



City of Colleyville City Council Agenda

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

Tuesday, December 18, 2018

WORKSESSION - 5:30 PM EXECUTIVE CONFERENCE ROOM THIRD FLOOR

CALL TO ORDER

- WS-1** Discussion of Recreation Center research and findings
- WS-2** Discussion of Glade Road Project Timeline
- WS-3** Discussion of Cheek-Sparger Road shoulder improvements and alignment
- WS-4** Discussion of alcohol and food regulations
- WS-5** Discussion of the December 18, 2018, 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 items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding contemplated and/or pending litigation, including:

- Glade Road eminent domain cases for Parcels 150 and 159
- Threatened litigation regarding zoning case ZC18-019

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

- Glade Road Project Phases 1B and 2
- Acquisition of real property along SH26

Section 551.074 – Personnel – Deliberate the appointment, employment, evaluation, and duties of the Fire Chief

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

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

INVOCATION: Pastor Mike Dawson, First United Methodist Church

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-18-4335

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

Presentation to the Colleyville Police Department and the Colleyville Citizens on Patrol by Bobby and Tami Lindamood, J. R.'s Demolition - Assistant Police Chief Hillary Wreay and Citizens on Patrol

In recognition of the Featured Business of the Month - Bear Creek Wine and Spirits, 7101 Colleyville Boulevard, Randy Johnson, owner - Mayor Richard Newton and Assistant City Manager Mark Wood

4. CONSENT: READING AND PUBLIC HEARING- RESOLUTION R-18-4336

4a Approval of the minutes of the regular City Council meeting of December 4, 2018

4b Approval of a construction contract with 308 Construction for the Frontier Court Paving and Drainage Improvements Project, in an amount not to exceed \$338,689.70, and authorizing the City Manager to execute the contract

4c Approval of a Construction Contract with Rey-Mar Construction, for Water Project No. 8, for pressure reducing valve improvements, in an amount not to exceed \$189,050, and authorizing the City Manager to execute the contract

5. ITEMS NOT FOR CITY COUNCIL ACTION

5a Monthly Financial Report - November 30, 2018

- 5b** Quarterly Investment Report for the quarter ended September 30, 2018

6. DISCUSSION OF OLD BUSINESS

- 6a** Discuss and consider the City Council's previous motion to approve Ordinance 18-2056 that failed to pass during the December 4, 2018 City Council meeting
- 6b** Discuss and consider action necessary as a result of any action taken by the City Council relative to Item 6a concerning Ordinance 18-2056

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

7a Ordinance O-18-2068

An ordinance amending Sections 3A and 3B of the Water and Sewer Policy and Procedure manual as contained in the Code of Ordinances of the City of Colleyville, Texas, adjusting water and wastewater volumetric rates to pass through changes from the Trinity River Authority

7b Ordinance O-18-2069

Consideration of a zoning change from PUD-C Planned Unit Development – Commercial district, PUD-R Planned Unit Development – Residential district, and ML Light Manufacturing district to AG Agricultural district on Lot 1A, Block 12, of the Longwood Estates at Ross Downs and Tract 1, Abstract 294 & Tract 4A3A, Abstract 591, in the Robert Chowning Survey, located at 7201 Colleyville Boulevard, Case ZC18-030

7c Ordinance O-18-2070

Consideration of a Special Use Permit for a carport on Lot 16, Block 2, of the Quail Crest Estates Addition, located at 316 Quail Crest Drive, Case ZC18-032

7d Ordinance O-18-2071

Consideration of a zoning change from R-10 Single Family Residential district to R-20 Single Family Residential district on Tracts 6A & 6A2, Abstract 1203, in the Peterson Pate Survey, located at 713 Field Street, Case ZC18-034

8. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**8a Ordinance O-18-2072**

Consideration of amendments to the Colleyville Code of Ordinances, Chapters 2 and 86, related to telecommunications providers

9. TABLED: ORDINANCE(S) READING AND PUBLIC HEARING**9a Ordinance O-18-2067**

Consideration of amendments to the Land Development Code, specifically Chapter 3 – Land Use

10. RESOLUTION(S): READING AND PUBLIC HEARING**10a Resolution R-18-4337**

Consideration of appointments to the Architectural Review Commission

10b Resolution R-18-4338

Consideration of appointments to the Colleyville Center Advisory Committee

10c Resolution R-18-4339

Consideration of an appointment to the Historical Preservation Committee

10d Resolution R-18-4340

Consideration of appointments to the Parks and Recreation Advisory Board

10e Resolution R-18-4341

Consideration of an appointment to the Zoning Board of Adjustment

10f Resolution R-18-4342

Consideration of an appointment to the Colleyville Community Garden Advisory Committee

11. TABLED: RESOLUTION(S) READING AND PUBLIC HEARING**11a Resolution R-18-4294**

Consideration of a final plat for Lots 1, 2, and 3X, Block 1, Old Grove Addition, Phase II, located at 105 and 103 John McCain Road and 7189 Cast Iron Forest Trail, Case PC17-004

- 12. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA**
- 13. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR TUESDAY, DECEMBER 18, 2018 - READING AND PUBLIC HEARING - RESOLUTION R-18-4343**
- 14. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards Friday, December 14, 2018 by 5:00 p.m.

