Fiscal Year 2017 – Third Quarter

1 YEAR

David Alexander
Community Development

Araceli Botello
Community Development

Julie Prewitt
Recreation

Lorena Manriquez
Municipal Court

Lourdes McWithey
Library

Brent Wilson
Fire

Tanya Wilson
Community Development

5 YEARS

Joe Campbell
Police

James Hubbard
City Manager's Office

Ricardo Valdez
Public Works

10 YEARS

Jeremy Lewis
Fire

Jean Monahan
Library

Dana Underwood
Public Works

Terrance Wisdon
Fire

Employee Recognition – Years of Service Fiscal Year 2017 – Third Quarter

20 YEARS

Ron McFadden
Police

Robert Simpson
Fire

Craig Terrell
Police

RESOLUTION R-17-4149

A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF JULY 11, 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 June 13, 2017 City Council Worksession
 - b. Approval of the minutes of the regular City Council meeting of June 20, 2017
 - c. Approval of the minutes of the June 27, 2017 City Council Worksession
 - d. Approval of the purchase of 1,008 Neptune water meters, ranging in size from $\frac{3}{4}$ " to 2", from HD Supply Waterworks, through an Interlocal Agreement with the City of Grapevine, in an amount not to exceed \$87,000, and authorize the city manager to execute the purchase agreement
 - e. Authorizing creation of an employee benefits trust, authorizing the trust agreement, appointing trustees, and authorizing the trust to purchase various forms of insurance for the benefit of City officers, employees, qualified retirees, and their dependents
 - f. Approval of bid awards for medical insurance to Blue Cross Blue Shield of Texas and dental insurance to CIGNA Dental; and renewal of a contract for the employee assistance program with Alliance Work Partners, and authorize the city manager to execute the agreements

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF __ AYES, __ NAYS, AND __ ABSTENTIONS ON
THIS THE 11TH DAY OF JULY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Nancy Coplen	_____
Place 6, Mike Taylor	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville

City Council Worksession

Minutes - Draft

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

Tuesday, June 13, 2017

Mayor Richard Newton called the Colleyville City Council Worksession to order on Tuesday, June 13, 2017, at 6:03 p.m.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor.

Acting City Manager/Director of Public Safety Mike Holder, Interim Assistant City Manager and Executive Director of Economic Development and Communications Mark Wood, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Chief Financial Officer Shereen Gendy, Human Resources Director Rachel Huitt, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Community Development Director Ben Bryner, Recreation and Library Director Mary Rodne, Recreation/City Events Manager Lisa Escobedo, Colleyville Center Manager Leslie Hill, Accounting Manager Karen Hines, SH26 Coordinator James Hubbard, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, and Assistant City Secretary Christine Loven.

2. PRESENTATION AND DISCUSSION

2a Presentation and discussion of the annual budget

Strategic Services Manager Adrienne Lothery presented the overview of the fiscal 2018 preliminary operating annual budget and department directors presented line item reviews. Both answered questions of the City Council.

Mayor Pro Tem Lindamood asked staff if City Manager Jerry Ducay had seen the proposed budget. Manager Lothery replied City Manager Ducay has received all agenda packets.

Councilmember Coplen asked staff what happens to unspent funds. Manager Lothery replied the revenue funds, above the expenditures, are usually moved to the capital fund. She further explained unspent contingency funds are used for a one time expenditure in the current year.

Councilmember Coplen asked staff where the hotel occupancy tax (HOT) is reflected. Manager Lothery replied the HOT is a separate fund and not reflected in the operating budget.

Manager Lothery provided preliminary figures for property appraisals, tax collection, and tax rate.

Manager Lothery presented the City Council budget.

Councilmember Dodson asked staff if all of the items in the Council Expenses category are used, noting he is asking if Council generally attends the items listed such as TML meetings, the Education Foundation, and ICSC. Manager Lothery replied the history is not all Councilmembers attend all events, but the budget proposed is based on historical usage.

Councilmember Nakamura asked staff if each department budget is increased by line item or by a total. Manager Lothery replied by line item, and explained the software does not allow a side-by-side comparison from year to year, that is why the line items reflect the changes. Mayor Newton added this is why the presentation is organized and presented by the chart of accounts.

In reviewing the City Manager's Office (CMO) budget, Manager Lothery noted the SH26 Coordinator position was moved from the Capital Projects Fund to the operating budget.

Councilmember Dodson asked staff if IT is shown under contractual or in a specific area. Manager Lothery replied for the most part, IT related items are shown in the IT budget, however, there are some IT/technology expenses in other budgets.

Councilmember Coplen asked staff if there is a projected increase in insurance and accrued leave pay. Director Huitt replied there is not a huge increase projected, however, the committee will be reviewing the consultant's recommendations next week to bring before the City Council in July.

There was a brief discussion regarding benefits. Director Huitt and Mayor Newton noted there will be further discussion and review of the benefits, outside of the budget worksession.

Mayor Pro Tem Lindamood asked staff if there have been salary savings. Manager Lothery replied there are typically savings due to vacant positions. These anticipated savings are accounted for in all department budgets in the General Fund, so not to budget more for personnel than necessary.

Councilmember Dodson asked staff if longevity pay is programmed for all employees. Manager Lothery replied longevity is based on years of service and is programmed based on the same. Councilmember Dodson stated it is unusual to pay longevity in business.

Community Development Director Ben Bryner gave an overview of the building inspection budget.

Councilmember Coplen asked staff if the inspections overlap with the fire department. Director Bryner stated while the fire department performs different types of inspections, there is daily coordination.

Mayor Pro Tem Lindamood asked staff what the \$5,000 expenditure in the Community Development budget covers. Director Bryner stated the funds are set aside for two or three plan reviews.

Interim Assistant City Manager and Executive Director of Economic Development and Communications Mark Wood presented the economic development budget overview.

Mayor Pro Tem Lindamood asked staff what the DFW Regional Chamber is. Executive Director Wood replied it is comprised of Economic Development Director who meet quarterly and they plan/attend recruiting trips and have an opportunity to highlight their communities to potential clients.

Mayor Pro Tem Lindamood asked what is ColleyvilleEd. Executive Director Wood stated it is a direct web link to the economic development department.

Councilmember Dodson stated he is aware the CloseBuy program is changing and asked why the hosting fee is staying the same. Executive Director Wood replied we are keeping the name, but some of the components will change.

Mayor Newton asked staff how many website hosts are used by the City. Councilmember Taylor asked why there is no central hosting site and stated we need to focus. Councilmember Dodson said all of these items should be under IT. Manager Lothery noted several years ago the City did publish a branding standards manual and for the most part all the departments adhere to the policy. Chief Holder added the budget line item description is misleading as there is one URL, but several names.

Interim Assistant City Manager and Executive Director of Economic Development and Communications Mark Wood presented the overview of the City Secretary's Office budget.

Mayor Newton asked where the off-site records facility is located. Assistant City Secretary Christine Loven replied Dallas.

Mayor Newton recessed the worksession at 7:24 p.m. and reconvened at 7:32 p.m.

Chief Financial Officer Shereen Gendy presented the finance budget. Councilmember Wheat asked staff if we really pay TAD for appraisals and how the rate is determined.

CFO Gendy replied the fee is the net taxable times the number of cities served by TAD and is proportional to households and tax levy.

Mayor Newton stated he would like a copy of the TAD funding structure.

Councilmember Wheat asked Mayor Newton why we pay GCISD \$27,500 for tax collection. Mayor Newton responded this is by choice, as we contract with GCISD to collect the tax and generate the required reports.

Councilmember Wheat asked staff if there would be more modules when the MUNIS software is enhanced. CFO Gendy replied the enhanced modules will be active in the current fiscal year and the money allocated for this line item is for the trainer's time and travel to educate staff on the use of the modules.

Manager Lothery reviewed the legal budget and there were no questions.

Recreation and Library Director Mary Rodne presented the library budget.

Councilmember Coplen asked staff if most of the budget is funded through the voluntary donation fund. Director Rodne stated yes and donations are steady for the most part, but there are times when donations are off.

Councilmember Wheat asked staff if patrons have to pay for a replacement library card. Director Rodne replied yes.

Mayor Pro Tem Lindamood asked staff if new equipment is replacing personnel. Director Rodne replied the line item is the maintenance of equipment, and personnel is not being effected.

Public Works Director Jeremy Hutt presented the engineering budget.

Councilmember Dodson asked staff if there is any comparison to other cities regarding fee recovery and charges. Director Hutt replied a comparison was completed two years ago, and Colleyville is at the higher end of the scale.

Councilmember Nakamura asked staff how we determine the need to spray for mosquitos. Director Hutt stated we have an Integrated Mosquito Management program which is followed, and was updated and approved by City Council last year.

Councilmember Wheat asked staff how citizen concerns and needs were tracked. Director Hutt replied citizens call, use the web portal and staff utilizes Street Save and VueWorks software for tracking and work orders.

Councilmember Dodson asked staff if mosquito spraying services are bid regularly. Director Hutt replied we have current contracts and routinely compare services and costs.

Fire Chief Brian Riley presented the fire department's budget and highlighted the department's desire to move forward with the process of earning Best Practices certification.

Councilmember Nakamura asked staff what is Best Practices. Chief Riley explained it is a process of reviewing all budgets, procedures, and practices and having them reviewed and measured. Chief Holder added it is basically an accreditation program through the Texas Fire Chiefs State program.

Councilmember Wheat asked staff how often the flags are replaced. Chief Riley replied anytime they are in need of replacement. He added the department also receives flags for proper disposal.

Councilmember Wheat asked staff what the life span of an AED battery is. Chief Riley responded approximately five years.

Mayor Newton asked staff who has medical control over the department. Chief Riley replied the City contracted with a new medical director in this fiscal year, who not only has the medical control, but provides continuing education.

Councilmember Coplen asked if the City shares the medical director. Chief Riley responded other departments also contract with him, and he operates out of Baylor-Grapevine.

Councilmember Dodson asked staff why an ambulance and fire truck are sent at the same time. Chief Riley responded it takes too much time to roll a second unit if needed.

Councilmember Nakamura asked how billing works for a citizen. Chief Riley responded the hospital will obtain insurance information and bill the resident for the ambulance services. Currently, there is no balance billing, so if a resident does not have insurance, the City writes off the balance, however, the area cities do balance bill everyone, so if they transport for Colleyville, a bill is sent.

Mayor Newton asked staff what the \$11,000 for NEFDA was for. Chief Riley stated it is for a transfer to the capital account for the purchase of equipment. Mayor Newton asked what NEFDA does. Chief Holder replied NEFDA is the Northeast Fire Department Association which is a consortium of 14 area agencies which can respond to specialty needs, such as a hazardous materials spill.

Councilmember Wheat asked staff if we have a fund when a fire truck needs to be replaced. Manager Lothery replied yes, this is planned for in the Debt Service Fund.

Mayor Newton asked staff what the physical requirements for a firefighter were. Chief Riley stated firefighters and paramedics aged 50 and under undergo a physical every two years and those aged 50 and over, every year.

Assistant Police Chief Robert Hinton presented the police department budget, first noting the animal control department services are not in a three year true up, however, the communications and jail operations are in a true up year.

Councilmember Coplen asked staff if the age of our community is a factor in the low crime rate. Chief Hinton replied he believed the low crime rate was attributable to having an engaged community.

Mayor Newton asked staff if Keller is running efficiently. Chief Hinton replied yes.

Councilmember Taylor asked staff if the Metroport Teen Court budget is included here. Chief Hinton replied, no, Teen Court is in the CCCPD budget.

Chief Mike Holder presented the Parks budget.

Councilmember Dodson asked staff if the irrigation personnel is shared across parks Citywide. Chief Holder replied yes.

Mayor Pro Tem Lindamood asked staff what the term length of the maintenance contracts were. Chief Holder replied he believes up to five, one year renewals, but was not sure.

Councilmember Coplen asked staff if the maintenance includes the Pleasant Run Soccer Fields, or just the park area. Chief Holder replied he was not sure.

Councilmember Wheat asked staff how much of the \$373,000 in General Fund revenue was generated by the Parks. Manager Lothery replied the 2016 figures are \$21,500 from field use only, and \$43,800 from non-resident field use, which includes tournaments. Recreation/City Events Manager Escobedo noted additional revenues are included in the recreation revenues as well.

Public Works Director Jeremy Hutt presented the street maintenance budget.

Councilmember Dodson stated the traffic light maintenance figures seemed high. Director Hutt replied the figures include all maintenance, including emergencies.

Councilmember Wheat asked staff what quiet zone maintenance is. Director Hutt replied the monthly maintenance performed on the supplemental safety features.

Councilmember Nakamura asked staff what is a quiet zone. Director Hutt responded when a quiet zone is designated, the trains do not have to blow their horns.

Councilmember Coplen asked staff, if we did not pay for the quiet zone, would the \$51,000 expenditure go away. Director Hutt replied correct.

Councilmember Wheat asked staff how the street signs were tracked. Director Hutt replied also through the VueWorks software.

Recreation/City Events Manager Lisa Escobedo presented the recreation budget.

Mayor Newton asked staff why is there an increase to the personnel cost. Manager Escobedo replied they are seeking to establish a labor pool of part time employees to work events, and stated the revenue will cover this increase in personnel.

Interim Assistant City Manager and Executive Director of Economic Development Mark Wood presented the communications budget. There were no questions as several items were discussed earlier.

Colleyville Center Manager Leslie Hill presented the Colleyville Center budget.

Councilmember Wheat asked staff where the Center revenue is. Manager Lothery replied the revenue is reflected in the General Fund and was \$210,000 last year.

Human Resources Director Rachel Huitt presented the human resources budget.

Mayor Newton asked staff what is paid through contractual services. Director Huitt replied \$5,000 is to continue the compensation market and adjustments study annually, and funding for Target Solutions training software, which was moved from the organizational development budget, to make it easier to track.

Chief Financial Officer Shereen Gendy presented the finance budget.

Mayor Pro Tem Lindamood asked staff what drove the increase in contractual services. CFO Gendy replied the increase is for the MUNIS training for enhanced modules and new employees.

Public Works Director Jeremy Hutt presented the fleet services budget.

Mayor Pro Tem Lindamood asked staff if fuel and oil is purchased in bulk. Manager Lothery replied yes, fuel is purchased through a contract for all City vehicles.

Councilmember Dodson asked staff what GPS monitoring is. Director Hutt replied it is an accountability tool which allows real time monitoring of where our vehicles are and how they are being driven.

Mayor Newton called a recess at 10:35 p.m. and reconvened at 10:43 p.m.

Public Works Director Jeremy Hutt presented the facility services budget.

Councilmember Dodson asked staff about the light bulb disposal. Director Hutt replied fluorescent bulbs must be disposed of through a company as they are treated as household hazardous waste.

Information Systems Manager Chris Pena presented the information systems and GIS budgets.

Mayor Newton asked staff why there was a large decrease in the supplies line item. Manager Pena replied funds were moved to a new line item and is used to store and monitor the funds used for annual large item equipment replacement.

Strategic Services Manager Lothery presented the information for the compensation adjustments, capital equipment reserves, and non-departmental accounts, and the General Fund revenue projections.

Mayor Newton stated overall there is a three and one-half percent compensation increase, and he would like to see a complete distribution report. Councilmember Dodson stated he would like to see the performance ratings for all employees because it is important to verify for equity.

Public Works Director and Manager Lothery provided the review of the Utility, Debt Service, and Drainage funds.

Mayor Newton asked staff if the City paying for water is the \$197,000 amount. Manager Lothery replied yes, the FY18 General Fund budget includes funding to pay for the City's use of water.

Mayor Newton asked staff why an additional \$165,000 is requested for concrete repair. Director Hutt replied the funding is being requested in order to perform additional work in the next fiscal year.

Mayor Newton asked staff why a purchasing agent position is being requested. Chief Financial Officer Gendy replied the City is currently decentralized and administrative staff spends a great deal of time working on bid requests and researching purchases. A purchasing agent who is trained and familiar with purchasing rules and regulation will increase efficiency and limit the City's liability.

Public Works Director Jeremy Hutt presented the utility operations budget.

Councilmember Coplen asked staff if the DART agreements are the original agreements. Director Hutt replied yes.

Mayor Newton stated the personnel cost went up 21 percent and asked staff why. Manager Lothery replied the increase came from the split funding with GIS personnel and a field technician becoming fully funded.

At 11:56 p.m. Mayor Newton asked the City Council if they wish to continue the worksession. All agreed.

Councilmember Taylor asked staff if the fire station doors were provided for in the Debt Service Fund. Manager Lothery replied the fire station doors are not funded through the Debt Service Fund, however, some General Fund money was set aside for this purpose in a previous fiscal year.

Councilmember Taylor asked staff how citizens are notified of the street sweeper schedule and suggested working with the HOAs. Director Hutt replied they would look into working with the HOAs. Mayor Pro Tem Lindamood suggested allowing advertising on the sweeper truck.

Mayor Newton asked staff about the cost of the clean sweep event. Manager Lothery replied the clean sweep event costs include the quarterly invoices for household hazardous waste.

Mayor Newton thanked the City Council for staying for the worksession.

3. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the worksession at 12:31 a.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 11TH DAY OF JULY 2017.

Minutes taken and prepared by:

Christine Loven
Assistant City Secretary



City of Colleyville City Council Minutes - Draft

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

Tuesday, June 20, 2017

CITY COUNCIL CHAMBERS

Mayor Richard Newton called the Colleyville City Council Worksession to order on Tuesday, June 20, 2017, at 5:30 p.m.

ROLL CALL: Mayor Richard Newton and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor.

ABSENT: Mayor Pro Tem Bobby Lindamood

City Manager Jerry Ducay, Assistant City Manager/Director of Public Safety Mike Holder, Interim Assistant City Manager and Executive Director of Economic Development and Communications Mark Wood, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Chief Financial Officer Shereen Gendy, Human Resources Director Rachel Huitt, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Community Development Director Ben Bryner, Recreation and Library Director Mary Rodne, Colleyville Center Manager Leslie Hill, Accounting Manager Karen Hines, Parks Manager Heather Dowell, SH26 Coordinator James Hubbard, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Whitt Wyatt, and Assistant City Secretary Christine Loven.

Mayor Newton welcomed everyone and introduced City Manager Jerry Ducay, and stated we are happy to have him with us and we will introduce his wife Alice at the reception in the Council Chambers tonight.

WS-1 Community Garden Presentation

Parks Manager Heather Dowell introduced Natalie Genco and Anne Dyson who provided a presentation regarding a community garden in Colleyville and a proposal for the garden to be located at McPherson Park.

Councilmember Coplen asked Mrs. Genco who is responsible for plot maintenance. Mrs. Genco replied the bylaws provide for a garden coordinator who would be the responsible person. Mrs. Dyson added the Colleyville Community Garden board would be diligent planning ahead and preparing to fill vacancies.

Mayor Newton thanked Mrs. Genco for presenting the pros and cons and he said a resolution will be placed on a future agenda regarding this item.

Councilmember Coplen asked Mrs. Genco if all the funding belongs with the Community Garden. Mrs. Genco replied yes, except we are asking the City to run the water lines and pay for the water.

Councilmember Taylor asked Mrs. Genco who collects the dues and how are they used. Mrs. Genco responded the non-profit, through a treasurer, would collect the dues and the members would decide how the funds are used.

Mayor Newton stated an agreement would need to be drafted before it could be brought before the City Council.

Mrs. Dyson said she appreciates Mrs. Genco and Manager Dowell for their presentation and assistance with this bringing this item before the community and City Council.

WS-2 Discussion of the Health Insurance Renewal for Fiscal Year 2018 (FY18)

Human Resources Director Rachel Huitt explained the services provided by the consultant and introduced Andrew Weegar, representing IPS Advisors, the City's insurance broker/consultant who presented this item and briefed the City Council.

Councilmember Dodson asked Mr. Weegar if the \$1,500 lifetime maximum on dental is correct. Mr. Weegar replied yes, it is the industry standard and is tracked from one carrier to the next.

Councilmember Coplen asked Mr. Weegar if the loss ratio claims were high due to individuals, major accidents, or one time occurrences. Mr. Weegar replied most of the high claims were one time occurrences as opposed to on-going.

Councilmember Wheat asked Mr. Weegar if Cigna has a comparable network to Blue Cross for dental. Mr. Weegar replied yes, and noted many of their other clients use Cigna and are pleased.

Councilmember Taylor stated he is concerned about the \$1,000 orthodontia, and asked Mr. Weegar if we could get a better plan. Mr. Weegar replied there would be a huge increase in premiums, but they will continue to monitor it. Councilmember Taylor asked if there is an opportunity for the employee to participate in a buy-up-plan for more coverage. Mr. Weegar stated the premium would go much higher and the carrier would require a high percentage of participation.

Director Huitt reviewed the current City and employee premiums for dental.

Councilmember Taylor asked Mr. Weegar how the City has gone all this time without a non-profit trust account which potentially saves 1.75 percent of the cost

of medical premiums. Mr. Weegar and Director Huitt said it was not brought to our attention by the previous broker.

Mr. Weegar explained the trust would provide annual savings for all policy premiums.

Councilmember Nakamura asked Mr. Weegar if his company drafts the trusts and if there is an additional fee. Mr. Weegar stated there is no additional fee, and he provided a sample document to staff. Director Huitt stated IPS clearly stated they are not tax advisors, therefore she reached out to the Finance Department and City Attorney and feels we are set to move forward.

City Attorney Whitt Wyatt stated their other clients also use a trust, and he sees no reason not to move forward.

Mayor Newton asked staff if the broker/consultant receives a commission. Director Huitt replied the previous broker charged a commission, but IPS charges a flat fee which has also provided a savings.

Director Huitt stated a resolution authorizing the City Manager to enter into the medical, dental, and insurance contracts and approval to establish a trust will come before the City Council on the July 11 agenda.

Councilmember Taylor asked Mr. Weegar if there is any other information the City Council needs to know. Mr. Weegar said he feels the trust is the most important part.

WS-3 Update and discussion of overhead doors at Fire Stations 1 and 3

Fire Chief Brian Riley presented this item and briefed the City Council. City Council provided the direction to move forward with securing quotes to replace the doors at Fire Station 1 in this fiscal year and project the replacement of the doors at Fire Station 3 in the FY2018 Capital Improvement Plan budget.

WS-4 Discussion of the June 20, 2017, City Council regular agenda items

There was no discussion of this item.

Mayor Newton adjourned the worksession at 6:53 p.m.

Mayor Newton called the Executive Session to order at 6:53 p.m. and called the roll.

ROLL CALL: Mayor Richard Newton and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor.

ABSENT: Mayor Pro Tem Bobby Lindamood

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

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, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. Executive Session was adjourned at 7:17 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Newton at 7:31 p.m.

ROLL CALL: Mayor Richard Newton and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor.

ABSENT: Mayor Pro Tem Bobby Lindamood

City Manager Jerry Ducay, Assistant City Manager/Director of Public Safety Mike Holder, Interim Assistant City Manager and Executive Director of Economic Development and Communications Mark Wood, Fire Chief Brian Riley, Assistant Police Chief Robert Hinton, Chief Financial Officer Shereen Gendy, Human Resources Director Rachel Huitt, Public Works Director Jeremy Hutt, City Engineer Cheryl Taylor, Community Development Director Ben Bryner, Recreation and Library Director Mary Rodne, Colleyville Center Manager Leslie Hill, Accounting Manager Karen Hines, Parks Manager Heather Dowell, SH26 Coordinator James Hubbard, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Whitt Wyatt, and Assistant City Secretary Christine Loven.

Mayor Newton introduced City Manager Jerry Ducay and read his educational and experience resume and stated there will be an opportunity to meet him and his wife Alice during the break for the reception.

INVOCATION: Pastor Katie Lewis, First United Methodist**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-17-4144**

This resolution was not needed.

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 Colleyville's Featured Business of the Month - NexGen Fitness, 6000 Colleyville Boulevard - Owners Anthony Carter and Angie Stroman - Mayor Richard Newton and Interim Assistant City Manager/Executive Director of Economic Development and Communications Mark Wood

Mayor Newton reminded everyone of the Red, White & Sousa event at Colleyville Center on June 23. Mayor Newton encouraged everyone to be planning to apply for the Colleyville Area Chamber of Commerce fall Leadership Colleyville course.

Mayor Richard Newton and Interim Assistant City Manager/Executive Director of Economic Development and Communications Mark Wood welcomed Anthony Carter and Angie Stroman, owners of NexGen Fitness and recognized NexGen as the featured business of the month.

4. RECEPTION FOR CITY MANAGER JERRY DUCAY

Mayor Newton recessed the meeting at 7:46 p.m. for the reception for City Manager Jerry Ducay. Mayor Newton reconvened the meeting at 8:08 p.m.

5. CONSENT: READING AND PUBLIC HEARING - Resolution R-17-4145

- 5a** Approval of the minutes of the regular City Council meeting of June 6, 2017
- 5b** Acceptance of a Public Right-of-Way and a Drainage and Maintenance Easement dedication, located at the northwest corner of Cheek-Sparger Road and Heritage Avenue, and authorizing the city manager to execute the documents

- 5c** Approval of renewal contracts with Spectrum, for internet service to City facilities, in an amount not to exceed \$90,876 a year, and authorizing the city manager to execute the contracts

Mayor Newton read Resolution R-17-4145 in its entirety.

Public Works Director Jeremy Hutt advised the City Council the City of Euless has requested item 5b be removed from consideration until further notice.

Information Systems Manager Chris Pena briefed the City Council regarding item 5c. Mayor Newton stated he was not willing to accept the other vendors were not willing to bid on the City's service. Manager Pena stated the City went out to a third party shopper, and no other bidders were located.

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

Kathy Hadley, 204 Timberline Drive N., spoke in opposition to item 5c with a concern for not having additional service providers.

Kathleen Hennessey, 5013 Stonebridge Drive, spoke in opposition to item 5c, with a concern for the design of the network, connectivity, and continuance of communications.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 8:28 p.m.

Councilmember Taylor made a motion to approve Resolution R-17-4145, removing items 5b and 5c. Councilmember Nakamura seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor

Absent: Mayor Pro Tem Bobby Lindamood

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

6a Ordinance O-17-2012

Approval of a five-year exclusive franchise for solid waste and recycling services contract with Community Waste Disposal (CWD)

Mayor Newton read the caption of Ordinance O-17-2012.

Strategic Services Manager Adrienne Lothery presented an update to this item and briefed the City Council. Paul Hansen, CWD, was available to answer questions.

Mayor Newton stated the new contract will provide enhanced services to include household hazardous waste, at a lower cost, but with quality service.

Mayor Newton stated he had received questions from businessmen regarding if the construction trash pickup had to be exclusive. Mayor Newton requested Manager Lothery review the information during the contract negotiation and the answer is, that if the contract was not exclusive to that, the cost of the commercial service would go up seven percent.

Manager Lothery stated the City Council requested the amended pricing sheet for the per cubic yard fee pickup has been provided. Mayor Newton asked staff what the rate is over the four cubic yards. Manager Lothery replied \$14.12 per cubic yard, with taxes included.

Mayor Newton asked Mr. Hansen if there were any other updates he wished to provide regarding the contract. Manager Lothery noted the recycling carts will be 65 gallon, however, if residents wish to trade up to the 95 gallon cart, CWD will provide the cart at no additional charge, after the initial program roll-out.

City Manager Ducay noted sometime in the future, there may be a need to discuss the trash can and trash pickup service being more automated.

Mayor Newton asked Mr. Hansen how the recycling is processed. Mr. Hansen replied the recycling goes directly to their recycling center location.

Councilmember Nakamura asked Mr. Hansen if opening and closing the commercial fencing is part of the contract. Mr. Hansen replied yes, this is provided for in the proposal and noted all incidents would require an investigation.

Mayor Newton opened the public hearing at 8:50 p.m.

Mike Garabedian, 1717 Buckingham Drive, Keller, representing Garabedian Properties and the Greater Fort Worth Builders Association, spoke regarding the ordinance receiving the support of the home builders only if it does not change the interpretation of the City's current Ordinance O-13-1317 which allows contractors to remove their construction debris. If there is a change to this interpretation, the request would be to table this item.

Sam Noel, 2704 Lakeshore Drive, Keller, spoke regarding builders having sub-contractors who clean and remove construction trash.

Kathleen Hennessey, 5013 Stonebridge Drive, spoke on behalf of the neighbors on Stonebridge Drive, asking why the trash was not picked up on Friday.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 8:54 p.m.

Mayor Newton asked Manager Lothery to report on the trash pickup on Stonebridge Drive. Manager Lothery replied there was an accident Thursday, however, the City did not receive notification until Friday and staff will be following through with the vendor.

Councilmember Wheat asked staff how citizens know when there is a delay to services. Manager Lothery replied citizens are advised via the City's Facebook, website, and email.

Mayor Newton stated this contract with CWD will maintain the commercial status quo and asked Mr. Garabedian and Mr. Noel if they were now comfortable.

Mr. Garabedian explained how many contractors dispose of construction debris, and stated the demarcation is if a roll off container is used. He further asked Mayor Newton if this ordinance changes the Land Development Code.

Mayor Newton replied there is no change to the Land Development Code, we will continue with the status quo unless there is a change in public opinion. Mayor Newton asked Mr. Hansen to respond to the roll off. Mr. Hansen agreed, and stated exclusive in this context means a roll off or front load container, and if another company is hired to provide a roll off, it would violate the franchise agreement.

Mr. Noel stated the Mayor does not see any changes and asked Mr. Hansen if he was in agreement. Mr. Hansen said we will operate at the status quo.

Councilmember Taylor asked Mr. Hansen if he was aware of problems in the past. Mr. Hansen replied there is always potential for issues to arise.

Mayor Newton asked Mr. Hansen if he is comfortable with the discussion. Mr. Hansen replied yes, and stated he is looking forward to providing the City with the services.

Councilmember Taylor made a motion to approve Ordinance O-17-2012. Councilmember Wheat seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor

Absent: Mayor Pro Tem Bobby Lindamood

6b Ordinance O-17-2013

Consideration of an appeal of the decision of the Planning and Zoning Commission by Jeff Avery, for a zoning change from the AG-Agricultural zoning district to the R20-Single Family Residential zoning district on Tract 2A, Abstract 1692, in the Joseph White Survey, located at 816 Shelton Drive, Case ZC17-003

Mayor Newton read the caption of Ordinance O-17-2013.

Councilmember Dodson recused himself from this agenda item due to his participation in the Planning and Zoning Commission, prior to his election to City Council.

Mayor Newton read the caption of Ordinance O-17-2013.

Councilmember Taylor asked Mayor Newton, as a point of order, we have five votes which can be cast, a super majority requires six, how do we proceed. City Attorney Whitt Wyatt advised six votes would be required or the item may be tabled to a date certain.

Councilmember Taylor asked the City Attorney if the ordinance would fail without a super majority. City Attorney Wyatt replied the decision of the Planning and Zoning Commission cannot be over-turned without six voting unanimously. Councilmember Coplen stated the item should be tabled.

Councilmember Nakamura asked Mayor Newton if it is correct that we cannot vote tonight. Mayor Newton stated the City Attorney said we can move forward, and he would like to move forward. Mayor Newton asked staff to clarify what is before the City Council. Director Bryner stated to approve the R-20 zoning on this item, a super majority vote of six would be required and this item would need to be tabled.

Mayor Newton said he was willing to move forward. City Attorney Wyatt clarified stating, "for clarity, any action Council would take tonight to overrule the Planning and Zoning Commission's denial of this application would require six affirmative votes, which would be a unanimous vote of the eligible members to vote. That being said, it is not required that motion be put on the table, if you do consider the item, you may table it, make other motions to the item which may or may not require a super majority vote, that decision is up to the Council."

Councilmember Taylor asked the City Attorney if it is correct that the super majority of six, is not reduced by recusal or absence. City Attorney Wyatt replied that is correct. Councilmember Taylor stated he wanted that on the record.

Mayor Newton stated this is a question of equity for the applicant. Mayor Newton suggested only one vote against would fail the ordinance and he does not believe

it is worth delaying the applicant and asked Community Development Director Bryner to move forward.

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

Councilmember Taylor stated he understands not granting R-20 and being concerned regarding rendering the lot unbuildable. He stated he looked at the lot width and depth, and believes there are still options for building on the lot.

Councilmember Wheat asked if this ordinance is to overrule R-20. Director Bryner agreed.

City Manager Ducay asked staff if you were to zone it to R-40 and then variant it down to be able to build on it, would you then face the same neighborhood concerns that you are setting a precedent. Director Bryner replied yes; however, one of the major concerns is the minimal lot coverage, as Councilmember Taylor mentioned. He felt the building size, waivers, and platting requests would be of concern.

Councilmember Nakamura asked staff if the applicant was present. Mayor Newton replied the applicant is not present.

Councilmember Coplen stated she feels she is in agreement with everyone that this should be R-40 and AG, and she wasn't sure how the motion was going to go, but for the record, she feels, to keep in line with the way this process should be, we need to have everyone here.

Mayor Newton opened the public hearing at 9:28 p.m.

Kathy Hadley, 204 Timberline Drive North, spoke in opposition to this request with concerns about changing the oldest part of Colleyville and future density.

Lisa Grossman, 6014 Pleasant Run Road, spoke in opposition to this request and stated she spoke at the last City Council meeting and since then she has found the builder does not own the property, and there was a surveyor on the property today. She also stated this property should be subject to the same requirements that she was required to uphold when she built her home.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 9:32 p.m.

Mayor Newton made a motion to deny Ordinance O-17-2013. Councilmember Taylor seconded the motion.

The motion to deny carried with the following vote:

Aye: 5 – Mayor Richard Newton and Councilmembers Tammy Nakamura, Kathy Wheat, Nancy Coplen and Mike Taylor

Absent: Mayor Pro Tem Bobby Lindamood

Councilmember Dodson rejoined the meeting.

7. RESOLUTION(S): READING AND PUBLIC HEARING

7a Resolution R-17-4146

Consideration of a resolution requesting the Texas Legislature to transfer gas utility ratemaking authority from the Texas Railroad Commission to the Texas Public Utility Commission

Mayor Newton read Resolution R-17-4146 in its entirety.

Strategic Services Manager Adrienne Lothery briefed the City Council.

Councilmember Dodson asked the resolution be provided to legislators and other cities.

Mayor Newton stated he would like to send the resolution to the Mayor's Council.

Mayor Newton opened the public hearing at 9:43 p.m.

There was no one present wishing to speak and Mayor Newton closed the public hearing at 9:43 p.m.

Mayor Newton made a motion to approve Resolution R-17-4146. Councilmember Nakamura seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor

Absent: Mayor Pro Tem Bobby Lindamood

8. DISCUSSION OF ITEMS NOT FOR ACTION AND PUBLIC HEARING

8a Monthly Financial Report - May 2017

Chief Financial Officer Shereen Gendy presented this item and briefed the City Council.

8b Update on the SH26 Project

SH26 Coordinator James Hubbard presented this item and briefed the City Council.

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

Kathy Hadley, 204 Timberline Drive, North, spoke regarding the Methodist Church on Pleasant Run Road; requested a stop sign at the corner of Village Lane and Village Way; a crosswalk at City Park; the Nature Center wildlife, stated the City should not be paying for water for a community garden; and suggested TNS be pursued as an internet provider.

Kathleen Hennessey, 5013 Stonebridge Drive stated she is requesting help regarding the postal service, and stated mail within Colleyville can take up to 12 days before it is delivered.

10. REPORTS

Planning and Zoning Commission Minutes - May 8, 2017

There was no discussion of this item.

11. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR JUNE 20, 2017 - READING AND PUBLIC HEARING - RESOLUTION R-17-4147

This resolution was not needed.

12. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the City Council meeting at 10:25 p.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 11TH DAY OF JULY 2017.

Minutes taken and prepared by:

*Christine Loven
Assistant City Secretary*



City of Colleyville City Council Worksession Minutes - Draft

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

Tuesday, June 27, 2017

Mayor Richard Newton called the Colleyville City Council Worksession to order on Tuesday, June 27, 2017, at 5:04 p.m.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Nancy Coplen and Mike Taylor

City Manager Jerry Ducay, Assistant City Manager/Director of Public Safety Mike Holder, Interim Assistant City Manager and Executive Director of Economic Development and Communications Mark Wood, Parks Manager Heather Dowell, Recreation and City Events Supervisor Lisa Escobedo, and City Secretary Amy Shelley.

2. PRESENTATION AND DISCUSSION

2a Visioning and discussion of the Parks, Recreation, and Open Space Master Plan

Parks Manager Heather Dowell introduced Pat Hoagland, Brandstetter Carroll, Inc., who then presented this item and briefed the City Council.

Councilmember Wheat asked Mr. Hoagland about the project timeline. Mr. Hoagland replied he anticipates this being complete by the end of this year.

Councilmember Taylor asked Mr. Hoagland if the plan is to get the community's opinion or to drive an outcome. Mr. Hoagland replied it is to get their opinion which will further assist in making project plans.

Mayor Newton asked Mr. Hoagland about the trails in the survey. Mr. Hoagland replied trails are not in the short version of the survey. The random sample included an entire section with questions about trails. Mayor Newton suggested adding trails on the shortened version in the area of "What do you use." Councilmember Nakamura agreed about adding questions about trails.

Mayor Newton cautioned that the content on the survey and the fact that sports use of the parks may slant the survey because the sports associations are organized to represent that use. Other users of the parks, such as passive users (adults), do not have associations to represent them.

Mr. Hoagland asked the following questions:

1. What are the greatest aspects, features, and attributes of Colleyville Parks & Recreation?

Mayor Newton – Colleyville has an evolving trail system; great athletic and sports fields, which are maintained very well; a good parks system; and a great Nature Center.

Councilmember Coplen – Colleyville has a good spread in the recreation classes; the only group not getting representation are the 40-60 year olds, there are a good variety for seniors and all the in between kids.

Councilmember Wheat – Colleyville parks have very well maintained playgrounds (maintenance, mowing, and plantings) versus surrounding areas. Colleyville parks are unique, and we have excellent sports fields.

Councilmember Coplen asked staff if people fish at the Nature Center. Manager Dowell replied yes, there are people who fish at all of the parks in Colleyville.

2. How have the Colleyville Parks & Recreation's programs, facilities, etc., had a positive impact on your life, others, and/or the community?

Mayor Newton – People walk the trails for exercise and the trails look nice. The Nature Center changes your mindset about wildlife.

Councilmember Coplen – Her children have played on the sports fields because they were convenient; the green open space; and the residents post about wildlife.

Councilmember Wheat – There are lots of opportunities for getting together and interacting with people/residents; the right facilities seem to be available.

3. What can/should be done so that Colleyville Parks & Recreation may further strengthen its contributions to you and the community?

Mayor Newton – It would be nice to have outdoor exercise facilities for adults, and all parks need to be connected.

Councilmember Wheat – Most adults and older kiddos do not have a park for engagement.

Councilmember Nakamura – There needs to be something that ties the parks into the City Hall area.

Mayor Newton asked staff if the Longwood property is in the proposed plan. Manager Dowell replied it is not. Mayor Newton indicated the Longwood property provides for the opportunity to link Kimzey Park to the Cottonbelt Trail.

City Manager Jerry Ducay asked staff if the trails plan is included in the parks master plan or is it included in the transportation plan. Manager Dowell replied the proposed plan will be a mix of the parks and sidewalk/trails system. Manager Newton replied the trails portion will be a portion of the master plan, and the sidewalks are a component to be evaluated by the sidewalk committee.

City Manager Ducay asked Mr. Hoagland if the trails are to be a minimum of 10 or 12 feet in width. Mr. Hoagland replied it will depend on the use.

Mayor Pro Tem Lindamood suggested incorporating the land behind the Senior Center into the park system with a walking trail.

City Manager Ducay asked Mayor Newton if there has been any interest in a recreation/community center. Mayor Newton replied there would be plenty of land at the Senior Center and it has been mentioned. Councilmember Nakamura stated she did not believe a recreation center would compete with Lifetime Fitness. Mayor Newton agreed. Councilmember Taylor stated the recreation center would be nice if the community would support it.

Councilmember Wheat – An amphitheater would be nice.

Mayor Pro Tem Lindamood – Would like more sculptured art incorporated.

Councilmember Coplen – Would like Colleyville branding, like with art.

Councilmember Wheat – Would like pocket parks for extra green space. Mayor Pro Tem Lindamood stated pocket parks help those neighborhoods that are not gated. City Manager Ducay stated the pocket parks work well in developments with floodplain areas, not necessarily a recreation area, by using existing open space.

4. What do you think about programs?

Councilmember Wheat – The children's programs are diverse, but stated not being sure about adult programming.

Councilmember Coplen asked staff if McPherson Park is utilized for children's programs. City Events and Recreation Supervisor Lisa Escobedo replied it is more efficient to operate out of the Senior Center due to staffing. City Manager Ducay added we should be pushing our programs to operate out of the most beautiful educational opportunity type facility which is more valuable to the resident rather than convenient for staff. Councilmember Wheat agreed, and stated she would

rather take her children to McPherson Park versus the Senior Center. Manager Escobedo stated the Rock House is not staffed. Manager Dowell added the office space in the facility needs to be removed to open up the facility for more usable space.

Councilmember Coplen asked staff if the Rock House is available for rent. Manager Escobedo replied no, not currently. Councilmember Wheat stated it would be good for smaller groups.

City Manager Ducay stated the idea should be to define the purpose of the venues. Once the purpose is defined, the changes can be made to fit the uses to the venue.

Mayor Pro Tem Lindamood suggested that Colleyville could be known for their bigger concerts, like concerts on the lawn. Councilmember Nakamura stated there needs to be something unique to Colleyville, such as Grapefest and Main Street Days in Grapevine.

5. What are the highest priority UNMET NEEDS for Parks, Recreation and Trails in Colleyville?

Councilmembers Wheat and Nakamura – Trails and sidewalks seem to be the number one priority.

Councilmember Nakamura – Specialty recreation

6. What trends are evolving that may impact Colleyville Parks & Recreation? How should we respond?

Councilmember Taylor – There are more active and less sedentary seniors in the community, and they need activities; the younger generation expects more amenities, and the need for interconnectivity. Councilmember Nakamura agreed, kids today want to be entertained.

7. As community leaders, what questions would you like to be answered by the master plan process?

Councilmember Coplen asked Mr. Hoagland which/what kind of cities are being used for comparison. Mr. Hoagland replied the National Recreation and Parks Association Program is utilized, Parks Metrics, and those comparable, with common denominators, and the size of the community are used.

Councilmember Coplen asked Mr. Hoagland if they will see what has been accomplished since the previous master plan. Mr. Hoagland replied yes, but we have not determined what has/has not been completed. Manager Dowel replied an

implementation plan, that will be utilized, is one of the biggest things we are looking for. This will be a utilized plan, not one to sit on the shelf.

Mayor Pro Tem Lindamood – Would like to know what could go in the open spaces and designated parks.

Mayor Newton asked Mr. Hoagland how long this will take to get the plan in place. Mr. Hoagland replied by the end of the year.

Councilmember Coplen asked Mr. Hoagland if there is a control in place so that only Colleyville residents can take the survey. Mr. Hoagland replied the question has been asked, but he is not sure. They will know the distribution of the survey results.

City Manager Ducay asked the City Council if they would like to commit about \$100,000 as a placeholder in the capital plan for future discussions about the plan. Mayor and Council agreed.

Councilmember Nakamura asked Mr. Hoagland if the survey results will indicate how serious the community is about what they want. Mr. Hoagland replied yes.

In summary, Mr. Hoagland explained for the process to work, the following needs to take place:

- Stay informed
- Promote the master planning effort
- Encourage participation in the process
- Stay involved and get people involved
- Take the online survey
- See the online engagement

3. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the City Council worksession at 6:30 p.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 11TH DAY OF JULY 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 4d

Agenda Date 07/11/2017

Number Resolution R-17-4149

Type Resolution

Department Public Works

Title

Approval of the purchase of 1,008 Neptune water meters, ranging in size from ¾" to 2", from HD Supply Waterworks, through an Interlocal Agreement with the City of Grapevine, in an amount not to exceed \$87,000 and authorize the city manager to execute the purchase agreement

Strategic Plan

3.2 Ensure regular repair and replacement of water and wastewater facilities

Explanation

Reading and Public Hearing

In conjunction with the City's efforts to replace all of the water meters throughout the City in a timely manner, City employees replace approximately twelve percent (12%) of the City's entire meter inventory each year. Industry standards recommend an interval of every ten to twelve years to maintain accurate and reliable infrastructure.

Staff evaluated various brands of water meters and has considered variables such as a possible transition to Automatic Meter Reading (AMR) and Advanced Metering Infrastructure (AMI). Staff found the Neptune line of equipment to provide a cost effective solution that has the versatility to migrate to either the AMR or AMI technology with simple register replacement and software implementation.

Cost for the water meters was evaluated and multiple sources were considered. The existing Interlocal Agreement with the City of Grapevine, which was approved by attached Resolution R-12-3497, provides access to their contract pricing with HD Supply Waterworks, which provides the best value to the City. Others sources considered included Vendor Direct and the Houston Galveston Area Council of Governments (HGAC Contract).

		Grapevine ILA HD Supply Waterworks		Houston Galveston Area Council of Governments (HGAC Contract)		Badger Meters	
Meter Size	Quant.	Unit Pricing	Total Pricing	Unit Pricing	Total Pricing	Unit Pricing	Total Pricing
3/4"	267	\$42.93	\$11,462.31	\$122.22	\$32,632.74	\$43.00	\$11,481.00
1"	719	\$96.74	\$69,556.06	\$252.52	\$181,561.88	\$117.50	\$84,482.50
1 1/2"	16	\$211.96	\$3,391.36	\$630.00	\$10,080.00	\$292.00	\$4,672.00
2"	6	\$293.48	\$1,760.88	\$810.00	\$4,860.00	\$438.50	\$2,631.00
		Total cost=	\$86,170.61	Total cost=	\$229,134.62	Total cost=	\$103,266.50

Financial Impact

Funds are available in the current fiscal year Utility Support operating budget.

Recommendation

Approve

Attachments

1. Grapevine Interlocal Agreement
2. Resolution R-12-3497
3. HD Supply Waterworks Form CIQ

INTERLOCAL GOVERNMENTAL AGREEMENT FOR PURCHASING

This Agreement is made and entered into by and between the cities of Keller, Texas, Southlake, Texas, Colleyville, Texas and Grapevine, Texas (hereinafter referred to as the "parties"), all of whom are governmental agencies within the State of Texas, acting by and through their duly authorized City Councils or City Managers.

WHEREAS, the parties are political subdivisions of the State of Texas and are authorized to enter into an agreement with each other relative to governmental functions and services by the interlocal Cooperating Act, Texas Government Code, Chapter 791; and

WHEREAS, the parties believe that cooperating in the purchasing of various goods, materials, equipment, supplies and services which both parties use in carrying out their governmental functions and services will enable the parties to obtain these goods, materials, equipment, supplies and services in better terms and/or prices than by making such purchases individually, and both desire to increase efficiency and effectiveness of such purchasing by acting jointly in competitively procuring selected goods, materials, equipment, supplies and services.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. AGREEMENT

This Agreement shall take effect upon execution by both signatories and shall remain in effect among those parties until notification of withdrawal from the Agreement is submitted to the City of Keller. All parties shall have the right to terminate this Agreement upon 30 days written notice. The Agreement may be amended administratively from time to time by existing parties to include additional cities who may wish to join this Agreement under its existing terms.

2. SCOPE AND IMPLEMENTATION

It is the intent of the parties that the joint or cooperative purchasing through each other's agreements will be as broad as is allowed by applicable state statutes. Unless otherwise prevented by law, it is the intent of the parties that the parties may take part in joint purchase for goods, materials, equipment, supplies and services they may need to carry out their governmental functions, and that all parties will make reasonable efforts to allow the others to make purchases under its agreements. Any purchasing contract or purchase order shall be acknowledged by the supplier and shall be considered as being issued under this Agreement and shall be subject to all of the terms and conditions of this Agreement without the necessity of those being set out or specifically referred to in such purchasing contract or purchase order.

3. COMPENSATION

The parties agree to share the cost of the respective joint solicitations in a fair and equitable manner, to be agreed upon in connection with each such solicitation.

4.
COMPLIANCE WITH LAWS

The parties hereby agree to abide by and obey all applicable local, state and federal laws and requirements, which apply to their respective procurement policies. It is specifically understood and agreed that whichever party is handling the preparation and processing of the joint invitations for bid shall comply with all legal requirements for competitive bidding which are applicable to both parties

5.
NOTICES

Any notices or other communication required or allowed to be given by one party to the other parties pursuant to this Agreement shall be electronically submitted, hand delivered, or mailed by United States Postal Service, proper postage affixed to the addresses shown below:

To: City of Keller:
Purchasing Technician
1100 Bear Creek Parkway
P.O. Box 770
Keller, Texas 76244

Karla Parker (817) 743-4030
Email Address: kparker@cityofkeller.com

To: City of Southlake
Purchasing Manager
1400 Main Street, Suite 440
Southlake, Texas 76092

Tim Slifka (817) 748-8312
Email Address: tslifka@ci.southlake.tx.us

To: City of Colleyville
Strategic Services Manager
100 Main Street
Colleyville, Texas 76034

Eric Ellwanger (817) 503-1112
Email Address: eellwanger@colleyville.com

To: City of Grapevine
Purchasing Agent
501 Shady Brook Drive, Suite 108
Grapevine, Texas 76051

Bob Smeby (817) 410-3335
bsmeby@grapevinetexas.gov

6.
GOVERNING LAW AND VENUE

This Agreement shall be governed by and interpreted in accordance with the laws of the State of Texas. This Agreement is entered into and is to be performed, wholly or in part, in the State of Texas and in Tarrant County, Texas. In any action brought under the agreement, venue shall be exclusively in Tarrant County, Texas. In the event that any portion of this Agreement shall be found to be contrary to law, it is the intent of the parties hereto that the remaining portions shall remain valid and in full force and effect to the extent possible.

7.
MISCELLANEOUS PROVISIONS

By execution of this Agreement, each party represents to the others that:

- a. In performing its duties and obligations hereunder, it will be carrying out one or more governmental functions or services, which it is authorized to perform;
- b. The undersigned officer or agent of the party has been properly authorized by that party's governing body to execute this Agreement and that any necessary resolutions extending such authority have been duly passed and are now in effect.
- c. All payments required or permitted to be made by a party will be made from current revenues available to the paying party; and
- d. All payments provided hereunder by one party to the other, if any, shall be such amounts as to fairly compensate the other party for the services or functions performed hereunder.