Christine Loven, TRMC
City Secretary

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

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

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



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number WS-1

Agenda Date 12/18/2018

Type Worksession

Department Parks and Recreation

Title

Discussion of Recreation Center research and findings

Strategic Plan

5.1 Create and sustain an identifiable Colleyville brand

5.3 Provide attractive facilities for leisure and recreation

Explanation

The 2018 Parks, Recreation and Open Space Master Plan recommended a full-service recreation center. The current recreational facility is an old church that has been converted to the City's Senior Center. It serves both as a senior center and an indoor general recreational facility, as the City does not currently have a recreation center. The Senior Center has many functionality issues limiting its potential to better serve the community. This presentation will begin the conversation of the components of a recreation center and the projected costs associated with such a facility.

Attachments

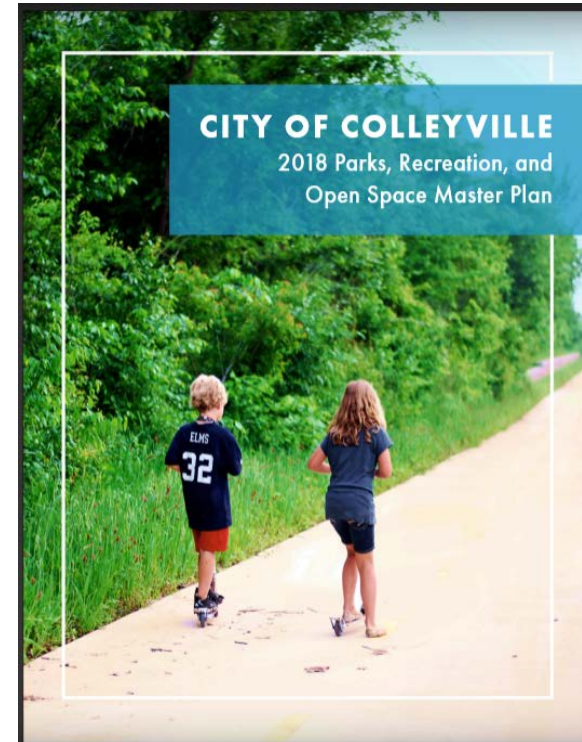
1. WS-1 Worksession Presentation - Dec. 18 2018 (002)

Recreation / Multi-Generational Facility

City Council Worksession
December 18, 2018

Introduction

- 2018 Master Plan Recommendation
 - 2018-2019 City Council High Priority Objectives
- Recreation/Multi-generational facility study to determine scope and decide if such a facility is appropriate.



Current Facility

- ▶ Senior Center is located on 9 acres of Park Land (392,040 sf)
- ▶ Senior Center is 10,000 sf
- ▶ 28 hours of operation
- ▶ 3 FTE and 1 Labor pool position
- ▶ 95 parking spaces
- ▶ Storm Water Management is appropriate
- ▶ Restrictive programmable space



Components of a Recreation Facility

Basic:

- ▶ Gymnasium – utilized for basketball/volleyball and pickle ball
- ▶ Senior – lounge, areas designated for games, large room(s) that can be divided for programs/classes, and kitchen
- ▶ Fitness – fitness equipment, free weights, and cardio machines
- ▶ Recreation – multi-use rooms for dance, craft classes, camps, karate
- ▶ Building Support Spaces – lobby, reception, restrooms, locker rooms, etc.

Additional:

- ▶ Aquatics – lap pool, water aerobics, water Zumba, and swim lessons
- ▶ Indoor track – walking/jogging
- ▶ Game Room – billiards table, table tennis, foosball, etc.

Surrounding Cities

	Southlake 	Grapevine 	North Richland Hills 	Keller 	Euless 
Size (sf)	105,119	108,443	72,276	65,500	65,000
Gymnasium (sf)	2 gyms	9,408.50 (total= 18,817)	11,065	11,634	6,500
Senior (sf)	✓	13,841	8,000	Senior Center Separate	21,982
Fitness (sf)	✓	10,248	13,070	9,250	5,600
Multi-Purpose rooms	✓	✓	✓	✓	✓
Indoor Aquatics (sf)	✓	30,444	11,756	12,096	5,500
Indoor Track	✓	✓	✓	✓	✓
Game Room		✓			✓

- Bedford is currently in the planning process of building a new multi-generational facility
- Southlake is scheduled to open the Champions Club in February 2019

Basic Multi-Generational Facility

	Size (sf)	2019 Project Cost	2021Project Cost*
Gymnasium	10,000	\$4,170,000 - \$4,760,000	\$4,587,000 - \$5,236,000
Senior	5,000	\$2,085,000 - \$2,380,000	\$2,293,500 - \$2,618,000
Fitness	5,000	\$2,085,000 - \$2,380,000	\$2,293,500 - \$2,618,000
Multi-use Rooms	10,000	\$4,170,000 - \$4,760,000	\$4,587,000 - \$5,236,000
Building Support Space	5,000	\$2,085,000 - \$2,380,000	\$2,293,500 - \$2,618,000
Indoor Aquatics	10,000	\$4,300,000 - \$4,800,000	\$4,730,000 - \$5,280,000
Additional Parking	130 spaces	\$390,000	\$409,500
Projected Cost	45,000	\$19,285,000 - \$21,850,000	\$21,194,000 - \$24,015,500
Contingency		\$4,821,250 - \$5,462,500	\$5,298,500 - \$6,003,875
Total Projected Cost	45,000	\$24,106,250 - \$27,312,500	\$26,492,500 - \$30,019,375

Notes:

Project Cost includes FF&E (Range from low to high)

Pricing is based on a 45,000 sf facility

22,500 sf foot print (two-story facility)

25% Contingency

*5% Escalation/year for 2021 Project Cost

Relative Cost of Components Compared to Total Cost (Most Expensive to Least Expensive)