8.
CONSTRUCTION OF AGREEMENT

This Agreement represents the full, final and complete agreement of the parties related to its subject matter and shall supersede any previous interlocal purchasing agreements between the parties. The Agreement may not be added to, contradicted or otherwise modified by evidence of prior or contemporaneous agreement or subsequent oral agreements or statements of either of the parties, nor by any writing not signed by all parties after the date of this Agreement. No representations, inducements, promises, or agreements, oral or otherwise, not embodied or incorporated herein shall be of any force or effect. In case of any apparent ambiguity or conflict among any of the terms or provisions of this Agreement, they shall be construed as nearly as possible as to effectuate each and all of such terms or provisions keeping in mind that the overriding purpose of this Agreement is the public purpose of increasing the efficiency and effectiveness of the respective purchases of goods, materials, equipment and supplies by the parties.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates below.

City of Keller, Texas:

By: [Signature]
NAME: STEVEN J. POLASEK
TITLE: City Manager
DATE: 6.25.12

ATTEST:

By: [Signature]
NAME: Spella Stephens
TITLE: City Secretary

APPROVED AS TO FORM AND LEGALITY

By: [Signature]
NAME: Stan Lauer
TITLE: City Attorney

City of Southlake, Texas:

By: [Signature]
NAME: John C. Terrell
TITLE: Mayor
DATE: June 5, 2012

ATTEST:

By: [Signature]
NAME: _____
TITLE: _____

APPROVED AS TO FORM AND LEGALITY

By: [Signature]
NAME: TIM G. SRAHLA
TITLE: CITY ATTORNEY

City of Colleyville, Texas:

By: [Signature]
NAME: David Kelly
TITLE: Mayor
DATE: July 5, 2012

ATTEST:

By: [Signature]
NAME: Cynthia Singleton
TITLE: City Secretary

APPROVED AS TO FORM AND LEGALITY

By: [Signature]
NAME: Matthew Doyle
TITLE: City Attorney

City of Grapevine, Texas:

By: [Signature]
NAME: Bruno Rumbelow
TITLE: City Manager
DATE: June 22, 2012

ATTEST:

By: [Signature]
NAME: Jodi C. Brown
TITLE: City Secretary

APPROVED BY COUNCIL 5/15/12

APPROVED AS TO FORM AND LEGALITY

By: [Signature]
NAME: John F. Bayle, Jr.
TITLE: City Attorney

Colleyville City Council

MAY 15 2012 WITNESS ENVIRONMENTAL AGREEMENT FOR PURCHASING

Page 4

Approved

RESOLUTION R-12-3497

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER CONSENT ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF MAY 15, 2012**

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

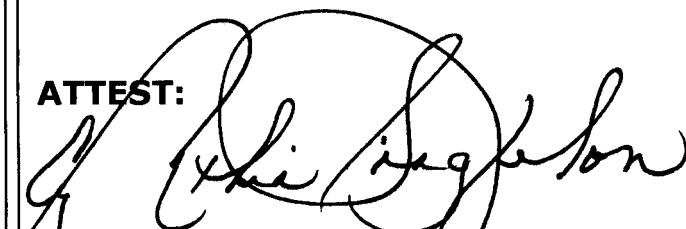
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF COLLEYVILLE, TEXAS:**

- 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 May 1, 2012
 - b. Approval of an interlocal agreement with the cities of Keller, Southlake and Grapevine for cooperative purchasing of goods and services, and authorize the city manager to execute the agreement
 - c. Approval of the disposal of obsolete and non-serviceable equipment and vehicles
 - d. Approval of an agreement for the acquisition of Incode Court software with Tyler Technologies for the joint Municipal Court of Colleyville and Keller with an annual license agreement cost of \$49,991, and a data conversion cost of \$58,290, and authorize the city manager to execute the agreement

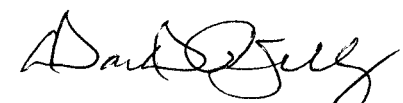
AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 7 AYES, 0 NAYS AND 0
ABSTENTIONS ON THIS THE 15TH DAY OF MAY 2012.

ATTEST:


Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

HD Supply Waterworks, LTD.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

N/A

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

☐ Yes

☐ No

N/A

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes

☐ No

N/A

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

☐ Yes

☐ No

N/A

D. Describe each employment or business relationship with the local government officer named in this section.

N/A

4

Larry Brock

Signature of person doing business with the governmental entity

6-15-17

Date



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4e

Agenda Date 07/11/2017

Number Resolution R-17-4149

Type Resolution

Department Human Resources

Title

Authorizing creation of an employee benefits trust, authorizing the trust agreement, appointing trustees, and authorizing the trust to purchase various forms of insurance for the benefit of City officers, employees, qualified retirees, and their dependents

Strategic Plan

2.2 Recruit and retain a highly-qualified workforce

2.4 Demonstrate stewardship of public resources

Explanation

Reading and Public Hearing

During the June 20, 2017 City Council worksession, the City's insurance broker/consultant, IPS Advisors, recommended the City evaluate the option of establishing a single non-profit trust (Trust) in order to save taxes on insurance premiums. This option is only available because Colleyville has fully insured plans. The Texas Insurance Code Section 222.002 requires an annual tax on insurers who receive gross premiums for health, life, and accident insurance (Attachment A). These taxes are included in the premiums paid to the City's insurance providers each year. However, under the provisions of the Texas Insurance Code, municipalities may be exempt if the insurance is provided through "a single non-profit trust established to provide coverage primarily for employees . . ." The premium taxes for medical insurance alone would be \$37,806 for FY2018 medical premiums.

In order to establish a Trust, the City Council will need to adopt a resolution and Trust documents. The attached proposed Trust documents establish a single non-profit trust for the City of Colleyville for the purpose of collection of receipts for employee insurance and the payment of the premiums associated with these insurance products (Attachment B). The City Attorney has reviewed these documents for legal compliance.

The Trust specifies:

- The purpose of the trust, including restrictions on what funds from the Trust may be used for;
- The authority and duties of the Trustees;
- Resignation, removal and succession of the Trustees; and
- Duration of the agreement.

Establishment of the Trust will ultimately result in annual cost savings in premium taxes. The savings will also increase as premium costs for insurance products also likely increase in upcoming years.

Summary

During the June 20, 2017 City Council worksession, the City Council provided direction for staff to move forward with establishing an employee benefits trust. Approval of this resolution and the attached trust agreement will fulfill the direction provided by City Council.

Financial Impact

Estimated minimum savings of \$37,806 for FY2018.

Recommendation

Approve

Attachments

1. Attachment A - Texas Insurance Code
2. Attachment B - Trust Agreement

Attachment A

INSURANCE CODE

TITLE 3. DEPARTMENT FUNDS, FEES, AND TAXES

SUBTITLE C. INSURANCE MAINTENANCE TAXES

CHAPTER 257. LIFE, HEALTH, AND ACCIDENT INSURANCE

Sec. 257.001. MAINTENANCE TAX IMPOSED. (a) A maintenance tax is imposed on each authorized insurer, including a group hospital service corporation, managed care organization, local mutual aid association, statewide mutual assessment company, stipulated premium company, and stock or mutual insurance company, that collects from residents of this state gross premiums or gross considerations subject to taxation under Section [257.003](#). The tax required by this chapter is in addition to other taxes imposed that are not in conflict with this chapter.

(b) In this section, "managed care organization" means an organization authorized under this code to engage in the business of issuing health benefit plans that is not authorized as a health maintenance organization, preferred provider organization, or insurance company and the taxation of which is not preempted by federal law.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 932 (H.B. [3315](#)), Sec. 14, eff. June 15, 2007.

Sec. 257.002. MAXIMUM RATE; ANNUAL ADJUSTMENT. (a) The rate of assessment set by the commissioner may not exceed 0.04 percent of the gross premiums and gross considerations subject to taxation under Section [257.003](#).

(b) The commissioner shall annually adjust the rate of assessment of the maintenance tax so that the tax imposed that year, together with any unexpended funds produced by the tax, produces the amount the commissioner determines is necessary to pay the expenses during the succeeding year of regulating life, health, and accident insurers.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

Sec. 257.003. PREMIUMS AND CONSIDERATIONS SUBJECT TO TAXATION;

LIMIT. (a) An insurer shall pay maintenance taxes under this chapter on the correctly reported:

(1) gross premiums collected from writing life, health, and accident insurance in this state, except as provided in Subsection (b); and

(2) gross considerations collected from writing annuity or endowment contracts in this state.

(b) The gross premiums on which an assessment is based under this chapter may not include:

(1) premiums received from the United States for insurance contracted for by the United States in accordance with or in furtherance of Title XVIII of the Social Security Act (42 U.S.C. Section 1395c et seq.) and its subsequent amendments; or

(2) premiums paid on group health, accident, and life policies in which the group covered by the policy consists of a single nonprofit trust established to provide coverage primarily for employees of:

(A) a municipality, county, or hospital district in this state; or

(B) a county or municipal hospital, without regard to whether the employees are employees of the county or municipality or of an entity operating the hospital on behalf of the county or municipality.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

Amended by:

Acts 2005, 79th Leg., Ch. 728 (H.B. 2018), Sec. 11.006(a), eff. September 1, 2005.

Sec. 257.004. MAINTENANCE TAX DUE DATES. (a) The insurer shall pay the maintenance tax annually, semiannually, or on another periodic basis, as determined by the comptroller.

(b) The comptroller may require semiannual or other periodic payment only from an insurer whose maintenance tax liability under this chapter for the previous year was at least \$2,000.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

DECLARATION OF TRUST

I.

CREATION OF TRUST

The City of Colleyville ("City"), as Settlor or creator of the trust, designates the members of the City of Colleyville Trustees and declares that the City holds in trust the funds described in Schedule A attached hereto and incorporated herein by reference, which is the property of the City, and all substitutions and additions to such funds, for the purpose of providing or offering, whether now or possibly in the future, life, disability, sick, accident, and other health benefits to the City's officers, employees, and qualified retirees and their dependents.

II.

PURPOSE

This is a nonprofit trust created for the purpose of providing or offering, whether now or possibly in the future, City officers, employees, and qualified retirees and their dependents with life, disability, sickness, accident, and other health benefits either directly or through the purchase of insurance and to perform operations in furtherance thereof. The Trust is intended to qualify as a tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Internal Revenue Code (the "Code").

III.

DURATION

The Trust shall continue until terminated by operation of law or by majority vote of the Trustees.

IV.

TRUSTEES: COMPOSITION, OFFICERS, COMPENSATION, AND MEETINGS

A. Composition. The Trustees are the City Manager, Chief Financial Officer and the Human Resources Director of the City, and each Trustee's term is contemporaneous with his or her term of employment with the City. Whenever a Trustee ceases to be an employee of the City, the person succeeding him or her in office will automatically be appointed to serve as a successor Trustee of the Trust.

B. Meetings. A meeting of the Trustees may be called by the City Manager or on written request to the City Manager by one of the Trustees. Trustees shall have at least three days written notice of any meeting. For purposes of this section, electronic mail notice is written notice.

V.

RIGHTS, POWERS, AND DUTIES OF TRUSTEES; QUORUM AND VOTING

A. Rights, Powers, and Duties. In addition to all other powers and duties conferred on them by this Trust document and imposed or authorized by law, the Trustees shall have the following powers and duties, but only to the extent permissible for a single purpose non-profit trust under Section 222.002(c)(5) of the Texas Insurance Code:

1. The Trustees shall carry out all of the duties necessary for the proper operation and administration of the Trust on behalf of the covered persons and shall have all the powers necessary and desirable for the effective administration of the affairs of the Trust.
2. The Trustees have the general power to make and enter into all contracts, leases, and agreements necessary or convenient to carry out any of the powers granted by this Trust document or by law or to effectuate the purpose of the Trust. All such contracts, leases, and agreements or any other legal documents herein authorized shall be approved by the Trustees by majority vote at a duly called meeting at which a quorum is present and signed by the City Manager on behalf of the Trust. The Trustees may also designate another Trustee to sign such documents.
3. The Trustees shall use the Trust's funds to accomplish the purpose of the Trust, as described in Section II herein, and to operate and administer the Trust solely in the interest of the covered City officers, employees, and qualified retirees and dependents thereof and for the exclusive purpose of providing or offering benefits to such persons and defraying the reasonable expenses of administration of the Trust. To this end, the Trustees may purchase life, disability, or accident and health insurance to provide or offer coverage for participating City officers, employees, and qualified retirees and their dependents. The Trustees may also adopt a health benefits plan that covers eligible City officers, employees, and qualified retirees, and their dependents.
4. The Trustees may accept contributions to the Trust funds from any source including contributions from covered persons receiving benefits from the Trust.
5. The Trustees shall be authorized to contract with any qualified organization to perform any of the functions necessary for providing or offering life, disability, sick, accident, and other health benefits, including but not limited to excess loss insurance, stop loss insurance, claims administration, administrative services, and any other services that the Trustees shall deem expedient for the proper operation of the Trust. When required by law or desired by the Trustees, the Trustees shall seek sealed competitive bids or sealed competitive proposals with respect to contracts required to carry out the operations of the Trust and to affect the purpose of the Trust.

6. The Trustees shall arrange for the investing of the funds of the Trust so as to keep the same invested according to law and at the best interest rates obtainable for the benefit of the covered persons. The Trustees may hire money managers and shall adopt an investment policy for its own use and that of its agents in making investments. The Trustees shall use the City's selected depository for the Trust's funds and provide for the proper security of any and all investments. The Trustees shall be responsible for the designation of signatories for the Trust's depository accounts.
7. The Trustees may purchase insurance for the Trustees and any other fiduciaries appointed by the Trustees and for the Trust itself to cover liability or losses occurring by reason of the act or omission of any one or more of the Trustees or any other fiduciary appointed by them. Any insurance purchased by the Trustees must give the insurer recourse against the Trustees or other fiduciaries concerned for breach of any fiduciary obligation or fiduciary duty owed to the Trust.
8. The Trustees shall arrange for proper accounting and reporting procedures for the Trust's funds and shall also provide for an annual audit of the Trust's financial affairs by a certified public accountant or other duly qualified individual or company auditor.
9. The Trustees may retain legal counsel to represent the Trust and the Trustees in all legal proceedings as well as to advise the Trust and the Trustees on all matters pertaining to the operation and administration of the Trust.
10. The Trustees have the authority to terminate the Trust at any time.
11. Upon termination of the Trust, the Trustees shall provide for the payment of Trust obligations, debts, losses, and other liabilities and shall provide for the disposition of the remaining Trust funds in accordance with Section IX herein.

B. Quorum and Voting. Two of the Trustees shall constitute a quorum for the transaction of business at any meeting of the Trustees and the vote of two Trustees present shall be required for approval of any action at such meeting. The vote of the Trustees at such meeting shall constitute action of the Trustees as a group.

VI.

BENEFICIARIES

The beneficiaries of the Trust are the City officers, employees, and qualified retirees and their dependents who are covered by a life, disability, sick, accident, or other health benefits plan purchased or adopted by the Trust (also called "covered persons" herein). Beneficiaries may make contributions to the Trust for use by the Trustees in fulfilling the purposes of the Trust. No beneficiary shall have any claim against the funds or any other property of the Trust. The rights

and interests of the beneficiaries are limited to the insurance or health benefits specified in any policy purchased or plan adopted by the Trustees.

VII.

TRUST FUNDS

The initial Trust funds consist of the funds described in Schedule A hereto as provided by the Settlor to institute this Trust, future contributions by the Settlor, beneficiary contributions, investment income, and any other money or property which shall come into the hands of the Trustees in connection with the administration of the Trust. The funds of the Trust shall not inure to the benefit of, or be distributed to, any private person, except for the payment of necessary costs and benefits described below. The Trustees may use the Trust's funds as follows:

1. to pay premiums on group health, accident and life policies or contracts;
2. to make authorized investments and paying fund management fees from the proceeds of the investment.

VIII.

LIABILITY OF TRUSTEES AND OFFICERS

The Trustees shall use ordinary care and reasonable diligence in the exercise of their powers and the performance of their duties hereunder; and they shall not be liable for any mistake of judgment or other action made, taken or omitted by them in good faith, nor for any action taken or omitted by any agent, employee or independent contractor selected with reasonable care; nor for loss incurred through investment of the Trust funds or failure to invest. No Trustee shall be liable for any action taken or omitted by any other Trustee. No Trustee shall be required to give a bond or other security to guarantee the faithful performance of his or her duties hereunder. To the fullest extent permitted by law: (a) the City shall indemnify each Trustee who was, is, or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding ("Proceeding"), any appeal therein, or any inquiry or investigation preliminary thereto, by reason of the fact that the Trustee is or was a Trustee; (b) the City shall pay or reimburse a Trustee for expenses incurred (i) in advance of the final disposition of a Proceeding to which such Trustee was, is or is threatened to be made a party, and (ii) in connection with such Trustee's appearance as a witness or other participation in any Proceeding.

IX.

AMENDMENT, REVOCATION AND TERMINATION

This Declaration of Trust and the Trust created herein shall terminate when and if required by operation of law. The Trustees shall have the power to amend, modify, terminate or revoke, in whole or in part, this Declaration of Trust and the Trust created herein by majority vote at a duly called meeting at which a quorum is present. Notwithstanding the foregoing, the Trustees shall

have no power to amend Section II of this Declaration of Trust. Beneficiaries of the Trust shall have no right to amend this Declaration of Trust, and their approval shall not be a condition or requirement for an authorized amendment by the Trustees. Upon termination of the Trust, the Trustees shall pay all obligations, debts, losses, and other liabilities of the Trust. Thereafter, the Trustees shall first use the remaining trust funds to pay covered claims of persons covered under the Town's health benefits plan that may be in effect at the time of termination of the Trust and then, either apply any remaining balance of the funds to provide the benefits described herein or transfer such funds to a successor whose income is excluded under Section 115(1) of the Code. Notwithstanding the foregoing, the Trustees, upon termination of the Trust and payment of all Trust obligations may, by vote of a majority of the Trustees, transfer the remaining funds or any portion thereof to the trustees of any trust or trusts established by the City for a substantially similar purpose to be applied for uses substantially similar to those set forth in Section II herein.

X.

GOVERNING LAW

This Declaration of Trust and the Trust created herein shall be construed and governed by the laws of the State of Texas in force from time to time.

XI.

MISCELLANEOUS

Whenever the context so admits and such treatment is necessary to interpret this Declaration of Trust in accordance with its apparent intent, the use herein of the singular shall include the plural, and vice versa, and the use of the feminine, masculine, or neuter gender shall be deemed to include the other genders.

The captions or headings above the various Sections of this Declaration of Trust have been included only to facilitate the location of the subjects covered by each Section but shall not be used in construing this Declaration Trust.

If any clause or provision of this Declaration of Trust proves to be or is adjudged invalid or void for any reason, such invalid or void clause, provision, or portion shall not affect the whole, but the balance of the provisions hereof shall remain operative and shall be carried into effect insofar as is legally possible.

[REMAINDER OF PAGE INTENTIONALLY BLANK; SIGNATURE PAGE FOLLOWS.]

IN WITNESS HEREOF, the undersigned parties have executed this Declaration of Trust, consisting of seven (7) pages and Schedule A attached hereto, on the dates of their respective acknowledgments below. By joining in the execution of this Declaration of Trust, the Trustees acknowledge receipt of the property described in Schedule A, signify acceptance of the Trust created hereunder, and covenant that the Trust will be executed with all due fidelity. This Trust is effective as of the last date of signature below.

_____ Mayor	_____ Date
----------------	---------------

_____ Jerry Ducay, City Manager, Trustee	_____ Date
---	---------------

_____ Shereen Gendy, Chief Financial Officer, Trustee	_____ Date
--	---------------

_____ Rachel Huitt, Human Resources Director, Trustee	_____ Date
--	---------------

ACKNOWLEDGMENTS

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This instrument was acknowledged before me on this ____ day of _____ 2017,
by Jerry Ducay, City Manager of the City of Colleyville on behalf of the City.

Notary Public In and For the State of Texas

(SEAL)

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This instrument was acknowledged before me on this ____ day of _____ 2017,
by Shereen Gendy, Chief Financial Officer of the City of Colleyville on behalf of the City.

Notary Public In and For the State of Texas

(SEAL)

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

This instrument was acknowledged before me on this ____ day of _____ 2017,
by Rachel Huitt, Human Resources Director of the City of Colleyville on behalf of the City.

Notary Public In and For the State of Texas

SCHEDULE A

The following is a list of the assets initially transferred by the City of Colleyville, Texas, to the Trust:

City of Colleyville's first month (**October 2017**) contributions for Employee and Dependents Medical/Pharmacy Benefits, Dental Benefits, Life Insurance Benefits, and Long-Term Disability Benefits.

City of Colleyville's Employee and Dependents first month (**October 2017**) of Plan Year's payroll deductions or contributions for Medical/Pharmacy Benefits, Dental Benefits, Life Insurance Benefits, and Long-Term Disability Insurance Benefits.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4f

Agenda Date 07/11/2017

Number Resolution R-17-4149

Type Resolution

Department Human Resources

Title

Approval of bid awards for medical insurance to Blue Cross Blue Shield of Texas and dental insurance to CIGNA Dental; and renewal of a contract for the employee assistance program with Alliance Work Partners, and authorize the city manager to execute the agreements

Strategic Plan

2.2 Recruit and retain a highly-qualified workforce

2.4 Demonstrate stewardship of public resources

Explanation

Reading and Public Hearing

In April and May of each year, the City evaluates employee health insurance for the upcoming fiscal year to ensure we are remaining competitive on insurance plans and premiums. This year, staff instructed the City's benefits broker/consultant, IPS Advisors, to seek competitive proposals using the City's current plan designs from all National Tier 1 and Tier 2 companies. Tier 1 and 2 companies are those with the highest percentage of membership within the state. During the June 20, 2017 City Council worksession, IPS Advisors presented information and discussed with City Council the employee health insurance bid results and recommendations for Fiscal Year 2018 (FY18).

Summary of Bid Results

The City of Colleyville offers the following insurance benefits to employees:

- medical
- dental
- vision
- life and accidental death and dismemberment (AD&D)
- long term disability
- flexible spending account
- employee assistance program, and
- pricing transparency.

All plans are effective October 1 of each year.

This year we solicited bids for medical and dental only, as the other benefits are in a rate guarantee. City staff, IPS Advisors, and the employee Benefits and Wellness Committee evaluated the various bids for proposed benefit levels, plan designs and premiums.

Medical Insurance: The City's medical plan is the largest cost among all of the lines of coverage at over \$2 million per year. The City's current medical provider, BlueCross and BlueShield of Texas (BCBS), typically provides the initial renewal rates to the City in May of each year; however, this year the City went out to bid for our current medical plan designs in April. Carriers were asked to bid on the current two medical plans as well as an HSA plan option in order evaluate various alternatives. We received quotes from Aetna, BCBS, CIGNA, TML and United HealthCare (UHC). The bids ranged from zero percent to 17 percent increases from the City's current premiums, with the two top competitive bids being from Aetna and BCBS. Aetna submitted a competitive bid of +7 percent increase and BCBS bid a zero percent increase. The recommendation was to remain with BCBS for the same plans and rates as last year. With this zero percent rate change, there would be no increase or decrease to the current premiums, and therefore, no budgetary impact for FY18.

BCBS did also bid an HSA alternative this year, however, the HSA plan quoted would only save the City \$4,809 per year. This was not a significant enough cost savings to warrant implementing the plan this year.

Dental Insurance: The City also solicited bids from dental providers. The current dental carrier is BCBS Dental and the current dental policy with BCBS is substantially in line with normative data. The current dental plan has a \$50 individual deductible and a \$150 family deductible with \$1,000 orthodontia lifetime maximum and \$1,500 annual maximum. The plan covers:

- preventative services at 100%
- basic services at 80%
- major and orthodontia services at 50%

This year, IPS Advisors recommended the City to consider increasing the orthodontia lifetime maximum to \$1,500 to align with other benchmark cities' plans. The dental policy with BCBS was up for renewal October 1, 2017 and the City received a bid from BCBS Dental with a +35 percent increase from our current premiums due to a large amount of claims being incurred since the October 1 plan year began. This would result in an additional \$41,747 in dental premiums for FY2018. Other quotes were received from Aetna, CIGNA, UHC, MetLife, United Concordia, The Standard, Renaissance, TruAssure, and Lincoln Financial. Both Aetna and Cigna submitted competitive bids with Aetna bidding a 10.23 percent decrease and Cigna bidding a percent increase/decrease. Aetna's bid at -10.23 percent would save the City \$12,135; however, it was concerning that they were only bidding a one-year rate. There is a potential that if claims ran high another year, next year's rate would come in high similar to what BCBS bid this year due to a large amount of claims. In addition, when IPS ran a

network and disruption report, it was discovered that employees would see more disruption in switching dentists with the Aetna plan than with the Cigna dental plan. CIGNA was able to match current benefits in place today, as well as add a 5 percent rate cap for year two. This would provide protection for the City if claims continued to run high into the next plan year. As mentioned previously, CIGNA's network and disruption files came in most favorable to employees, meaning that employees should see little to no disruption with the in-network dental providers they are currently utilizing. Based upon the zero percent increase, the limited disruption to employees, and the year two rate cap, staff and IPS recommended to contract with CIGNA for dental insurance. There would be no increase or decrease to the current premiums, and therefore, no budgetary impact for FY2018.

Other Insurance Plans Not Bid for FY18

Since the medical and dental plans listed above were not in a rate guarantee for more than one year, the City solicited bids for these products. Other City benefits were in a rate guarantee so they were not bid for the upcoming year. These are listed below.

Vision: The vision plan covers annual eye exams at \$10, and employees pay a \$25 materials copay. Employees receive a \$130 frame allowance and a \$160 contact lens allowance. The Vision Plan with Superior Vision is currently in a rate guarantee until October 1, 2020. This means that the rates are locked in until this date. No changes are recommended at this time as the current plan of benefits are in line with like entities. Because IPS Advisors is not collecting commissions effective with the new plan year, rates will decrease by -10 percent, or \$1,201 for FY2018.

Basic Life and AD&D: The current life and AD&D options through Dearborn National are in a rate guarantee until October 1, 2019. The plan offers employer paid Basic Life Insurance with a \$15,000 maximum benefit. IPS Advisors is recommending to adjust this benefit to 1 x Base Annual Earnings to \$50,000 for the October 1, 2017 renewal. These changes would align these benefits more with other cities in the area.

Supplemental Life and AD&D: In addition to the Basic Life policy, employees may purchase Supplemental Life Insurance separately up to an employee maximum of \$500,000. This benefit is competitive with other benchmark agencies and no changes are recommended to Supplemental Life Insurance at this time.

Long Term Disability: The current long term disability option through Dearborn National is in a rate guarantee until October 1, 2019. Long Term Disability premiums are paid 100 percent by the City in case an employee becomes too sick or injured to work. In the event an employee goes on long term disability, this policy pays 60 percent of an employee's salary to a maximum of \$5,000 per month until they reach Social Security Normal Retirement Age. IPS Advisors recommended adjusting the maximum to \$7,500 to be more in line with other benchmark agencies.

With the change in the Basic Life and AD&D policy and the change to the Long Term Disability policy, the City will see a +2 percent increase to rates, or \$732 for FY18.

Employee Assistance Program (EAP): The City currently provides an EAP to employees and their families for counseling, guidance, training and resources. This program assists employees with substance/alcohol abuse, family issues, financial or emotional problems. No changes are recommended to this benefits at this time. Overall, the City has seen over \$18,000 in estimated cost savings for 2016. Furthermore, Colleyville's EAP utilization (6 percent) is above national average of 3 percent this plan year. This plan renews on an annual basis unless cancelled by the City. Alliance Workforce Partners has asked to have a renewal contract signed this year to reflect the reduction in premiums, so this the only contract on the agenda for renewal this year.

Flexible Spending Account: The City provides Flexible Spending Accounts to employees who use pre-tax dollars to pay for out-of-pocket healthcare and dependent care expenses. This benefit is provided through Discovery Benefits and no changes are recommended at this time.

Pricing Transparency/ Concierge Services: In FY2017, the City began offering a new benefit for professional health services. The vendor, Compass Professional Services, provides concierge-type services to employees in helping them navigate the complexities of the healthcare system by providing better information and smarter alternatives that can save time, money and frustration. These type of programs allow employees to call a toll-free number to speak to someone who can walk them through different cost options for prescriptions, medical procedures (such as pricing MRIs or CT scans), and questions about medical bills. When employees are empowered with information, they are better able to make healthcare decisions and save themselves and the plan money. Compass is offered to employees free of charge to assist members in finding high quality, low cost in-network providers and has a dedicated team to assist employees with healthcare needs. The City has seen 27 percent utilization since the plan started in October 1, 2016, which is above norms. Overall since October 1, 2016, Compass has saved the employees and the plans over \$80,070. This plan renews on an annual basis unless cancelled by the City.

Cost Impact for City-Paid Benefits

The following table summarizes the financial impact to the City to implement the changes recommended. The total budgetary impact to the City of Colleyville would be \$479 in FY2018.

Plan	Cost Diff	Recommendations
Medical	\$0	Renew with BCBS with the same plan designs and rates currently in place.
Dental	\$0	Change from BCBS Dental to Cigna Dental.
Basic Life and AD&D	\$5,070	Adjust this benefit to 1 x Base Annual Earnings to \$50,000 to be more in line with other cities.
Long Term Disability	-\$4,339	Adjust the maximum to \$7,500 to be more in line with other cities.

Employee Assistance Program	-\$252	Renew with AWP with a -3%, or \$252 decrease.
Flexible Spending Account	\$0	No changes to current plan or rates.
Pricing Transparency/Concierge Services	\$0	No changes to current plan or rates.
TOTAL ANNUAL	\$479	

Cost Impact for Employee-Paid Benefits

The table below reflects how the changes will affect employees. The total savings to employees would be \$1,201 in FY18 in vision premiums.

Plan	Cost Diff	Recommendations
Medical	\$0	Renew with BCBS with the same plan designs and rates currently in place.
Dental	\$0	Change from BCBS Dental to Cigna Dental.
Vision	-\$1,201	Renew with Superior Vision with rates decreasing by -10%, or \$1,201.
Supplemental Life and AD&D	\$0	No changes to current plan or rates.
TOTAL ANNUAL	-\$1,201	

Summary

The City Council provided direction for staff to move forward with a resolution to authorize the city manager to execute contracts for medical insurance with BlueCross BlueShield of Texas (BCBS) and dental insurance with CIGNA dental. Alliance Workforce Partners has asked to have a renewal contract signed this year to reflect the reduction in premiums, so this the only contract on the agenda for renewal this year. Other City benefits were in a rate guarantee so they do not require renewal for the upcoming year.

Financial Impact

Impact to FY2018 budget is \$479.

Recommendation

Approve

Attachments

1. Attachment A - BCBS Conflict of Interest Forms
2. Attachment B - CIGNA Conflict of Interest Forms
3. Attachment C - AWP Conflict of Interest Forms

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

OFFICE USE ONLY CERTIFICATION OF FILING

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

Blue Cross and Blue Shield of Texas, a Division of HCSC, a Mutual Legal Reserve Company
Richardson, TX United States

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

City of Colleyville

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

RFP #HR-2017-01
Health and Welfare Request for Proposal

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



AFFIX NOTARY STAMP / SEAL ABOVE

Darrell Beck H

Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said Darrell Beck H, this the 3rd day of May, 2017, to certify which, witness my hand and seal of office.

Brenda Jackson
Signature of officer administering oath

Brenda Jackson
Printed name of officer administering oath

Notary
Title of officer administering oath

CONFLICT OF INTEREST QUESTIONNAIRE**FORM CIQ**

For vendor doing business with local governmental entity

OFFICE USE ONLY

Date Received

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local government entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

1 Name of vendor who has a business relationship with local governmental entity.

Blue Cross and Blue Shield of Texas (BCBSTX), a Division of Health Care Service Corporation, a Mutual Legal Reserve Company *SEE BELOW

2

- ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Not applicable.
Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No Not applicable.

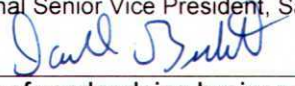
B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No Not applicable.

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

* BCBSTX has no knowledge of officers, employees, or agents who have an employment or other business relationship with local government officers or relatives of local government officers of the City of Colleyville. BCBSTX does not currently ask this question of officers, employees, or agents.

If selected, BCBSTX would conduct a diligent inquiry annually to ensure no conflict exists that would impact its ability to perform its obligations under the contract.

6	☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).
7	Signed for Blue Cross and Blue Shield of Texas By: Darrell Beckett Title: Divisional Senior Vice President, Sales and Marketing, Texas  _____ Signature of vendor doing business with the governmental entity May 8, 2017 _____ Date

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

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

OFFICE USE ONLY

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

Glana Health & Life Insurance Company

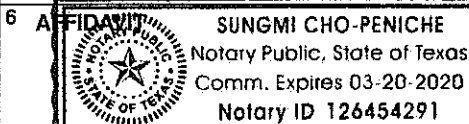
2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Colleyville

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

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO Interested Party.



I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Andrea Woodworth

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Andrea Woodworth, this the 22 day of June, 2017, to certify which, witness my hand and seal of office.

[Signature]
Signature of officer administering oath

Sungmi Cho-Peniche
Printed name of officer administering oath

Notary
Title of officer administering oath

ADD ADDITIONAL PAGES AS NECESSARY

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

Cigna Health & Life Insurance Company

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

CITY of COLLEYVILLE

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☒ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes

☒ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Andrea Woodworth
Signature of vendor doing business with the governmental entity

6/22/17
Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;
or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2017-229271

Date Filed:
06/27/2017

Date Acknowledged:

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

Alliance Work Partners
Austin, TX United States

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

City of Colleyville

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

N/A
Full Service Employee Assistance Program (EAP) Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



AFFIX NOTARY STAMP / SEAL ABOVE

Scott J. Terras
Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said Scott J. Terras, this the 27th day of June, 2017, to certify which, witness my hand and seal of office.

France Marie Alston France Marie Alston Notary
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

Alliance Work Partners, a DBA of Workers Assistance Program

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

N/A

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☒ No

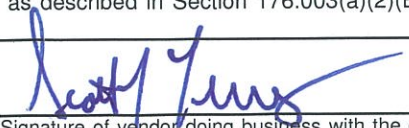
B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes

☒ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 
Signature of vendor doing business with the governmental entity

6/28/2017

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;
or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a

Agenda Date 07/11/2017

Number Ordinance O-17-2014

Type Public Hearing Agenda Items

Department Community Development

Title

Consideration of a zoning change from the AG-Agricultural zoning district to the R40-Single Family Residential zoning district on Tract 5A01, Abstract 294, in the Robert Chowning Survey, located at 6260 Pool Road, Case ZC17-007

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

First Reading and Public Hearing

Sharon Chan, the applicant, has submitted a request to rezone approximately 1.30 acres, located at 6260 Pool Road, from the AG-Agricultural district to the R-40 Single Family Residential district. The applicant is seeking a zoning change in order to create one single family residential lot for future residential development.

Existing Conditions/Background: The subject property is currently unplatted. The applicant has indicated the intent to construct a new single family home on the subject property. A minor plat will be required to be approved prior, to issuance of a building permit.

Proposed Zoning Change:

Request – The applicant is requesting a zoning change from the AG-Agricultural district to the R-40 Single Family Residential district to create one single family residential lot.

Ordinance – Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the R-40 zoning regulations require the following standards:

- Minimum Lot Area: 40,000 square feet
- Minimum Lot Width: 150 feet
- Minimum Lot Depth: 150 feet
- Minimum Front Yard Setback: 40 feet
- Minimum Side Yard Setbacks: 15 feet
- Minimum Rear Yard Setback: 25 feet
- Maximum Lot Coverage: 20 percent

The applicant has provided a zoning exhibit which is conceptual in nature and not up for consideration as part of the zoning request. However, the conceptual exhibit

proposes one lot of 56,802 square feet, or 1.30 acres. This conceptual plan appears to meet the R-40 zoning district's minimum lot area of 40,000 square feet and other standards as listed above. Chapter 3 (Land Use) of the Land Development Code identifies the purpose and intent of the R-20 zoning district as primarily oriented toward low-density residential purposes and open space uses. Additionally, it states the principal uses shall be moderately low-density detached single family homes.

Analysis – Although the zoning designations for the majority of the adjacent properties are AG Agricultural and R-20 Single Family Residential, the subject property is clearly aligned with the R-40 district. The proposed conceptual zoning exhibit meets the minimum standards for the R-40 district and is consistent with the development patterns in the immediate area. Additionally, the zoning request will create a large estate lot along Pool Road which is aligned with the Comprehensive Plan and the larger vision for this portion of Colleyville.

Surrounding Development: The properties to the north and west are zoned AG Agricultural district and developed with one single family home. The properties to the south are zoned R-20 Single Family Residential district and AG Agricultural district and developed with single family homes. The properties to the east are located within the City of Grapevine and developed with single family homes.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single family residential uses. The proposed rezoning request does not seek to change the use on the subject property from single family residential uses. The comprehensive plan's Residential Density Policy states that the maximum density of each residential project shall be 1.8 dwelling units per net acre. The proposed density is 0.76 dwelling units per net acre. The proposed rezoning request complies with the density policy stated in the Comprehensive Plan.

Fees: Park Land Dedication fees are not required for the subject property.

Tree Preservation: Any future subdivision of the subject property must comply with Chapter 5 (Tree Preservation) of the Land Development Code. Where any tree is slated for removal, no site grading, dirt disturbance or new construction may occur on the property until a Tree Removal Permit has been issued that is associated with an approved Tree Preservation Plan.

In addition to the requirements for submittal of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the minimum existing protected tree canopy coverage as required in Chapter 5.

Public Notification: Staff mailed notices to all property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property on Friday, May 26, 2017 regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth*

Star-Telegram on Saturday, May 27, 2017 as required by State law and the Land Development Code. To date, staff has received one letter of support for this item.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of this request at the June 12, 2017 meeting by a vote of 5-0.

Staff Recommendation: The proposed zoning change is generally consistent with the City's comprehensive plan. Although the requested R-40 district is not the same as the surrounding AG-Agricultural and R-20 district designations, the R-40 district is the most compatible zoning district for this property. The applicant will be required to submit a minor plat which meets the requirements of the R-40 district prior to issuance of a building permit. Staff recommends approval of the proposed rezoning request.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Zoning Exhibit
5. Statement of Planning Objectives
6. Notification Map
7. Notification List
8. Property Owner Notification
9. Legal Notice
10. Letter of Support
11. Ordinance O-17-2014

AERIAL MAP



ZC17-007

6260 POOL ROAD

 Subject Property



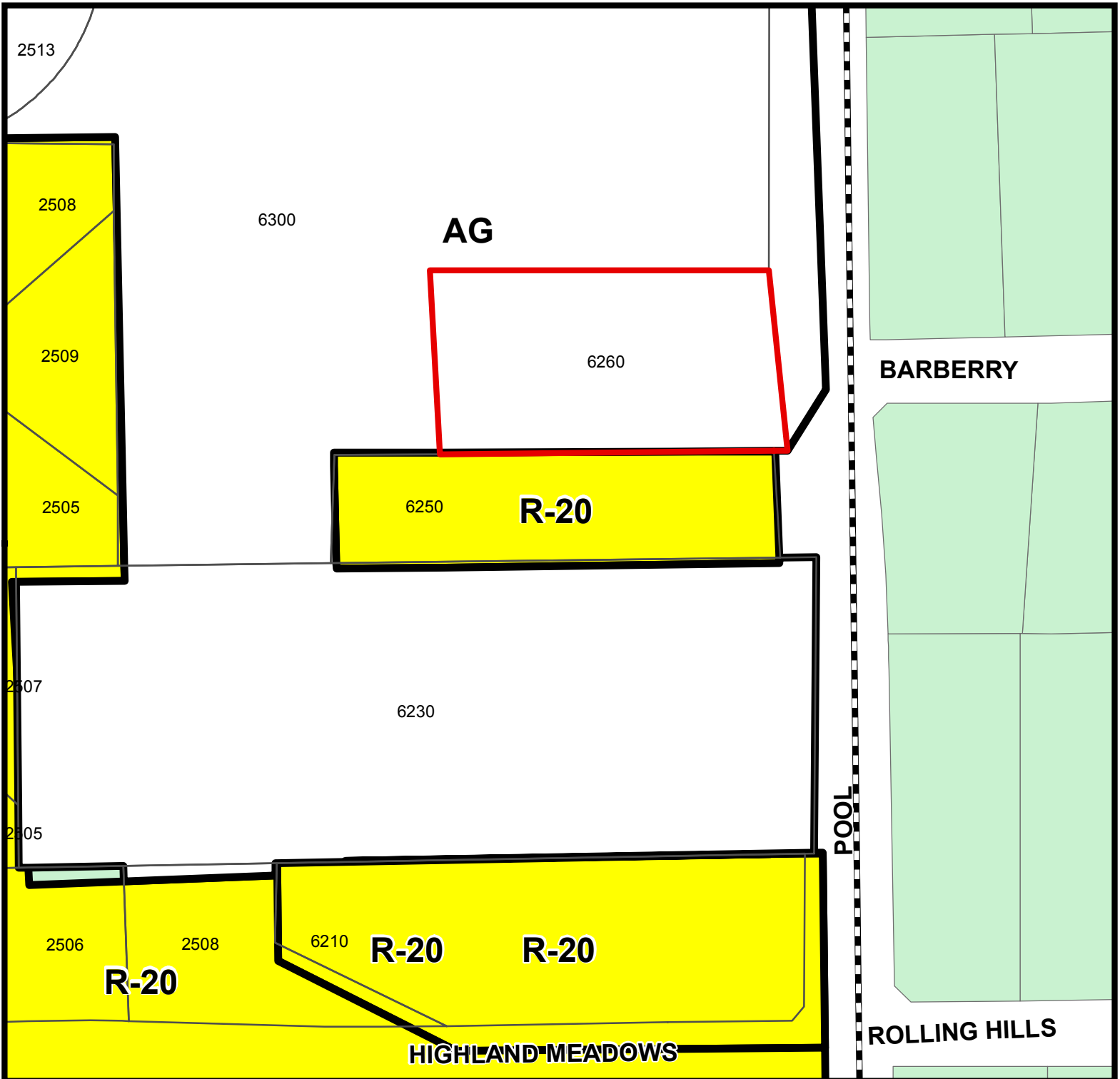
1 inch = 125 feet

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

ZONING MAP



ZC17-007

6260 POOL ROAD

- Subject Property
- AG Agricultural
- R-20 Single Family Residential (20,000 sq. ft. min)
- Properties outside the City Limit
- City Limit



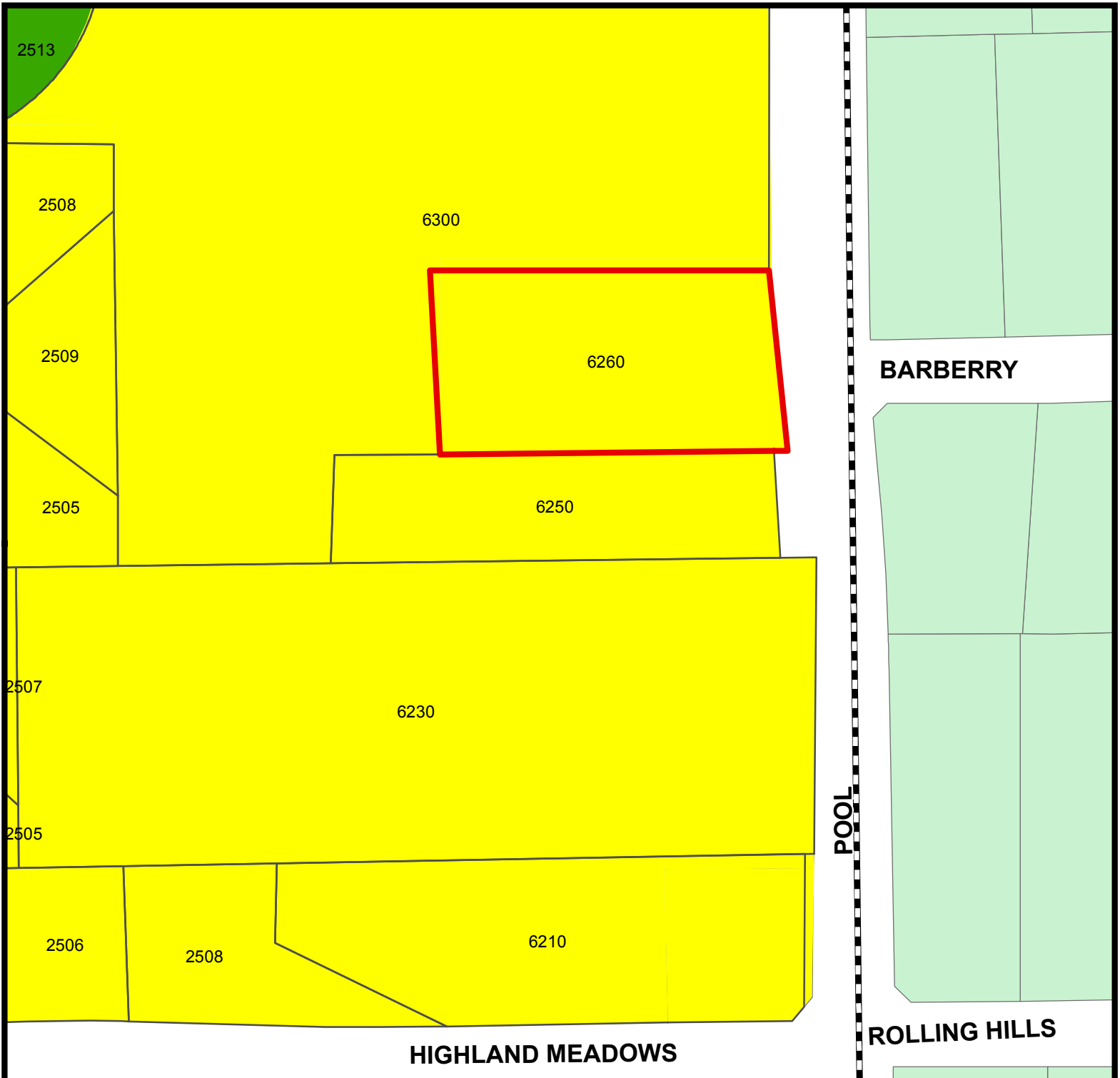
1 inch = 125 feet

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

FUTURE LAND USE MAP



ZC17-007

6260 POOL ROAD



Subject Property



Residential



Parks/Open Space



Properties outside the City Limit



City Limit



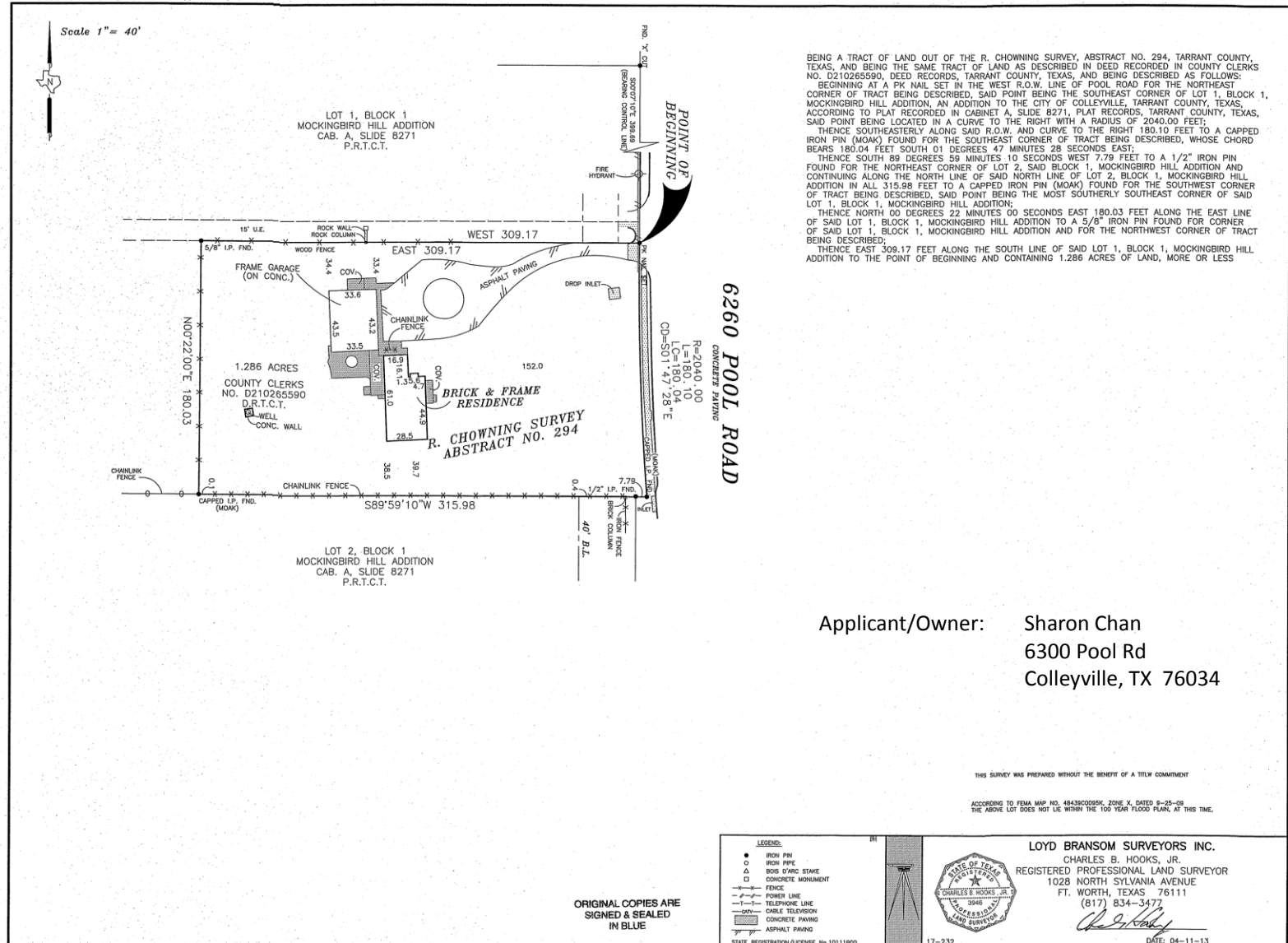
1 inch = 125 feet

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Zoning Exhibit



ZONING EXHIBIT FOR ZONING CHANGE FROM AGRICULTURAL TO RESIDENTIAL

Statement of Planning Objectives

April 19, 2017

Re: Request for Zoning change from agricultural to residential for 6260 Pool Rd

Dear City of Colleyville,

I am the owner/applicant for 6260 Pool Rd. 6260 Pool Rd is a 1.3 acre lot with a small single-family residential house on it. The lot is currently not zoned because the small single-family house on this lot was built before the city incorporated.

I would like to rezone 6260 Pool Rd to R40 residential to ensure this 1.3 acre lot is not sub-divided and is not used for commercial use. I would like to ensure any future home built on this lot remains a single-family home estate like all the residential properties surrounding it.

Thank you for your consideration.

Sincerely,

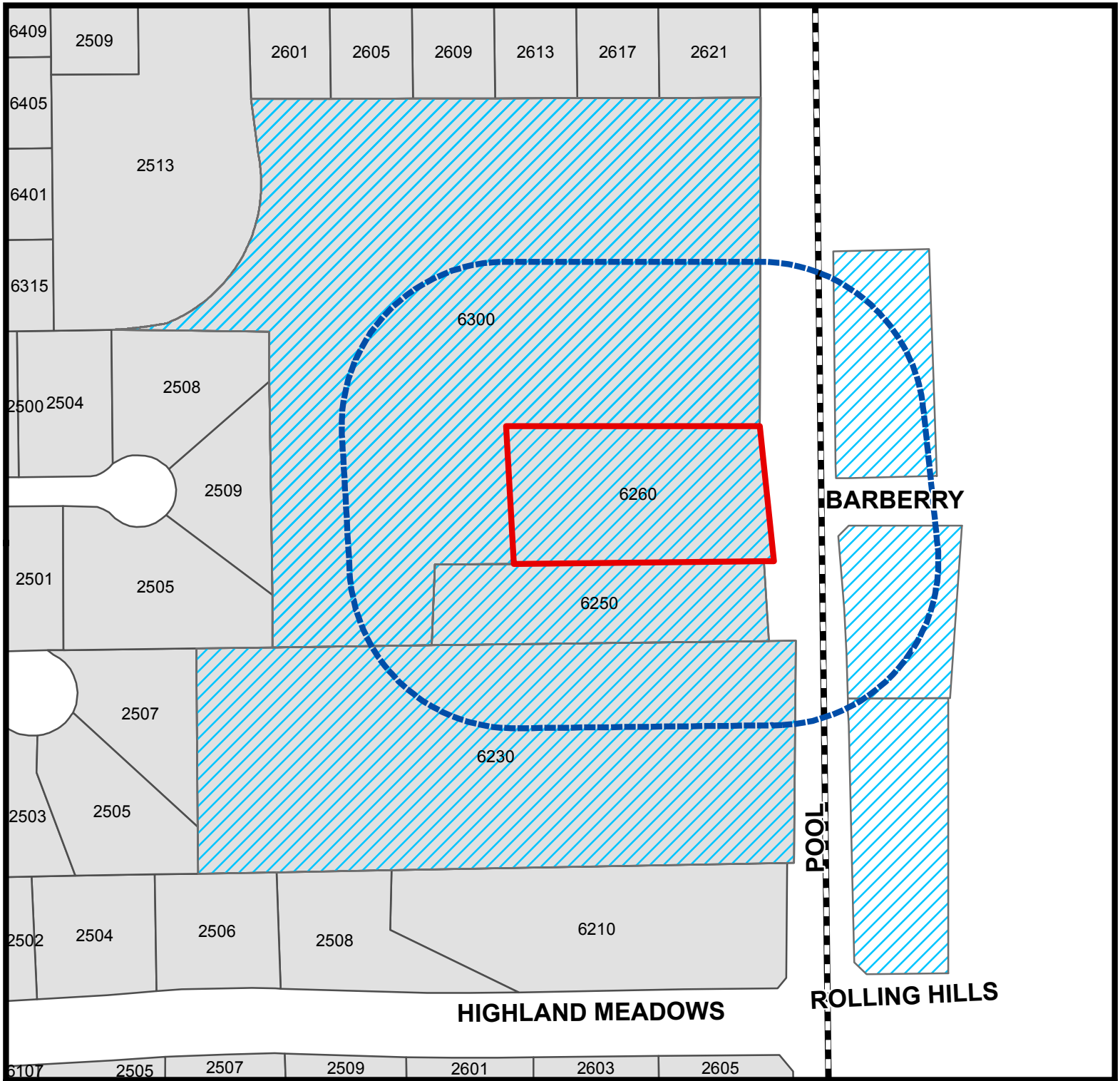


Sharon Chan

6300 Pool Rd

Colleyville, TX 76034

NOTIFICATION MAP



ZC17-007

6260 POOL ROAD



Subject Property

200ft Buffer

Properties within 200ft



1 inch = 167 feet

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
SLACK, STEPHEN G	3550 BARBERRY RD	GRAPEVINE, TX	76051	3550 BARBERRY RD
SLK BUILDERS LLC	9286 RANCH RD # 1623	BLANCO, TX	78606	6230 POOL RD
ROUNTREE, KAY	3526 ROLLING HILLS LN	GRAPEVINE, TX	76051	3532 ROLLING HILLS LN
JACOBI, JAMES A	6250 POOL RD	COLLEYVILLE, TX	76034	6250 POOL RD
CHAN, ALFONSO G	4819 LAKESIDE DR	COLLEYVILLE, TX	76034	6300 POOL RD
CHAN, ALFONSO G	4819 LAKESIDE DR	COLLEYVILLE, TX	76034	6300 POOL RD
OLTMANN, JONATHAN	4343 KENWOOD DR	GRAPEVINE, TX	76051	3551 BARBERRY RD
CHAN, ALFONSO	4819 LAKESIDE DR	COLLEYVILLE, TX	76034	6260 POOL RD
HERITAGE COLONY ADDITION	P.O. BOX 1122	COLLEYVILLE, TX	76034	COURTESY NOTICE
HIGHLAND MEADOWS ADDITION	2101 HIGH GATE DRIVE	COLLEYVILLE, TX	76034	COURTESY NOTICE
CHAN, SHARON	6300 POOL ROAD	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Friday, May 26, 2017 by Araceli Botello

Property Owner Notification



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC17-007
Applicant: Sharon Chan
Owner: Sharon Chan
Location: 6260 Pool Road
Property Description: Tract 5A01, Abstract 294, in the Robert Chowning Survey
Present Zoning: AG-Agricultural District
Request: Consideration of a zoning change from the AG-Agricultural district to the R-40 Single Family Residential district

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, June 12, 2017 at 7:00 p.m.
City Council Meeting: Tuesday, July 11, 2017 & Tuesday, July 18, 2017 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 200 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Community Development Director
bbryner@colleyville.com

Legal Notice

May 26, 2017

SENT VIA EMAIL on Friday, May 26, 2017

Christine Lopez
Legal Notices
Fort Worth Star-Telegram
400 W. Seventh Street
Fort Worth, TX 76102

Dear Christine:

Please publish and furnish an affidavit (N.E. Section):
Saturday, May 27, 2017

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 6/12/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case ZC17-007 - Consideration of a zoning change from the AG- Agricultural zoning district to the R40- Single Family Residential zoning district on Tract 5A01, Abstract 294, in the Robert Chowning Survey, located at 6260 Pool Road

Case ZC16-007 - Consideration of a Special Use Permit for a Convenience Store with Gasoline Sales on Lot 1R, Block 1, of the Gardens Addition, located at 7015 Colleyville Boulevard

Case ZC17-010 - Consideration of a Special Use Permit for Alcoholic Beverage Sales – (Beer and Wine Only) – Off-Premises Consumption, on Lot 1R, Block 1, of the Gardens Addition, located at 7015 Colleyville Boulevard

The City Council will hold a Public Hearing on the above items on 7/11/17 and 7/18/17 at 7:30 p.m. at City Hall, 100 Main Street, Colleyville, Texas.

All interested citizens will be given the opportunity to speak and be heard.

CITY OF COLLEYVILLE



Araceli Botello
Planning Technician

Letter of Support

April 19, 2017

Re: Zoning change of 6260 Pool from Agricultural to Residential

Dear City of Colleyville,

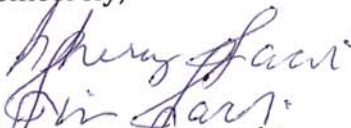
My husband and I live at 6250 Pool Rd, immediately next door (south) of 6260 Pool Rd. The City of Colleyville currently lists 6260 Pool Rd as zoned agricultural. There is a small bungalow house and garage on the property that was built prior to the city incorporating, and so the land was never zoned or platted residential through the city. The land is now up for sale, and I worry with the large garage attached, that a prospective buyer will be encouraged to operate a secret business from this garage.

Pool Rd has changed over the years to become 100% residential. 6260 is surrounded by newly built million dollar plus homes. It would be wise to allow 6260 to become the 1.3-acre residential estate lot is should be so that a similar value home may be built upon it. Such an allowance will increase the tax revenue for the city and county and support increased tax values for the neighboring properties.

I completely support the proposed zoning change of 6260 Pool Rd from agricultural to residential so that a similar home may be built on this 1.3 acre estate lot property.

Thank you for your consideration.

Sincerely,


Sherry and Jim Jacobi
6250 Pool Rd
Colleyville, TX 76034
(972) 746-5049



ZONING EXHIBIT FOR ZONING CHANGE REQUEST
FROM AGRICULTURAL TO RESIDENTIAL

ORDINANCE O-17-2014

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.30 ACRES, TRACT 5A01, ABSTRACT 294, IN THE ROBERT CHOWNING SURVEY, LOCATED AT 6260 POOL ROAD, FROM THE AG-AGRICULTURAL DISTRICT TO THE R-40 SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC17-007; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; and to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance

Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 1.30 acres, Tract 5A01, Abstract 294, in the Robert Chowning Survey, located at 6260 Pool Road, from the AG-Agricultural district to the R-40 Single Family Residential district, as depicted in the attached Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. 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. 5. 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. 6. 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. 7. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 11th day of July 2017.

The second reading and public hearing being conducted on the 18th day of July 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18TH DAY OF JULY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 3, Kelly Wheat	_____	Place 6, Mike Taylor	_____
Place 4, George Dobson	_____		

ATTEST:

CITY OF COLLEYVILLE

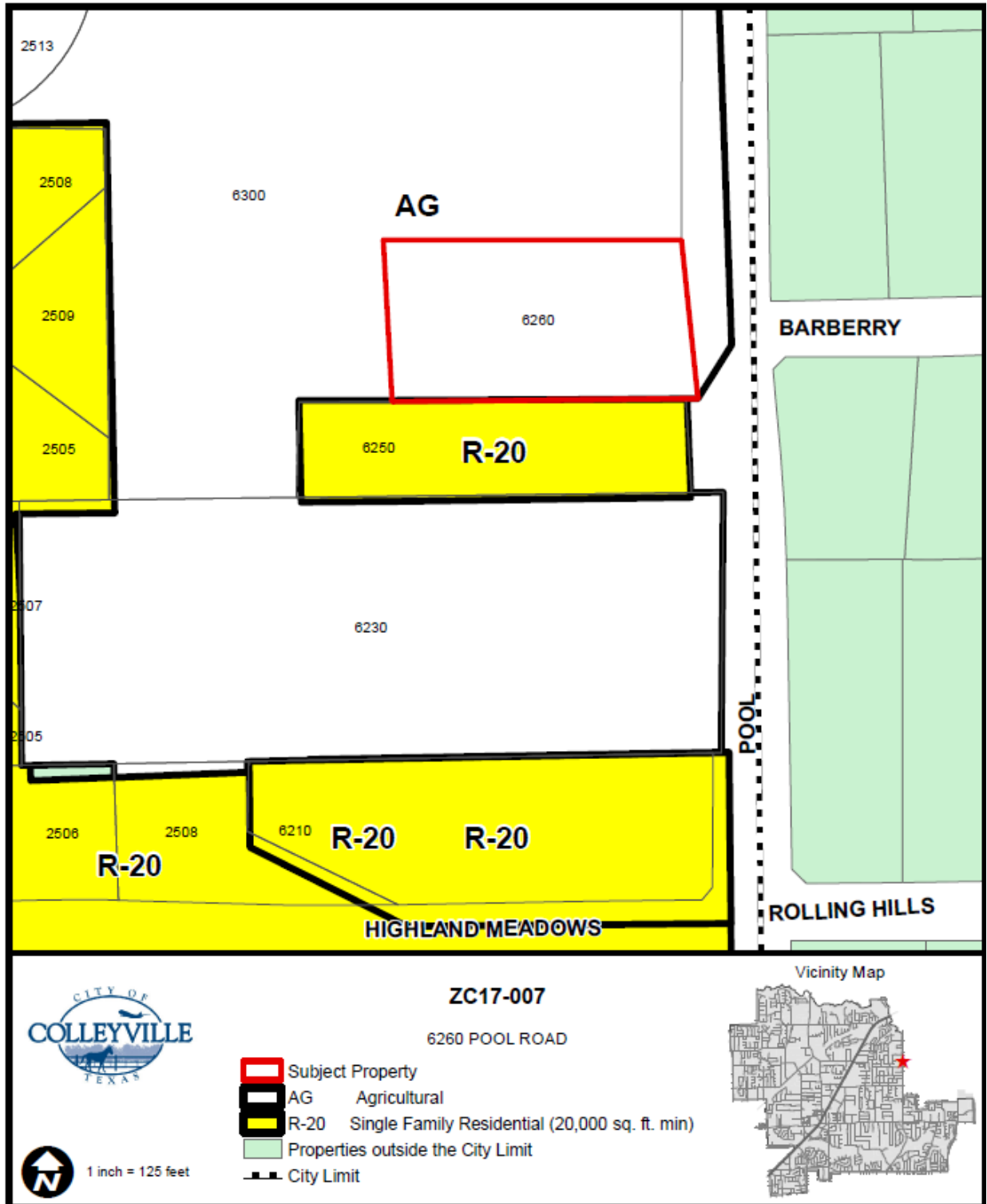
Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A"- Zoning Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Exhibit “B”- Metes & Bounds Description

Legal Description

Metes and bounds for 6260 Pool Rd, Colleyville, TX 76034

Being a tract of land out of the R. Chowning Survey, abstract no. 294, Tarrant County, Texas, and being the same tract of land as described in deed recorded in county clerks No. D210265590, deed records, Tarrant county, Texas, and being described as follows:

Beginning at a PK nail set in the west R.O.W. line of Pool Road for the northeast corner of tract being described, said point being the southeast corner of Lot 1, Block 1, Mockingbird Hill Addition, an addition to the city of Colleyville, Tarrant county, Texas, according to plat recorded in Cabinet A, Slide 8271, plat records, Tarrant county, Texas, said point being located in a curve to the right with a radius of 2040.00 Feet;

Thence southeasterly along said R.O.W. and curve to the right of 180.10 feet to a capped iron pin (MOAK) found for the southeast corner of tract being described, whose chord bears 180.04 feet south 01 degrees 47 minutes 28 seconds east;

Thence south 89 degrees 59 minutes 10 seconds west 7.79 feet to a ½” iron pin found for the northeast corner of Lot 2, said Block 1, Mockingbird Hill Addition in all 315.98 feet to a capped iron pin (MOAK) found for the southwest corner of tract being described, said point being the most southerly southeast corner of said Lot 1, Block 1, Mockingbird Hill Addition.

Thence north 00 degrees 22 minutes 00 seconds east 180.03 feet along the east line of said Lot 1, Block 1, Mockingbird Hill Addition to a 5/8” iron pin found for corner of said Lot 1, Block 1, Mockingbird Hill Addition and for the northwest corner of tract being described:

Thence east 309.17 feet along the south line of said Lot 1, Block 1, Mockingbird Hill Addition to the point of beginning and containing 1.286 acres of land, More or Less.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5b

Agenda Date 07/11/2017

Number Ordinance O-17-2015

Type Ordinance

Department Community Development

Title

Consideration for approval of amendments to the Land Development Code regarding a proposed requirement that newly installed utilities be underground; specifically Chapter 9 – Subdivision Design & Public Facilities, Section 9.17 Street Design Criteria, proposed Section 9.18 Easements, proposed Section 9.19 Private Utilities, and Chapter 14 – Engineering Design Standards, Section 14-175 Miscellaneous, Case GC17-015

Strategic Plan

4.3 Adopt best-practice planning and development processes

Explanation

First Reading and Public Hearing

Staff proposes amendments to Chapter 9 – Subdivision Design & Public Facilities and Chapter 14 – Engineering Design Standards of the Land Development Code (LDC) to require future developments to install utility lines underground. Specifically, Section 9.17 Street Design Criteria, proposed Section 9.18 Easements, proposed Section 9.19 Private Utilities, and Section 14-175 Miscellaneous are the sections to be added and amended.

Currently, utility lines are only required to be installed underground in newly developed subdivisions. The ordinance permits utility lines along the perimeter of a development to remain above ground. This allows for a continuation of utilities above ground on major (perimeter) streets even when newly installed. City Council requested that staff present amendments to the LDC in an effort to require newly installed utilities to be underground.

Background. The City Council has expressed a strong desire to bury the overhead utility lines along Colleyville Boulevard. At the January 17, 2017 City Council worksession, the City Council discussed the 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 (LDC) requires underground installation inside a new subdivision but has little regulation along the perimeter of a development. Typical utilities that utilize overhead lines include electricity, telephone, and cable television. The discussion included assuring that the regulation be applicable Citywide.

At the April 18, 2017 City Council worksession, the City Council reviewed the proposed

amendments to the LDC that would provide a new policy and require that all newly installed utility lines be located underground. The City Council directed staff to proceed with the amendment process.

Purpose. The purpose of this item is to review the proposed amendments to the LDC that would prohibit the installation of new overhead utility lines along Colleyville Boulevard and elsewhere in the City by requiring that future developments install utility lines underground.

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.

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	Yes	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
Colleyville	Utilities along perimeter may be above ground

For the City of Colleyville, a requirement for all new development Citywide (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.

Factor to Consider. 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 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.

Proposed Amendments. Based on the City Council's direction, staff reviewed the policy as well as a review of the procedures of six cities that surround Colleyville. A full benchmark analysis is provided as attachment "A".

The Planning and Zoning Commission discussed this item at their May 8, 2017 meeting. The Commission determined that several amendments and additions be made in order to clarify the intent of the City for the installation of new utilities. The item was tabled to the June 12, 2017 meeting to go over the revised set of regulations.

Staff proposes the following amendments to Chapter 9 – Subdivision Design & Public Facilities and Chapter 14 – Engineering Design Standards in the Land Development Code, which are also attached as mark-ups in attachment "B" and "C".

Section 14-175 Miscellaneous:

B. Underground Utilities – All newly installed distribution lines, cables, etc. or other conduits for utilities ~~other than those listed above~~ shall be installed below ground ~~within the subdivision~~ and in accordance with the regulations found in Section 9.19 Private Utilities.

Section 9.19 Private Utilities: *(new section)*

A. Newly Installed Utilities Required to be Underground (O-17-2015)

1. All newly installed gas, electric, telephone utilities, street lighting, cable television, and fiber lines shall be underground. *(amended from previous)*
2. All electric, telephone, cable, and fiber utilities shall be placed in the rear easement. Mechanical equipment, transformers, and other visible installations will not be permitted in the front yards of any lots. *(new)*
3. All support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations shall be pad mounted or placed underground. Nothing in this section 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. *(amended – added street lighting regulation)*
4. 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. *(new)*

5. Where existing overhead service or lateral/distribution utility 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.
6. All new service lines shall be placed underground.
7. Overhead services will not be permitted to cross public rights-of-way. All such crossings of a right-of-way will be required to be completed by methods as approved by the City. (*amended*)
8. 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, prior to issuance of a certificate of occupancy, or at time of a final inspection, such overhead electric lines and facilities are promptly removed. (*new*)

Other changes to Chapter 9 include minor changes related to grammar, reference amendments, and structure.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the amendments as presented at the June 12, 2017 meeting by a vote of 5-0.

Staff Recommendation: Staff recommends approval of the amendments. The proposed amendments would require that new utilities be installed underground and are consistent with surrounding communities. The standard is for newly installed lines only to be under this obligation.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Attachment A: Benchmark Analysis
2. Attachment B: Ch. 9 Subdivision Design & Public Facilities Amendments
3. Attachment C: Ch. 14 Engineering Design Standards Amendments - Excerpt
4. Legal Notice
5. Ordinance O-17-2015

Benchmark Analysis

COLLEYVILLE

Section 14-175 Miscellaneous

- B. Underground Utilities – All distribution lines, cables, etc. for utilities other than those listed above shall be installed below ground within the subdivision. Transmission lines or major cables to provide utilities such as electric, telephone, and cable television to the area as a whole may be located above ground on the perimeter of the subdivision being served. The installation of these utilities shall conform to commonly accepted construction standards and be subject to review by the Director of Public Works.

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

Benchmark Analysis

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.

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 Oncon 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

Benchmark Analysis

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.

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)

Benchmark Analysis

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. 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.

Benchmark Analysis

- 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.
- 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.

Benchmark Analysis

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

GRAPEVINE

1.6 Utilities to be underground.

A. Definitions.

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.

Benchmark Analysis

- 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 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.

Benchmark Analysis

- 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)

Chapter 9

Subdivision Design & Public Facilities

Rev. 02/18/2014

Section 9.1 Purpose of This Chapter

The purpose of this Chapter is to establish design guidelines necessary for proper layout of a subdivision and to establish the public improvement requirements for the development of a subdivision, but more specifically to:

1. ensure that public facilities and services are available to all subdivisions in the City; and
2. establish reasonable standards of design for public facilities.

Section 9.2 Authorization for Adoption of This Chapter

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

1. *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.
2. *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.
3. *The Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution or the laws of the State of Texas.

Section 9.3 Variances and Appeals

Any person seeking approval of a development as required by this Land Development Code may request a waiver 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 9.4 Definitions

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

Section 9.5 Subdivision Design Guidelines

Every subdivision plat shall be reviewed for conformance with the design guidelines contained in this Land Development Code. The City recognizes that suitability characteristics vary from site to site and when approving a subdivision plat the following guidelines shall be used for interpretation, application and enforcement of the design guidelines contained in this Land Development Code:

1. It is the intention of these subdivision design guidelines to encourage new and creative ways to develop subdivisions. Developers and city officials are encouraged to utilize new and innovative ways to improve safety, economy, tax yield, maintenance cost, response time, drainage, vehicular access, and pedestrian passage.

2. Whenever a developer can demonstrate an alternative method of meeting the requirements of this Land Development Code, it shall be incumbent upon the city staff, the Planning and Zoning Commission, and the City Council to review the proposed variations and approve, approve with modifications, or disapprove the proposed alternatives as appropriate for the conditions.

Section 9.6 Blocks

- A. General Design – Blocks should have sufficient depth to provide for two (2) tiers of lots of appropriate depths, except that blocks adjacent to major streets, railroads or waterways shall have only one tier of lots.
- B. Block Lengths & Widths – Residential and industrial blocks generally shall be no longer than sixteen hundred (1,600) feet and business blocks no longer than one thousand (1,000) feet. Where long blocks in the vicinity of a school, park or shopping center are proposed, the City Council may require a public walkway near the middle of long blocks or opposite a street that terminates between the streets at the ends of the block.

Section 9.7 Lots

- A. Lot Arrangement – Lots shall be arranged to provide access to lots from approved streets and to avoid foreseeable difficulties due to topography and natural physical features inherent to the property.
- B. Lot Area and Dimensions – Lot area and dimensions shall be consistent with the minimum requirements of the applicable zoning district and the following:
 1. *Special Lot Width Requirement* - The width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width. In the case of lots on the turning circle of a cul-de-sac, the width may be less than eighty (80) percent of the required lot width.
 2. The City may approve a plat which contains a lot that does not meet the minimum requirements when special conditions exist.
- C. Frontage on Public Access Required – All lots shall have frontage on a public street, except a non-residential lot may be approved when the proposed public access has been determined by City to be adequate to meet the intent of this requirement. The lot line common to the street right-of-way line shall be the front line; except that a lot may have more than one lot line common to a street right-of-way line.
- D. Access from Major Thoroughfares
 1. Residential Lots - No residential lot shall front on or derive access directly from an existing or proposed collector street, or larger, as shown on the Master Thoroughfare Plan, except where the proposed subdivision meets all the following criteria:
 - a. Where the only street frontage which may be provided to the residential lot is from a collector street due to the shape, topography, or other physical condition of the property;
 - b. The Director of Public Works or designee has provided favorable recommendation; and
 - c. Where the residential lot is designed and dimensioned to permit loop driveways or on-site turnaround facilities so that vehicles head into the collector street.
 2. Non-residential Lots – Non-residential lots which have frontage onto or derive access directly from an existing or proposed collector street, or larger, as shown on the Master Thoroughfare Plan, shall have driveway locations which *comply with the spacing requirements established elsewhere in Chapter 14 – Engineering Design Standards* of this Land Development Code.

- E. Buildable Area – Every lot shall contain a buildable area that is adequate in size for the proposed development. The buildable area shall be situated out of the 100 year flood plain.
- F. Flag Lots Prohibited – It is the policy of the City to prohibit the creation of flag lots unnecessarily, and to discourage the creation of any lot which, by virtue of its relatively great depth in relation to its width, is likely to facilitate future requests for re-subdivision to create a flag lot.
- G. Building Lines – Front building lines shall be shown on all lots in the subdivision. Building lines shall be shown along each street-facing of corner lots and through-lots. The building line shall be consistent with the requirements of the applicable zoning district, however, the City may approve a building line which differs from the zoning requirements when special conditions exist.
- H. Side Lot Lines – Where possible, all side lot lines shall be at right angles to straight street lines and radial to curved street lines.
- I. Lot Drainage and Grading
 - 1. Grading and drainage of all lots shall be designed in a manner which will allow one lot to drain across an adjacent lot and into a permanent structure, such as a concrete flume, lined channel, or proper inlet to an adequate drainage facility, or to a street right-of-way. If an approved drainage structure is not present, it will be required of the developer to construct the necessary facilities. (O-00-1261 / 12-19-00)
 - 2. Sheet flow techniques shall be used for lot to lot drainage where possible. (O-00-1261 / 12-19-00)
 - 3. Single lots shall accommodate their own drainage into an approved structure where topographic elevations allow this to occur. (O-00-1261 / 12-19-00)
 - 4. For lots that an approved engineered grading plan does not exist, the developer of the site shall submit a grading plan prepared by a licensed Professional Engineer.

Section 9.8 Waterbodies and Water Courses

If a tract being subdivided contains a water body, or portion thereof, lot lines shall be drawn so as to distribute the entire ownership of the water body among the adjacent lots. The City may approve an alternate plan provided the ownership of and responsibility for maintenance of the water body is so placed that it will not become a City responsibility. Where a watercourse separates the buildable area of a lot from the street by which it has access, provision shall be made for installation of a culvert or other structure, of design approved by the City. Any lot which includes a water body and contains a building site, shall contain a buildable area that is not less than the minimum buildable area for the applicable zoning district.

Section 9.9 Street Names

The developer shall submit all existing and proposed street names on any proposed subdivision plat. New street names shall be sufficiently different in sound and in spelling from other road names in the city so as to not cause confusion to the general public or for emergency response. A road which is, or planned, as a continuation of an existing road shall bear the same name.

Section 9.10 Reserve Strips and Common Areas

The creation of reserve strips shall not be permitted adjacent to a proposed street or to adjacent property in such a manner as to deny access from adjacent property to the street. No common areas shall be allowed in a subdivision except where notation has been placed on the plat to prohibit development on the common area.

Section 9.11 Double Frontage Lots

Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from a collector street or to overcome specific disadvantages of topography and orientation. The City may require that a notation be placed on the plat to limit the facing of main structures or to limit driveway access from a collector street.

Section 9.12 General Infrastructure Policy

(03-03-09 / O-09-1712)

- A. General Requirement – The developer of a subdivision shall install all water, sewer, street, sidewalk and drainage improvements, and any other facilities required by this Land Development Code, which are necessary for the proper development of the subdivision. The design, construction and inspection of any public facilities shall be a cost to the developer, unless the City has entered into an agreement for cost sharing. All such facilities shall be designed and constructed in accordance with the criteria contained in this Land Development Code and be in conformance with the general layout of the City of Colleyville Master Land Use Plan and Capital Improvements Plan. The public facility requirement of this section shall be applicable to the upgrading of any existing facilities which do not meet current standards.
- B. Apportionment of Infrastructure Costs – As a condition of the approval of a development, the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the projected impact of the proposed development, as determined by a professional engineer, licensed in the State of Texas, and who is retained by the City of Colleyville.
 - 1. In making the rough proportionality determination, consideration shall be given to the availability of adequate and minimum levels of public facilities and accessibility to the site for delivery of emergency services.
 - 2. The professional engineer making the proportionality determination may rely on categorical findings from comparable public improvement projects for establishing a cost basis. The basis used for determining estimated costs shall be revised annually on July 1 by the Colleyville Engineering Department.
 - 3. A developer who disputes the determination by said professional engineer may appeal to the City Council and present testimony and evidence in support of the appeal. The appeal shall be written and filed with the City Secretary within ten (10) days after the date action taken by the Planning and Zoning Commission on the development proposal. The developer shall not be required to waive the right to appeal as a condition of approval of the development project.
- C. Optional Escrow Provision – Where, in the opinion of the City, construction of a required public improvement should be deferred to a future date, the developer shall place in escrow with the City, an amount equal to the estimated cost of the improvements, as determined by the the Director of Public Works or designee. The Planning and Zoning Commission or City Council may consider an alternate arrangement when appropriate. Any escrow related to the construction of sidewalks shall adhere to the requirements set forth in Section F.
- D. City Participation in Over-Sizing – Where over-sizing of a public improvement is required by the Comprehensive Master Plan, Thoroughfare Plan, Water or Sewer Capital Improvements Plan or other planning document adopted by the City, City participation shall be in accordance with the provisions of any applicable Impact Fee Ordinance or City-Developer Agreement, which has been approved by the City Council.
- E. Public Easements – All public improvements shall be constructed within easements or rights-of-way that have been dedicated for public use. The width of an easement or right-of-way shall be in accordance with the specifications contained elsewhere in this Land Development Code.
- F. Escrow Policy for Sidewalks

1. Request for Escrow

Whenever these regulations require a property owner to construct a sidewalk for a dwelling unit, the property owner may petition the City for deposit of an escrowed amount, as established in this Section, in lieu of the required construction of a sidewalk. The Director of Public Works or designee shall determine whether the escrow is reasonable in lieu of the obligation to construct the improvement. If an escrow request is denied, then the applicant may appeal that denial to the City Council if a written request for appeal is received by the Director of Public Works or designee within ten (10) days of the denial.

2. Deposit with the City

Whenever the City agrees to accept escrow deposits in lieu of construction by the owner of the property under these regulations, the property owner or developer shall deposit an amount equal to his share of the costs of design and construction in escrow with the City. This amount shall be paid prior to release of construction plans by the Director of Public Works. The obligations and responsibilities of the property owner shall become those of the property owner's transferees, heirs, successors, and assigns; and the liability therefore shall be joint and several.

3. Determination of Escrow Amount

The amount of the escrow shall be determined by using the average of the comparable bids awarded by the City in the preceding six (6) months for sidewalk design and construction or, if none exist, then current market value of the design and construction of a sidewalk in the City, to be determined by the Director of Public Works. The determination shall be based on reasonable current market value made as of the time the escrow is due.

4. Use of Escrow Funds

Six (6) Sidewalk Districts are hereby established throughout the City. These districts shall share the same boundaries as the six (6) neighborhoods depicted on the Neighborhood Boundary Map in the 2004 – 2025 Colleyville Plan. The Sidewalk Districts are established so that sidewalk escrow funds will be expended within sufficient proximity to the dwelling unit that deposited the sidewalk escrow fee so as to reasonably benefit that dwelling unit. Funds escrowed pursuant to this Land Development Code shall be expended on design and construction of sidewalks located at any place within the same Sidewalk District as the dwelling unit depositing the sidewalk escrow fee.

5. Existing Escrow Funds

- i. All funds currently escrowed in lieu of sidewalk construction before the effective date of this Ordinance are subject to expenditure under this Ordinance unless a written objection is filed, by the owner of the lot for which the funds are escrowed, with the Director of Community Development within thirty (30) days after notice of this Ordinance is received. Notice of this Ordinance shall be sent to the current owner of the lot for which the funds are escrowed at the address listed in the most recent tax rolls of the City. If the person receiving notice under this subsection is not the current owner, then they must immediately notify the City of the person who purchased the property and provide the City with the address of that person.
- ii. If an objection is filed pursuant to the previous subsection, the Director of Community Development shall decide, within thirty (30) days, if the circumstances involving the particular lot and surrounding Sidewalk District reasonably require a return of the escrowed funds. The owner of the lot may appeal the decision of the Director of Community Development by filing a written objection, explaining the owner's argument and requesting for a hearing before the City Council, with the City Secretary not later than ten (10) days after the Director of Community Development's decision. After hearing the lot owner's objections, City Council may either refund the escrowed money or deny the refund and order the funds to be used for future sidewalk construction on that lot or in that sidewalk district.

- iii. This Ordinance shall apply to any and all funds paid into the sidewalk escrow fund in lieu of sidewalk construction after the effective date of this Ordinance.

Section 9.13 Water System Requirements

- A. Water Lines – The developer of a subdivision shall be required to install, at no cost to the City, a water distribution system adequate for domestic supply and for fire protection needs which serves each lot. The water system shall be connected to the municipal water system and be designed, sized and constructed in accordance with the city design standards and specifications contained in this Land Development Code.
- B. Fire Hydrants – The developer of a subdivision shall be required to install, at no cost to the City, a sufficient number of fire hydrants to provide fire protection to every lot in the subdivision. All structures in residential areas shall have fire hydrants within 500 feet and a 600-foot hose-lay. All structures in commercial areas shall have fire hydrants within 300 feet and a 500-foot hose-lay. The design and construction of the fire hydrant system shall be in accordance with the city design standards and specifications contained in this Land Development Code. The layout of the fire hydrant coverage shall be approved by the Fire Marshal and be in accordance with the standards of the Texas State Board of Insurance requirements. (O-00-1261 / 12-19-00)

Section 9.14 Sewage System Requirements

- A. Sewage Collection Lines – The developer of a subdivision shall be required to install, at no cost to the City, a sewage collection system adequate which shall serve each lot. The sewage collection system shall be connected to the municipal sewage system and be designed, sized and constructed in accordance with the city design standards and specifications contained in this Land Development Code.
- B. Private Sewage Treatment Systems – Private sewage treatments systems, including septic tanks, shall be prohibited except where approved by the Director of Public Works or designee and the Tarrant County Health Department.

Section 9.15 Storm Water Facility Requirements

- A. Drainage Improvement Requirements – The developer shall provide for the design of storm water management in the proposed subdivision and shall be required to furnish, install, construct, or extend, at his own expense, all storm sewers and drainage structure facilities necessary for the proper development of the subdivision. Storm water facilities shall conform to the storm water drainage master plan and shall be designed in accordance with the design standards and specifications contained in this Land Development Code. Alternate earthen channels may be approved when in accordance with the criteria established in *Chapter 14 – Engineering Design Standards*.
- B. Drainage Easements – All public drainage facilities shall be constructed within a public drainage easement or drainage right-of-way as required by the City. The following statement of restriction shall be placed in the dedication instrument of the subdivision plat:

Drainage Easement Restriction: No construction or filling, without the written approval of the City of Colleyville shall be allowed within a drainage easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction to the natural flow of water will result, and subject to all owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two feet above the 100-year flood elevation.

- C. Development of Flood Plain – Land within the 100-year flood plain shall be subject to the Colleyville Flood Plain Ordinance. Any land which in the natural state is subject to a 100-year flood or which cannot be properly drained shall not be subdivided, re-subdivided, or developed until receipt of evidence that the

construction of specific improvements proposed by the developer can be expected to yield a usable building site. Thereafter, the Planning and Zoning Commission may recommend approval of the plat. However, construction upon such land shall be prohibited until the specific improvements have been planned and construction completed.

D. Floodway Easements

1. Floodway easements shall be provided along natural drainage-ways and lakes reservations. Floodway easements shall encompass all areas beneath the water surface elevation of the base flood, plus such additional width as may be required to provide ingress and egress to allow maintenance of the banks and for the protection of adjacent property, as determined and required by the Director of Public Works or designee.
2. The following statement of restrictions shall be placed in the dedication instrument of the subdivision plat:

Floodway Easement Restriction: No construction shall be allowed within a floodway easement without the written approval of the City of Colleyville, and then only after detailed engineering plans and studies show that no flooding will result.

E. Off-Site Drainage – The following provisions shall be applicable to off-site drainage of new subdivisions:

1. The developer shall accept and be responsible for all runoff from properties upstream of the proposed development. The proposed improvements shall be designed for fully developed conditions.
2. Where a drainage study indicates that additional runoff from the developing property will overload downstream drainage facilities and result in hazardous conditions, the City may withhold approval of the development until appropriate provisions have been made. These provisions shall include any drainage design or construction plans necessary to accommodate the off-site drainage problem.

Section 9.16 Street Improvement Requirements

- A. General Requirement – The developer shall construct, at his expense, street facilities necessary for the proper development of the subdivision. The street system shall provide access to every lot in the subdivision and be designed and constructed in accordance with the criteria contained in this Land Development Code.
- B. Improvements to Existing Unimproved Streets and Utilities – This section is applicable to a proposed development situated adjacent to an existing street or municipal utility, which does not meet the standards contained in the Land Development Code. (O-06-1562 / 02-07-06)

1. *Improvements Required* – If a proposed subdivision is situated adjacent to an existing street or municipal utility, which does not meet the standards contained in this Land Development Code, the developer shall bear the cost for constructing the infrastructure improvements required by this Land Development Code in accordance with the General Infrastructure Policy contained elsewhere in the Land Development Code.

For the purpose of this regulation, the calculation used for estimating the reconstruction costs for an unimproved street shall include all street paving, curb and gutter, sidewalks, hike and bike trails, water and sewer utilities, and drainage improvements. The improvements shall be sized in accordance with the most recently approved Master Thoroughfare Plan or Capital Improvements Plan, which is applicable.

2. *Escrow* – The Administrative Official may recommend approval of a subdivision plat to the Approving Body conditioned upon the deposit in escrow of the estimated costs of the adjacent unimproved street

and utility improvements in-lieu of the actual construction of said facilities. Any escrow, without interest, shall be applied against any assessment for improvements levied on such property, but shall not be deemed to release such property from liability for any future costs assessed which exceed the escrow.

3. **One and Two Lot Residential Subdivisions** – If a proposed residential subdivision contains only one or two lots and the developer does not own any contiguous property, in lieu of actual construction, the developer shall pay the applicable perimeter street costs in accordance with the General Infrastructure Policy contained elsewhere in this Land Development Code for the initial one hundred feet of street frontage. The applicable perimeter street costs shall be reduced 0.2% per linear foot of frontage in excess of one hundred feet, not to exceed fifty percent of the applicable additional street frontage.

Exemption: A lot platted under this Section that contains an existing single-family dwelling at the time a subdivision plat application is filed with the City and the lot is situated within a zoning district that allows single-family residential uses, said lot shall have an automatic exemption from the perimeter street costs, provided that existing perimeter street facilities are sufficient to assure the safe, effective and orderly movement of traffic in and about the subdivision and utility services are adequate to serve the development. The following notation shall be placed on the plat: *“Any future divisions of these lots will require full compliance with the unimproved street requirements applicable at the time of any subsequent re-platting.”*

Section 9.17 Street Design Criteria

- A. **Street Functional Classification** – All streets shall be designed in accordance with the functional classification shown on the most recent version of the Master Thoroughfare Plan and the following:

Functional Classification of Streets	
Street Classification	Functions - Uses
Local	Carries traffic from residential and commercial areas to collector streets and interconnects individual sites. Local streets carry light traffic volumes and trips are of a short duration.
Collector Major Minor	Carries traffic from local streets to arterial streets. Uses served would include medium and high density residential, limited commercial facilities, elementary schools, some small offices and as direct access within industrial parks. Collector streets also carry heavy traffic to major commercial and industrial facilities from arterial streets. Uses would include office parks, industrial parks, and community level commercial facilities.
Arterial Major Minor	The main function of an arterial is to carry traffic from one urban area to another. The arterial streets serve the major activity centers of urbanized areas. An arterial street is used for longer urban trips and carries a high portion of the total traffic with a minimum of mileage.

- B. **Street Design**

1. **In-General** – Streets shall be designed with due regard to topography, with due consideration of the abutting uses, and the anticipated destination of traffic and traffic volumes at full development of the neighborhood. Where necessary to prevent traffic congestion and to ease the movement of vehicles to and from principal traffic generators, additional right-of-way width or other special design shall be provided. Where topographical conditions make other treatment necessary to secure the best overall design, these standards may be modified by the Director of Public Works or designee..
2. **Street Continuity** – The street layout shall provide for the continuation of the collector street system as shown on the Master Thoroughfare Plan. Streets shall provide connection to streets in adjacent subdivisions, but local streets shall be designed so as to discourage use by through traffic and to require the minimum number of streets necessary for convenient and safe access to property.

3. *Curvilinear Streets Encouraged* - The developer is encouraged to consider curvilinear, cul-de-sac, and loop street designs where such use would result in a more functional layout and not necessarily adhere to a rigid rectangular street pattern.
4. *Right-of-way Widths* – Every subdivision plat shall dedicate sufficient right-of-way to comply with the requirements of the Master Thoroughfare Plan. The right-of-way widths shall be designed for the intended use and anticipated traffic volume at optimum development of the area served. Additional right-of-way may be required at street intersections and to provide for left and right turn lanes at high-volume intersections.
5. *Cul-de-sac Lengths* – No street shall be designed as a permanent dead-end street, but shall be designed to incorporate a cul-de-sac which complies with this Section. (O-00-1261 / 12-19-00)
 - a. *Diameter* – A cul-de-sac street shall be provided at the closed end with a minimum property line right-of-way diameter of one hundred feet, and a pavement turn-around with a minimum outside diameter of eighty feet (80'). (O-00-1261 / 12-19-00)
 - b. *Length* – No cul-de-sac street shall exceed six hundred feet (600') in length, unless additional right-of-way width and additional pavement width are provided as required in this Section. Furthermore, no cul-de-sac street shall exceed the maximum length of one-thousand two hundred feet (1,200'). For purpose of this regulation, cul-de-sac length shall be measured along the centerline of the cul-de-sac from the intersecting street right-of-way line to the center point of the cul-de-sac. (O-00-1261 / 12-19-00)
 - c. *Width* – A cul-de-sac street shall have a minimum right-of-way width of fifty feet (50') and a minimum pavement width of thirty-one feet (31'), back-to-back of curb. However, a cul-de-sac street which exceeds six-hundred feet (600') in length shall have a minimum right-of-way width of fifty-six feet (56') and minimum pavement width of thirty-six feet (36'), back-to-back of curb. (O-00-1261 / 12-19-00)
 - d. *Maximum Number of Lots* – The maximum number of single-family lots served on a cul-de-sac street shall be as shown in the following table: (O-00-1261 / 12-19-00)

Maximum SF Residences Served on Cul-de-sac	
District	Max. Number of Lots Served
AG	5
RE	5
R-40	10
R-30	10
R-20	12
R-15	12
PUD-R	12

- e. *Temporary Turn-Around* – A temporary turn-around is required when a street is temporarily dead-ended and is longer than one-hundred and fifty (150) feet, as measured from the intersecting street right-of-way line. The temporary turn-around shall be within a temporary easement and constructed of asphalt or concrete. (O-00-1261 / 12-19-00)
6. *Temporary Dead-End Streets* - Temporary dead-end streets shall have provision for future extension of the street and utilities and, if a temporary cul-de-sac is utilized, a reversionary right to the land abutting the turnaround for excess right-of-way shall be provided.
7. *Stub-outs for Future Extensions* - Permanent dead-end roads shall not be allowed. The street layout shall be extended to the tract boundary to provide for future access into adjoining tracts to assure adequate neighborhood circulation, unless prevented by topography or other physical conditions, or unless, the Planning and Zoning Commission determines that the extension is neither necessary for

future development of adjacent tracts. In general, these extensions should be not more than one thousand (1,000) feet apart.

8. *Pavement Required* - All street surfaces within or abutting the proposed subdivision shall be paved, with curbs and gutters installed, and constructed in accordance with the standards and specifications contained elsewhere in this Land Development Code.
9. *Frontage Access Road* - Where a subdivision abuts or contains an existing or proposed collector street or railroad right-of-way or abuts a commercial or industrial land use, the City may require a frontage street approximately parallel to and on each side of such right-of-way to separate through and local traffic, or reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or equivalent treatment as may be necessary for adequate protection of residential properties.
10. *Half Streets* - Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and where the Planning and Zoning Commission finds it will be practicable to require the dedication of the other half when the adjoining land is subdivided, the other half of the street shall be platted within such tract.
11. *Number of Subdivision Entryways* – Every subdivision shall be designed to provide sufficient access into the development to accommodate anticipated traffic demands and to provide for emergency public services using the criteria contained in this Section. (O-01-1280 / 08-08-01)
 - a. Where a proposed subdivision, or cul-de-sac street, contains more than twelve (12) lots, the development shall provide for two entryways as follows:
 - i. The development shall provide one street entryway and one emergency access easement. The emergency access easement shall be located on an adjacent or opposite side of the subdivision from the main entryway. The widths of the right-of-way and driving surfaces of the street entryway and the emergency access easement shall be in accordance with the standards contained elsewhere in this Land Development Code, or
 - ii. The development shall provide two street entryways separated not less than one-hundred feet between the centerlines of the driving surfaces. The widths of the right-of-way and driving surfaces of the two entryways shall be in accordance with the standards contained elsewhere in this Land Development Code, or
 - iii. The development shall provide a divided entryway and one emergency access easement. The driving surfaces of the divided entryway shall be separated by a median not less than ten (10) feet in width and provide for one-way traffic. The widths of the right-of-way and driving surfaces of the divided entryway shall be in accordance with the standards contained elsewhere in this Land Development Code. The emergency access easement shall be located on an adjacent or opposite side of the subdivision from the main entryway and be constructed in accordance with the standards contained elsewhere in this Land Development Code.
 - b. If it is physically impractical or otherwise impossible to provide two entryways or to incorporate an emergency access easement into the development in accordance with the above stated requirements, the following alternative may be considered by the approving body:
 - i. A single pavement width of forty-one (41) feet shall be constructed. Said pavement shall extend back from the intersecting street right-of-way a minimum distance of one-hundred (100') feet. All residences within the subdivision shall contain automatic fire-sprinkler systems.
 - c. If it is physically impractical or otherwise impossible to comply with the above-stated requirements, an alternative design may be submitted to the City Council for consideration. The approving body

may approve the alternate design if it finds that the above-state requirements can not be satisfied and that all efforts have been made by the developer to comply with said requirements.

12. *Reverse Curves* - Between reverse curves there shall be a tangent section of centerline not less than one hundred feet (100') long.

C. Intersections

1. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable.
2. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Not more than two (2) streets shall intersect at any one point unless specifically approved by the City.
3. Street jogs with centerline offsets of less than one hundred thirty-five (135) feet shall not be permitted.
4. Local streets intersecting a collector street or larger shall have a tangent section of centerline at least fifty (50) feet in length measured from the right-of-way line of the collector street; however, no such tangent is required when the minor street curve has a centerline radius greater than four hundred (400) feet with the center located on the collector street right-of-way line.
5. At local street intersections, the property line corner shall be rounded by an arc having a radius of twelve (12) feet. This radius shall be increased when the smallest angle of intersection is less than eighty (80) degrees. At intersections of streets with major and collector streets the property line corners shall be rounded by an arc having a radius of twenty-five (25) feet. The Director of Public Works or designee may approve comparable cut-offs or cords in place of rounded corners.
6. Where practical, spacing of intersections along collector streets shall be at least 500 feet apart.

D. Alleys – Alleys shall be provided in commercial and industrial districts and at the rear of multifamily residential building sites for adequate circulation. Where approved by the Fire Marshal, an emergency access easement not less than twenty-four feet (24') in width shall be provided for emergency vehicle access in lieu of any alley. Alleys should intersect streets at right angles or radially to curved streets where sharp changes in alignment cannot be avoided. Property line corners shall be cut off fifteen feet (15') on each side to permit safe vehicular movement. Dead-end alleys shall be prohibited except where prior development of land adjoining the subdivision permits no other reasonable design; under such circumstances alleys shall be provided with turnaround or back-around facilities at the dead-end adequate to permit clear maneuvering of sanitation trucks, utility service vehicles and emergency vehicles. Alleys shall be not less than the following widths:

1. Twenty feet (20') where residential building sites are provided on both sides;
2. Twenty-two feet (22') wherever residential development abuts commercial or industrial areas;
3. Twenty-four feet (24') where commercial or industrial development abuts on both sides.

Section 9.18 Easements

DA. Easements – Easements for drainage and utility construction, service, and maintenance shall be provided in locations approved by the City and affected utilities according to the following standards:

1. Easement for the use of public utilities of not less than seven and one-half (7.5') feet in width shall be provided on each lot and extend along the entire length of the rear property line. 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.

2. For lots of more than two hundred (200) feet deep, the utility easement shall be not less than sixteen (16) feet wide.
3. The width of any drainage easement shall be determined by the Director of Public Works or designee or in accordance with the need for drainage improvements established by any drainage study.
4. All utility easements shall be dedicated as utility and/or drainage easements.
5. When an easement is granted for public purposes as a separate instrument, the following statement of restrictions shall be placed in dedication instrument:

Utility Easements

Any public utility, including the City of Colleyville, shall have the right to move and keep moved all or part of any building, fences, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat; and any public utility, including the City of Colleyville, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

EB. Easements Adjacent to State Highways – When a proposed water or sewer line or drainage facility will be placed adjacent to a public road maintained by the Texas Department of Transportation, a separate specific use easement shall be provided for each utility or drainage facility.

FC. Emergency Access Easements – Emergency access easements shall have a clear unobstructed width to accommodate a pavement section of not less than twenty-four (24) feet in width. The emergency access easement shall connect at each end to a dedicated public street or shall have a suitable size turnaround at the dead-end, and appropriate turning space at inside corners to permit free movement of emergency vehicles. An emergency access easement may be used as a driveway to gain access to parking or loading spaces, but shall not be used for parking. All emergency access gates shall provide for an opening of not less than twenty four (24) feet wide by fourteen (14) feet in height and include a locking and opening mechanism acceptable to the Fire Department. (03-20-07 / O-07-1613)

~~**G. Alleys** – Alleys shall be provided in commercial and industrial districts and at the rear of multifamily residential building sites for adequate circulation. Where approved by the Fire Marshal, an emergency access easement not less than twenty-four feet (24') in width shall be provided for emergency vehicle access in lieu of any alley. Alleys should intersect streets at right angles or radially to curved streets where sharp changes in alignment cannot be avoided. Property line corners shall be cut off fifteen feet (15') on each side to permit safe vehicular movement. Dead-end alleys shall be prohibited except where prior development of land adjoining the subdivision permits no other reasonable design; under such circumstances alleys shall be provided with turnaround or back-around facilities at the dead-end adequate to permit clear maneuvering of sanitation trucks, utility service vehicles and emergency vehicles. Alleys shall be not less than the following widths:~~

- ~~1. Twenty feet (20') where residential building sites are provided on both sides;~~
- ~~2. Twenty-two feet (22') wherever residential development abuts commercial or industrial areas;~~
- ~~3. Twenty-four feet (24') where commercial or industrial development abuts on both sides.~~

H.D. Mutual Access Easements (O-02-1336 / 04-16-02)

1. *Purpose* – The purpose of this requirement is to provide public access to adjacent properties by reducing the number of driveway cuts and potential traffic accidents on adjacent streets.
2. *Applicability* – This Section shall be applicable to properties abutting and that may derive access from a Collector Street or Arterial Street as shown on the Master Thoroughfare Plan.

3. *Requirement* – The City shall require the dedication of a mutual access easement to provide cross access to adjacent properties or shared use of a driveway to conform with the minimum driveway standards contained in Chapter 14 of this Land Development Code.
4. *Easement Dimensions* – Easements for shared driveways shall be 16 feet in width and 35 feet in length, but may vary given the shape of the particular tract. Easements extending across the entire width of the property shall not be less than 24 feet in width.

Section 9.19 Private Utilities

A. Newly Installed Utilities Required to be Underground (O-17-xxxx / xx-xx-17)

1. All newly installed gas, electric, telephone utilities, street lighting, cable television, and fiber lines shall be underground.
2. All electric, telephone, cable, and fiber utilities shall be placed in the rear easement. Mechanical equipment, transformers, and other visible installations will not be permitted in the front yards of any lots.
3. All support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations shall be pad mounted or placed underground. Nothing in this section 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.
4. 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.
5. 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.
6. All new service lines shall be placed underground.
7. Overhead services will not be permitted to cross public rights-of-way. All such crossings of a right-of-way will be required to be completed by methods as approved by the city.
8. 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, prior to issuance of a certificate of occupancy, or at time of a final inspection, such overhead electric lines and facilities are promptly removed.

Section 9.1820 Traffic Impact Analysis

When a proposed subdivision plat is estimated to generate more than 1,000 vehicle trips per day, a traffic impact analysis shall be required with the earliest submittal of a plat application. The traffic impact analysis shall be prepared in accordance with the requirements of the Director of Public Works or designee. The purpose of the traffic impact analysis is to determine the need for traffic mitigation measures which may include, but are not limited to, dedication of additional right-of-way, construction of turning lanes, or construction of traffic control facilities. This requirement may be waived when a traffic impact analysis was submitted at the time the current zoning was adopted and the traffic impact analysis is less than one year old. Any mitigating measures required shall be the responsibility of the developer, unless a cost-sharing agreement is approved by the City.

Section 9.1921 Sidewalks

A. General Sidewalk Requirement

1. Sidewalks shall be constructed prior to completion of any primary structure for all lots that: (1) are required as part of a Planned Unit Development or Special use Permit; or; (2) front on a new street dedicated in conjunction with a subdivision plan; or, (3) front on an existing City Street. Other than properties zoned as Planned Unit Developments or containing Special Use Permits with specific sidewalk provisions, sidewalks shall be required to be constructed prior to the final inspection. Any variance to the sidewalk construction requirements described above shall be considered by the City Council.
2. The sidewalks shall be constructed adjacent to and within the public street right-of-way and include curb ramps where applicable. Where no public right-of-way exists, the sidewalk shall be located within a public access easement that provides accommodation of the future street right-of-way dedication. When a subdivision is proposed with a masonry or other permanent perimeter screening wall adjacent to a street, the sidewalk shall be constructed by the developer at the same time as the screening wall. All sidewalks shall conform to the standards and specifications contained in this Land Development Code.
3. When circumstances exist wherein it is not practical to construct a sidewalk, the developer may be afforded the opportunity to escrow funds in an amount sufficient to pay for the construction of a sidewalk at some future date.
4. The issuance of a building permit is contingent on the written commitment of the applicant to construct a sidewalk or pay the required escrow amount.

- B. Trails System Sidewalks – When a proposed sidewalk coincides with the general location of a future sidewalk shown in the most recently approved Colleyville Trails System Plan, the sidewalk shall be constructed in accordance with the design standards for a trails system sidewalk. The standards and specifications for a trails system sidewalk are contained elsewhere in this Land Development Code. The developer shall be required to provide additional street right-of-way dedication or a public access easement of sufficient width to accommodate the trails system sidewalk. Where the trails system sidewalk will be located at the rear or to the side of a lot, such as within a green-belt or similar open space, the developer shall provide sufficient right-of-way or public access easement to accommodate the sidewalk.

Section 9.2022 Street Lighting

- A. General Requirements – The developer shall be required to install, at no cost to the City, a street lighting system at all street intersections, at the end of all cul-de-sac streets, and at additional locations in accordance with the criteria contained elsewhere in *Chapter 14 – Engineering Design Standards* of this Land Development Code. All City Lighting shall be consistent with standard light pole ONCOR Texas Style Pole D with Luminaire F with a Finial Band. Any variance from this standard requires written approval from the Director of Public Works or designee.

Section 9.2123 Amendments to This Chapter

Ord. Number	Date	Subject
O-00-1261	12/19/00	Cul-de sac street lengths
O-00-1261	12/19/00	Lot Drainage and Grading
O-00-1261	12/19/00	Fire Hydrants
O-00-1261	12/19/00	Divided Entryways
O-00-1280	08/08/01	Number of Subdivision Entryways
O-00-1214	12/18/01	Existing Unimproved Street Requirements
O-02-1336	04/16/02	Mutual Access Easements
O-06-1562	02/07/06	General Infrastructure Policy
O-07-1613	03/20/07	Emergency Access Gates
O-09-1712	03/03/09	Amendment to sidewalk regulations – Sections 9.12 and 9.19

Colleyville, Texas, Land Development Code

O-12-1860	01/08/13	Amendment to sidewalk regulations adding appeal process to the City Council from the P&Z
O-14-1907	02/18/14	Amendment to Sidewalk Regulations & General Update
O-17-xxxx		Underground Utility Requirement

should be contacted include U.S. Army Corps of Engineers, Tarrant County Water Control Board, TCEQ, the Trinity River Authority, and FEMA.

Regardless of approvals obtained from those agencies listed above, no filling, development or construction in any area subject to inundation by a lake shall occur without the approval of the City Manager. The City Manager may require any studies necessary to determine that filling, development or construction will not have a detrimental effect on adjacent, upstream or downstream properties and buildings. This subsection in no way diminishes other requirements of this section.

- O. Lot Drainage and Grading – Grading and drainage of all residential lots shall be designed in a manner which will allow one lot to drain across an adjacent lot and into a permanent structure, such as a concrete flume, lined channel, or proper inlet to an adequate drainage facility, or to a street right-of-way. If an approved drainage structure is not present, it will be required of the developer to construct the necessary facilities. (O-00-1261 / 12/19/00)
1. Sheet flow techniques shall be used for lot to lot drainage where possible. (O-00-1261 / 12/19/00)
 2. Single lots shall accommodate their own drainage into an approved structure where topographic elevations allow this to occur. (O-00-1261 / 12/19/00)

Section 14-175 Miscellaneous

- A. Trench Safety – In conformance with House Bills 662 and 665 as passed by the Seventieth Legislature Regular Session of the State of Texas, all construction projects within the City of Colleyville or its extraterritorial jurisdiction as provided by the Municipal Annexation Act (Article 970a, Vernon's Texas Civil Statutes) shall contain provisions for trench safety. On construction projects in which trench excavation will exceed a depth of five (5) feet, the uniform set of general conditions must require that the bid documents and the contract include detailed plans and specifications for adequate safety systems that meet Occupational Safety and Health Administration standards and that these plans and specifications include a pay item for these same safety systems.
- B. Underground Utilities – All ~~newly installed distribution~~ lines, cables, ~~etc. or other conduits~~ for utilities ~~other than those listed above~~ shall be installed below ground ~~within the subdivision and in accordance with the regulations found in Section 9.19 Private Utilities. Transmission lines or major cables to provide utilities such as electric, telephone, and cable television to the area as a whole may be located above ground on the perimeter of the subdivision being served. The installation of these utilities shall conform to commonly accepted construction standards and be subject to review by the Director of Public Works.~~

Section 14-180 Drainage Studies and Engineering Certification

- A. Preliminary Drainage Analysis Guidelines – The purpose of a *Preliminary Drainage Analysis* is to determine the need for drainage facilities and/or drainage easements either within the proposed development or offsite. A *Preliminary Drainage Analysis* is required for every subdivision plat or a development requesting a building permit on a parcel which does not have a previously approved drainage analysis, unless the Director of Public Works has waived this requirement due to existing conditions. The *Preliminary Drainage Analysis* shall consist of the following information:
1. A topographical map drawn at a scale of 1" = 200' which depicts the watershed that drains to and across the subdivision or development. The map must include the subdivision and an area extending a minimum of 200' in all directions from the proposed subdivision. Sheets shall be either 18" X 24" or 24" X 36" in size and may contain sheet to sheet match lines. The map must include contour lines at five (5') foot vertical intervals in terrain with a slope of two (2%) percent or more, or two (2') foot vertical intervals in terrain with a slope of less than two (2%) percent. Data from the City topographic maps will be acceptable where available. Data from USGS Quad sheets may be acceptable only where City topographic maps are not available. The datum for "0" topography shall be that of the United States Coast and Geodetic Survey or the City of Colleyville GIS datum.

The map shall indicate any offsite or adjoining areas outside the limits of the area being developed

Legal Notice

April 21, 2017

SENT VIA EMAIL on Friday, April 21, 2017

Christine Lopez
Legal Notices
Fort Worth Star-Telegram
400 W. Seventh Street
Fort Worth, TX 76102

Dear Christine:

Please publish and furnish an affidavit (N.E. Section):

Saturday, April 22, 2017

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 5/8/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case ZC17-003 - Consideration of a zoning change from the AG- Agricultural zoning district to the R20-Single Family Residential zoning district on Tract 2A, Abstract 1692, in the Joseph White Survey, located at 816 Shelton Drive

Case GC17-015 - Consideration for approval of amendments to the Land Development Code regarding a proposed requirement that newly installed utilities be underground; specifically Chapter 9 – Subdivision Design & Public Facilities, Section 9.17 Street Design Criteria, proposed Section 9.18 Easements, proposed Section 9.19 Private Utilities, and Chapter 14 – Engineering Design Standards, Section 14-175 Miscellaneous

The City Council will hold a Public Hearing on the above items on 6/6/17 and 6/20/17 at 7:30 p.m. at City Hall, 100 Main Street, Colleyville, Texas.

All interested citizens will be given the opportunity to speak and be heard.

CITY OF COLLEYVILLE



Araceli Botello
Planning Technician

ORDINANCE O-17-2015

AMENDING CHAPTER 9 – SUBDIVISION DESIGN & PUBLIC FACILITIES AND CHAPTER 14 – ENGINEERING DESIGN STANDARDS 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 9.17 Street Design Criteria, Proposed Section 9.18 Easements, Proposed Section 9.19 Private Utilities, and Section 14-175 Miscellaneous of the Land Development Code to require that newly installed utilities be underground; 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 9 – Subdivision Design & Public Facilities, Sections 9.17, 9.18, and 9.19 and Chapter 14 - Engineering Design Standards, Section 14-175* of the Land Development Code, are 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 11th day of July 2017.

The second reading and public hearing being conducted on the 18th day of July 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18TH DAY OF JULY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 3, Kathy Wheat	_____	Place 6, Mike Taylor	_____
Place 4, George Dodson	_____		

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"

{Add letter 'D' to this section}

Section 9.17 Street Design Criteria

D. Alleys – Alleys shall be provided in commercial and industrial districts and at the rear of multifamily residential building sites for adequate circulation. Where approved by the Fire Marshal, an emergency access easement not less than twenty-four feet (24') in width shall be provided for emergency vehicle access in lieu of any alley. Alleys should intersect streets at right angles or radially to curved streets where sharp changes in alignment cannot be avoided. Property line corners shall be cut off fifteen feet (15') on each side to permit safe vehicular movement. Dead-end alleys shall be prohibited except where prior development of land adjoining the subdivision permits no other reasonable design; under such circumstances alleys shall be provided with turnaround or back-around facilities at the dead-end adequate to permit clear maneuvering of sanitation trucks, utility service vehicles and emergency vehicles. Alleys shall be not less than the following widths:

1. Twenty feet (20') where residential building sites are provided on both sides;
2. Twenty-two feet (22') wherever residential development abuts commercial or industrial areas;
3. Twenty-four feet (24') where commercial or industrial development abuts on both sides.

{Create this section for existing regulations pertaining to easements}

Section 9.18 Easements

A. Easements – Easements for drainage and utility construction, service, and maintenance shall be provided in locations approved by the City and affected utilities according to the following standards:

1. Easement for the use of public utilities of not less than seven and one-half (7.5') feet in width shall be provided on each lot and extend along the entire length of the rear property line. 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.

2. For lots of more than two hundred (200) feet deep, the utility easement shall be not less than sixteen (16) feet wide.
3. The width of any drainage easement shall be determined by the Director of Public Works or designee or in accordance with the need for drainage improvements established by any drainage study.
4. All utility easements shall be dedicated as utility and/or drainage easements.
5. When an easement is granted for public purposes as a separate instrument, the following statement of restrictions shall be placed in dedication instrument:

Utility Easements

Any public utility, including the City of Colleyville, shall have the right to move and keep moved all or part of any building, fences, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat; and any public utility, including the City of Colleyville, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

- B. Easements Adjacent to State Highways – When a proposed water or sewer line or drainage facility will be placed adjacent to a public road maintained by the Texas Department of Transportation, a separate specific use easement shall be provided for each utility or drainage facility.
- C. Emergency Access Easements – Emergency access easements shall have a clear unobstructed width to accommodate a pavement section of not less than twenty-four (24) feet in width. The emergency access easement shall connect at each end to a dedicated public street or shall have a suitable size turnaround at the dead-end, and appropriate turning space at inside corners to permit free movement of emergency vehicles. An emergency access easement may be used as a driveway to gain access to parking or loading spaces, but shall not be used for parking. All emergency access gates shall provide for an opening of not less than twenty four (24) feet wide by fourteen (14) feet in height and include a locking and opening mechanism acceptable to the Fire Department. (03-20-07 / O-07-1613)
- D. Mutual Access Easements (O-02-1336 / 04-16-02)

1. *Purpose* – The purpose of this requirement is to provide public access to adjacent properties by reducing the number of driveway cuts and potential traffic accidents on adjacent streets.
2. *Applicability* – This Section shall be applicable to properties abutting and that may derive access from a Collector Street or Arterial Street as shown on the Master Thoroughfare Plan.
3. *Requirement* – The City shall require the dedication of a mutual access easement to provide cross access to adjacent properties or shared use of a driveway to conform with the minimum driveway standards contained in Chapter 14 of this Land Development Code.
4. *Easement Dimensions* – Easements for shared driveways shall be 16 feet in width and 35 feet in length, but may vary given the shape of the particular tract. Easements extending across the entire width of the property shall not be less than 24 feet in width.

{Create this section with proposed new language for underground utilities}

Section 9.19 Private Utilities

A. Newly Installed Utilities Required to be Underground (O-17-xxxx / xx-xx-17)

1. All newly installed gas, electric, telephone utilities, street lighting, cable television, and fiber lines shall be underground.
2. All electric, telephone, cable, and fiber utilities shall be placed in the rear easement. Mechanical equipment, transformers, and other visible installations will not be permitted in the front yards of any lots.
3. All support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations shall be pad mounted or placed underground. Nothing in this section 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.
4. 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.
5. 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.

6. All new service lines shall be placed underground.
7. Overhead services will not be permitted to cross public rights-of-way. All such crossings of a right-of-way will be required to be completed by methods as approved by the city.
8. 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, prior to issuance of a certificate of occupancy, or at time of a final inspection, such overhead electric lines and facilities are promptly removed.

{Amend this section and refer to proposed section for underground utilities}

Section 14-175 Miscellaneous

- B. Underground Utilities – All newly installed distribution lines, cables, etc. or other conduits for utilities ~~other than those listed above~~ shall be installed below ground within the subdivision and in accordance with the regulations found in Section 9.19 Private Utilities. ~~Transmission lines or major cables to provide utilities such as electric, telephone, and cable television to the area as a whole may be located above ground on the perimeter of the subdivision being served. The installation of these utilities shall conform to commonly accepted construction standards and be subject to review by the Director of Public Works.~~



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 07/11/2017

Number Resolution R-17-4150

Type Resolution

Department Community Development

Title

Consideration of a replat, being Lots 2R1, 2R2, and 2R3, Block 1, of the Morris Addition, a replat of Lot 2, Block 1, of the Morris Addition, located at 7201 Pleasant Run Road, Case PC17-006

Strategic Plan

4.1 Protect Colleyville's semi-rural residential character

Explanation

Reading and Public Hearing

Waguhi Guirguis, the applicant, requests approval of a replat of the Morris Addition on approximately 6.48 acres, located at 7201 Pleasant Run Road. The applicant proposes to subdivide one lot into three lots with the intention of constructing a single family home on each lot.

Existing Conditions/Background: The subject property is currently zoned R-40 Single Family Residential district and is a platted lot of the Morris Addition. The property is generally located on the east side of Pleasant Run Road and north of John McCain Road.

A rezoning request from the AG-Agricultural district to the R-40 Single Family Residential district was approved by City Council on October 18, 2016.

The replat up for consideration proposes to create three lots for future residential development.

Lot Dimensions and Setbacks:

Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the R-40 zoning regulations require the following standards:

- Minimum Lot Area: 40,000 square feet
- Minimum Lot Width: 150 feet
- Minimum Lot Depth: 150 feet
- Minimum Front Yard Setback: 40 feet
- Minimum Side Yard Setbacks: 15 feet
- Minimum Rear Yard Setback: 25 feet
- Maximum Lot Coverage: 20 percent

As submitted, the proposed plat meets all of the requirements of the Land Development Code.

Surrounding Development: The properties to the north, south, and east are zoned AG-Agricultural district and developed with single family homes. The properties to the west are zoned AG-Agricultural district and R-40 Single Family Residential district and developed with single family homes.

Fees: Park Land Dedication fees are required in the amount of \$1,802 per residential lot. Park Land Dedication fees are due prior to filing the plat for record. Impact Fees are also required per Chapter 13 (Impact Fees) of the Land Development Code and are due prior to the issuance of a Building Permit.

Tree Preservation: Any future subdivision of the subject property must comply with Chapter 5 (Tree Preservation) of the Land Development Code. Where any tree is slated for removal, no site grading, dirt disturbance or new construction may occur on the property until a Tree Removal Permit has been issued that is associated with an approved Tree Preservation Plan.

In addition to the requirements for submittal of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the minimum existing protected tree canopy coverage as required in Chapter 5.

Public Notification: Staff mailed notices to all property owners within 200 feet of the subject property on Friday, May 26, 2017. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code on Saturday, May 27, 2017. To date, no correspondence has been received.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the plat at the June 12, 2017 meeting by a vote of 5-0.

Staff Recommendation: The proposed replat meets the requirements of the Land Development Code, staff recommends approval.

Financial Impact

There is no financial impact to the City.

Recommendation

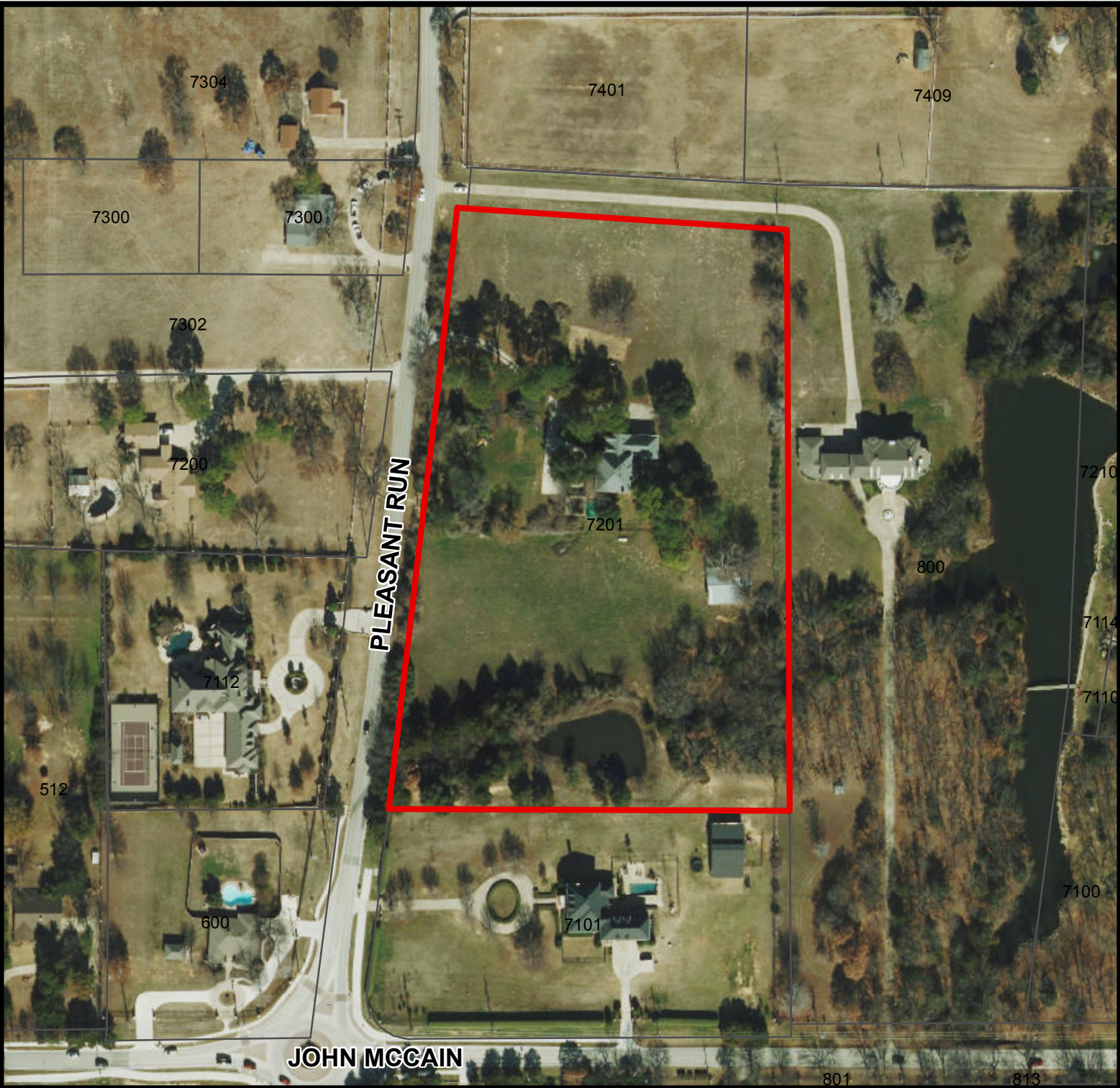
Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map

4. Plat Exhibit
5. Notification Map
6. Notification List
7. Property Owner Notification
8. Legal Notice
9. Resolution R-17-4150

AERIAL MAP



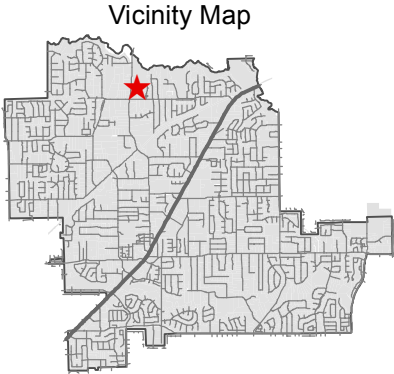
PC17-006

7201 PLEASANT RUN ROAD

 Subject Property

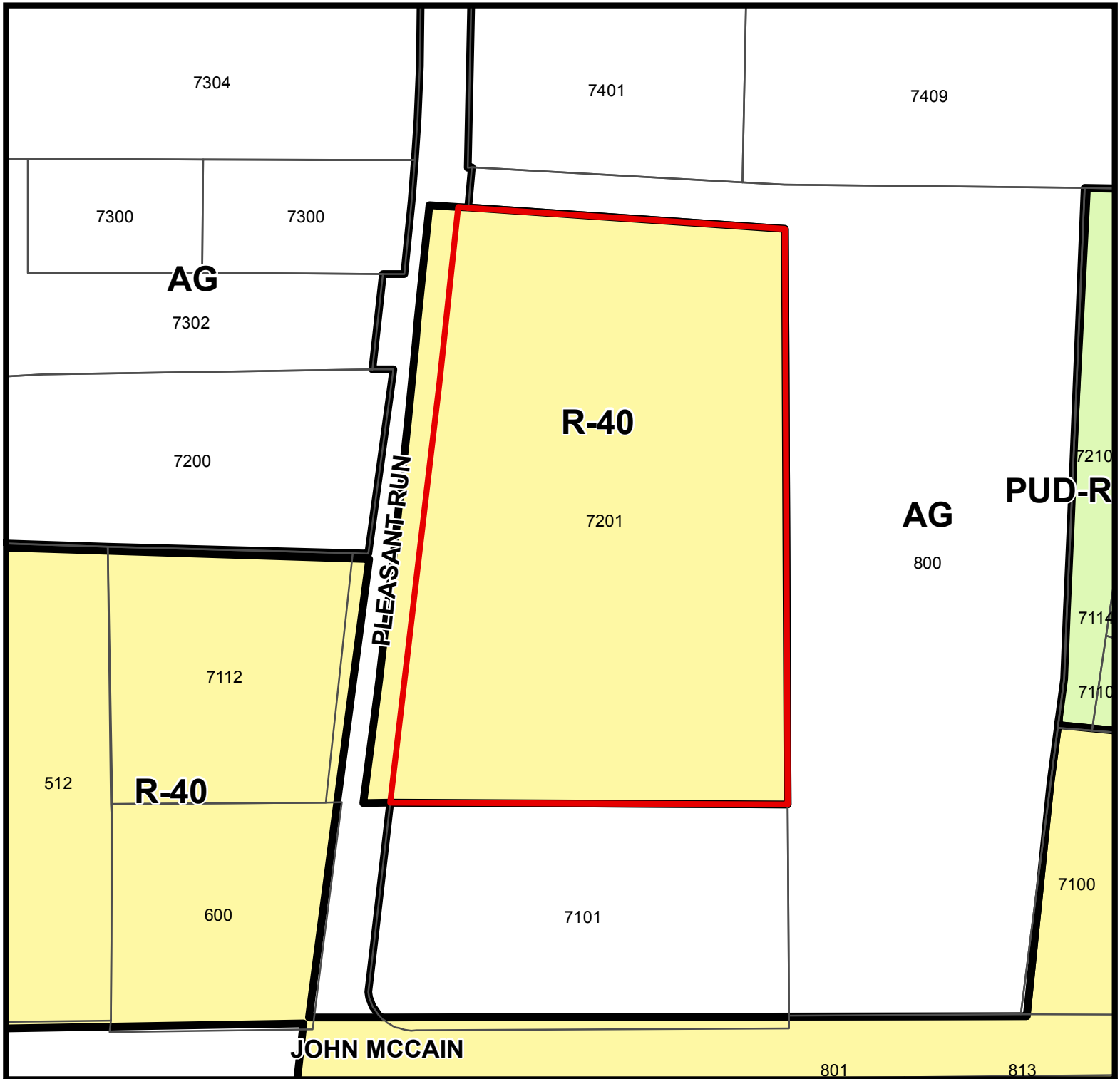


1 inch = 167 feet



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

ZONING MAP



PC17-006

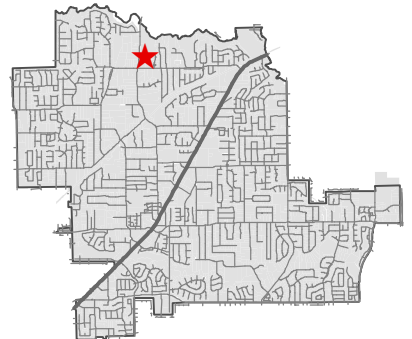
7201 PLEASANT RUN ROAD

-  Subject Property
-  AG Agricultural
-  PUD-R Planned Unit Development, Residential
-  R-40 Single Family Residential (40,000 sq. ft. min)



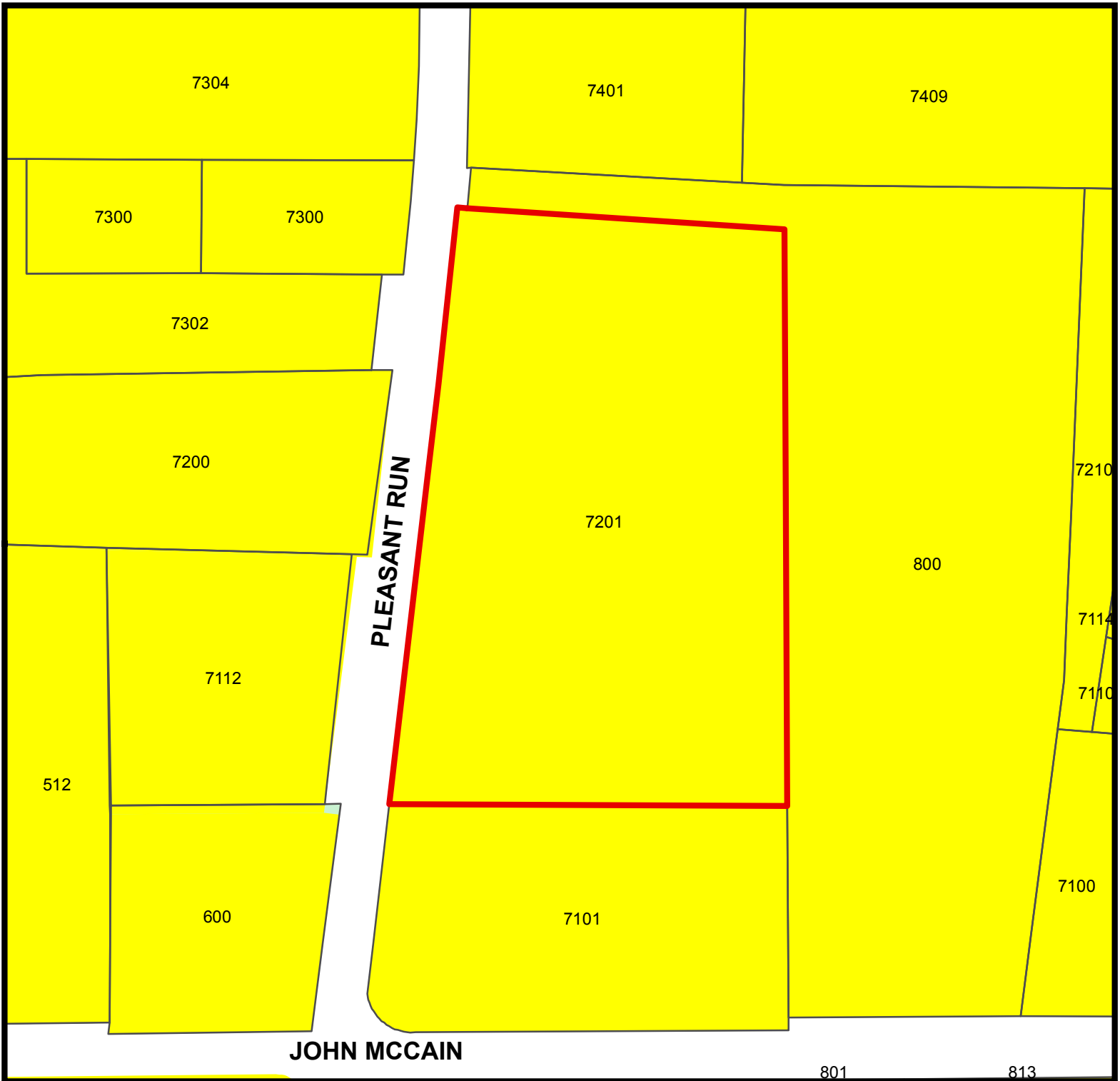
1 inch = 167 feet

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

FUTURE LAND USE MAP



1 inch = 167 feet

PC17-006

7201 PLEASANT RUN ROAD



Subject Property



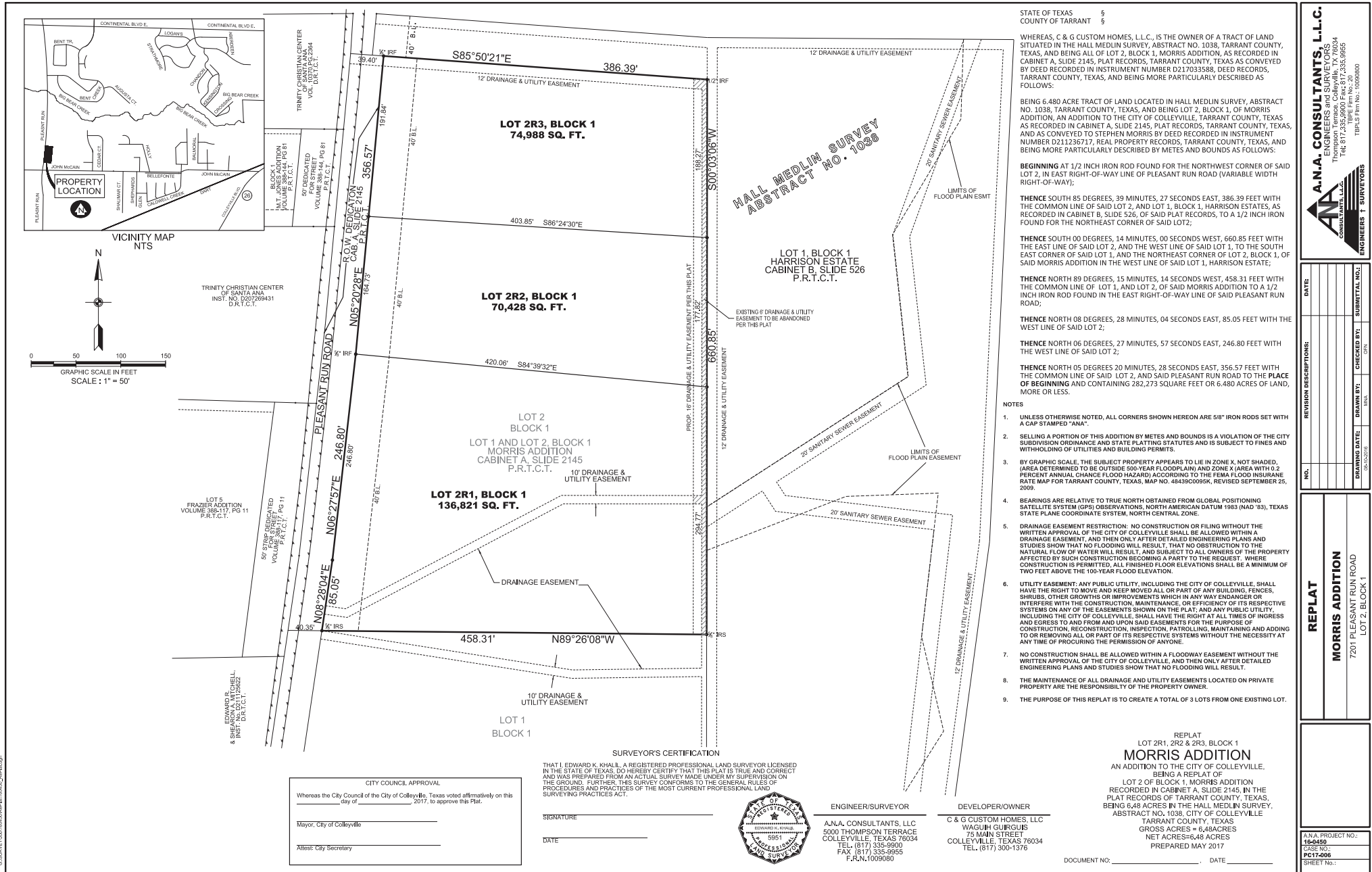
Residential

Vicinity Map

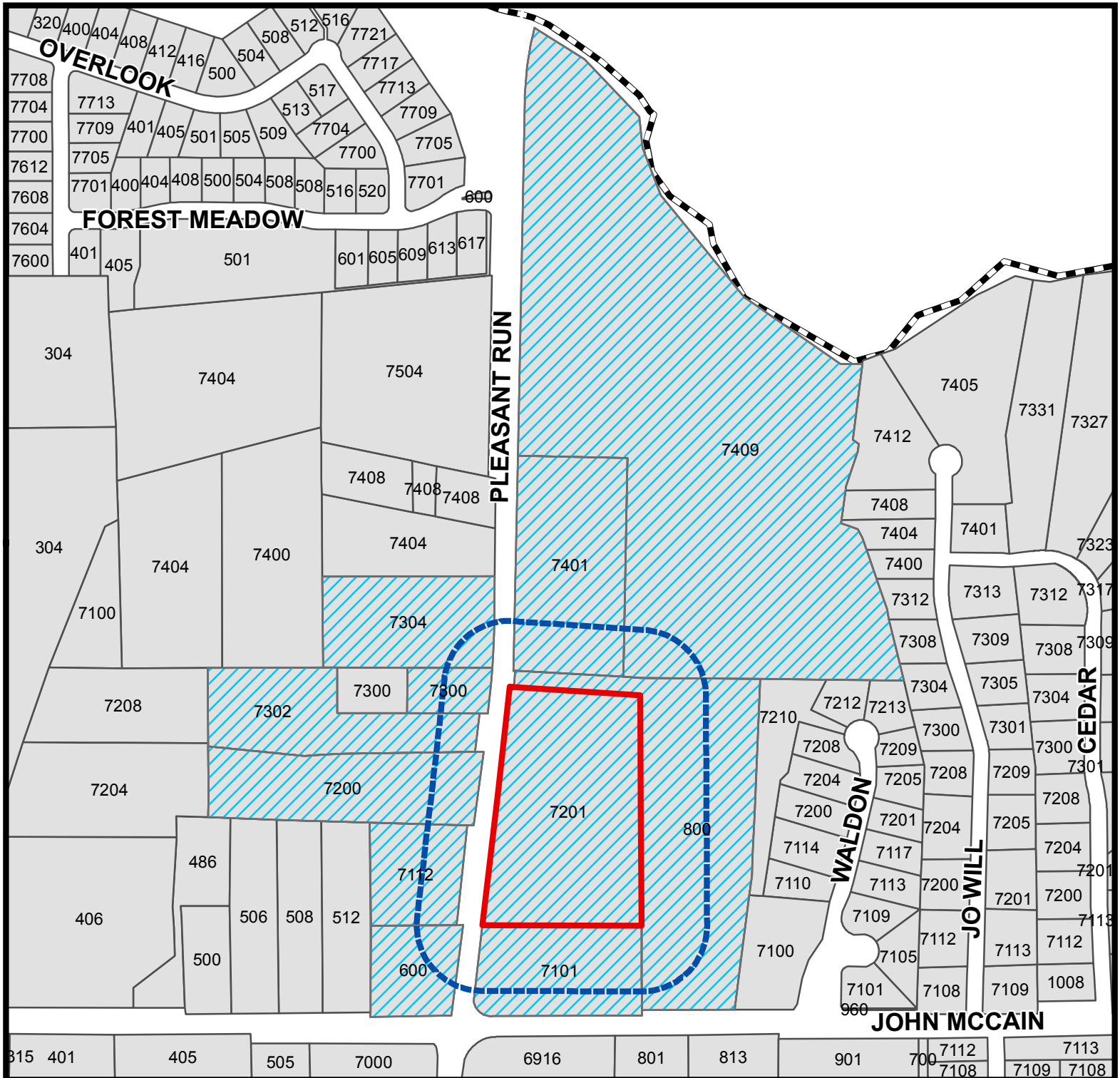


DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

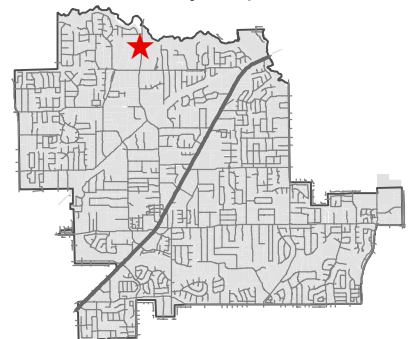
Plat Exhibit



NOTIFICATION MAP



Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
TRINITY CH CENTER OF SANTA ANA	2442 MICHELLE DR	TUSTIN, CA	92780	7200 PLEASANT RUN RD
TRINITY CHRISTIAN CENTER INC	2442 MICHELLE DR	TUSTIN, CA	92780	7409 PLEASANT RUN RD
TRINITY CHRISTIAN CENTER INC	2442 MICHELLE DR	TUSTIN, CA	92780	7409 PLEASANT RUN RD
TRINITY CHRIS CTR SANTA ANA	2442 MICHELLE DR	TUSTIN, CA	92780	7300 PLEASANT RUN RD
MORRIS, STEPHEN	7201 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7201 PLEASANT RUN RD
TRINITY CHRISTIAN CENTER INC	2442 MICHELLE DR	TUSTIN, CA	92780	7401 PLEASANT RUN RD
HARRISON, CYNTHIA	800 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	800 JOHN MCCAIN RD
TRINITY CHRISTIAN CENTER INC	2442 MICHELLE DR	TUSTIN, CA	92780	7401 PLEASANT RUN RD
TRINITY CHRIS CTR SANTA ANA	PO BOX A	SANTA ANA, CA	92711	7302 PLEASANT RUN RD
MILLER, DOUGLAS L	7112 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7112 PLEASANT RUN RD
GOIN, DONALD	7101 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7101 PLEASANT RUN RD
TRINITY CHRIS CTR SANTA ANA	2442 MICHELLE DR	TUSTIN, CA	92780	7304 PLEASANT RUN RD
MITCHELL, EDWARD	600 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	600 JOHN MCCAIN RD
WILLIAMSBURG ESTATE HOA	7113 WALDON COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
GUIRGUIS, WAGUIH	75 MAIN STREET	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Friday, May 26, 2017 by Araceli Botello

Property Owner Notification



NOTICE OF PUBLIC HEARING

Zoning Case Number: PC17-006

Owner: Waguih Guirguis

Applicant: Mark Assaad

Location: 7201 Pleasant Run Road

Property Description: Lot 2, Block 1, of the Morris Addition

Present Zoning: R-40 Single Family Residential District

Request: Consideration of a replat, being Lots 2R1, 2R2, & 2R3, Block 1, of the Morris Addition, a replat of Lot 2, Block 1, of the Morris Addition, located at 7201 Pleasant Run Road

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, June 12, 2017 at 7:00 p.m.
City Council Meeting: Tuesday, July 11, 2017 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 200 feet. Action by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Community Development Director
bbryner@colleyville.com

Legal Notice

May 26, 2017

SENT VIA EMAIL on Friday, May 26, 2017

Christine Lopez
Legal Notices
Fort Worth Star-Telegram
400 W. Seventh Street
Fort Worth, TX 76102

Dear Christine:

Please publish and furnish an affidavit (N.E. Section):
Saturday, May 27, 2017

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 6/12/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case PC17-006 - Consideration of a replat, being Lots 2R1, 2R2, & 2R3, Block 1, of the Morris Addition, a replat of Lot 2, Block 1, of the Morris Addition, located at 7201 Pleasant Run Road

The City Council will hold a Public Hearing on the above items on 7/11/17 at 7:30 p.m. at City Hall, 100 Main Street, Colleyville, Texas.

All interested citizens will be given the opportunity to speak and be heard.

CITY OF COLLEYVILLE



Araceli Botello
Planning Technician

RESOLUTION R-17-4150

**APPROVING A REPLAT FOR LOTS 2R1, 2R2, AND 2R3, BLOCK 1, OF
THE MORRIS ADDITION**

WHEREAS, the Planning and Zoning Commission recommended approval of the replat for Lots 2R1, 2R2, and 2R3, Block 1, of the Morris Addition on June 12, 2017.

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

Sec. 1. THAT the replat for Lots 2R1, 2R2, & 2R3, Block 1, of the Morris Addition on approximately 6.48 acres, attached as Exhibit "A" - Plat Exhibit, is hereby approved.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON
THIS THE 11TH DAY OF July 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 3, Kathy Wheat	_____	Place 6, Mike Taylor	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

[illegible]



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6b

Agenda Date 07/11/2017

Number Resolution R-17-4151

Type Resolution

Department City Manager

Title

Consideration of a resolution to deny Oncor Electric Delivery Company LLC's application to change rates charged to customers located within the City of Colleyville

Strategic Plan

2.1 Provide responsive, efficient city services

Explanation

Reading and Public Hearing

The City of Colleyville, along with 158 other cities served by Oncor Electric Delivery Company LLC, is a member of the Steering Committee of Cities Served by Oncor. The Steering Committee has been the primary public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters for the last 30 years.

On March 17, 2017, Oncor filed an application to change rates with cities retaining original jurisdiction (including Colleyville). In the filing, the Company seeks to increase system-wide transmission and distribution rates by \$317 million or approximately 7.5 percent over present revenues. The Company asks the City to approve an 11.8 percent increase in residential rates and a 0.5 percent increase in street lighting rates. If approved, a residential customer using 1000 kWh per month would see a bill increase of about \$6.68 per month.

On April 4, 2017, the City Council approved Resolution R-17-4110, suspending the April 21, 2017 effective date of the Company's rate increase for the maximum period permitted by law (90 days). This allowed the City, working in conjunction with the Steering Committee, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy to pursue.

The Steering Committee engaged the services of three consultants, Mr. Lane Kollen, Mr. Richard Baudino, and Mr. Karl Nalepa, to review the Company's filing. The consultants identified numerous unreasonable expenses and propose significant reductions to the Company's request. Accordingly, the Steering Committee's attorneys recommend that all members adopt the attached Resolution denying the rate change. Once the resolution is adopted, Oncor will have 30 days to appeal the decision to the Public Utility Commission of Texas where the appeal will be consolidated with Oncor's filing (i.e. PUC Docket No. 46957) currently pending at the Commission.

Financial Impact

Approval of the attached resolution will require Oncor to continue charging its existing rates to customers within the City, pending a decision from the Public Utility Commission regarding the anticipated appeal filed by Oncor.

Recommendation

Approve

Attachments

1. Resolution R-17-4110
2. Resolution R-17-4151

RESOLUTION R-17-4110

RESOLUTION OF THE CITY OF COLLEYVILLE SUSPENDING THE APRIL 21, 2017, EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS

WHEREAS, on March 17, 2017, Oncor Electric Delivery Company (Oncor), pursuant to PURA §§ 33.001 and 36.001 filed with the City of Colleyville a Statement of Intent to increase electric transmission and distribution rates in all municipalities exercising original jurisdiction within its service area effective April 21, 2017; and

WHEREAS, the City of Colleyville is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee") and will cooperate with the 156 similarly situated city members and other city participants, in conducting a review of the Company's application, hire and direct legal counsel and consultants, prepare a common response, negotiate with the Company prior to getting reasonable rates, and direct any necessary litigation; and

WHEREAS, PURA § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days after the date the rate change would otherwise be effective; and

WHEREAS, PURA § 33.023 provides that costs incurred by cities in ratemaking proceedings are to be reimbursed by the regulated utility.

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

Sec. 1. THAT the April 21, 2017, effective date of the rate request submitted by Oncor on March 17, 2017, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

- Sec. 2. THAT the Executive Committee of the Steering Committee is authorized to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations regarding reasonable rates, and to intervene and direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Public Utility Commission.
- Sec. 3. THAT the City's reasonable rate case expenses shall be reimbursed by Oncor.
- Sec. 4. THAT it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.
- Sec. 5. THAT a copy of this Resolution shall be sent to Oncor, Care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 6 AYES, 0 NAYS, AND 0 ABSTENTIONS ON THIS 4TH DAY OF APRIL 2017.

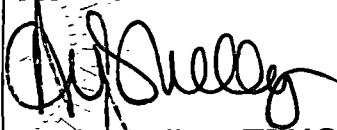
Mayor Richard Newton
Place 1, Tammy Nakamura
Place 2, Bobby Lindamood
Place 4, Jody Short

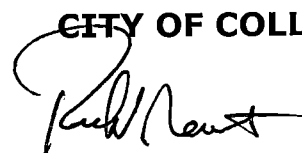
Aye
Aye
Aye
Absent

Mayor Pro Tem Chris Putnam
Place 5, Nancy Coplen
Place 6, Mike Taylor

Aye
Aye
Aye

ATTEST:


Amy Shelley, TRMC
Secretary

CITY OF COLLEYVILLE

Richard Newton
Mayor

RESOLUTION R-17-4151

RESOLUTION OF THE CITY OF COLLEYVILLE TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED

WHEREAS, the City of Colleyville, Texas ("City") is an electric utility customer of Oncor, and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about March 17, 2017, Oncor filed with the City an application to increase system-wide transmission and distribution rates by \$317 million or approximately 7.5 percent over present revenues. The Company asks the City to approve an 11.8 percent increase in residential rates and a 0.5 percent increase in street lighting rates; and

WHEREAS, the Steering Committee is coordinating its review of Oncor's application and working with the designated attorneys and consultants to resolve issues in the Company's filing; and

WHEREAS, through review of the application, the Steering Committee's consultants determined that Oncor's proposed rates are excessive; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the Application.

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

Sec. 1. THAT the rates proposed by Oncor to be recovered through its electric rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

- Sec. 2. THAT the Company shall continue to charge its existing rates to customers within the City.
- Sec. 3. THAT the City’s reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.
- Sec. 4. THAT it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.
- Sec. 5. THAT a copy of this resolution shall be sent to Oncor, Care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS 11TH DAY OF JULY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Nancy Coplen	_____
Place 6, Mike Taylor	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
Secretary

Richard Newton
Mayor

RESOLUTION R-17-4152

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
JULY 11, 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 11TH DAY OF JULY 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Nancy Coplen	_____
Place 6, Mike Taylor	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor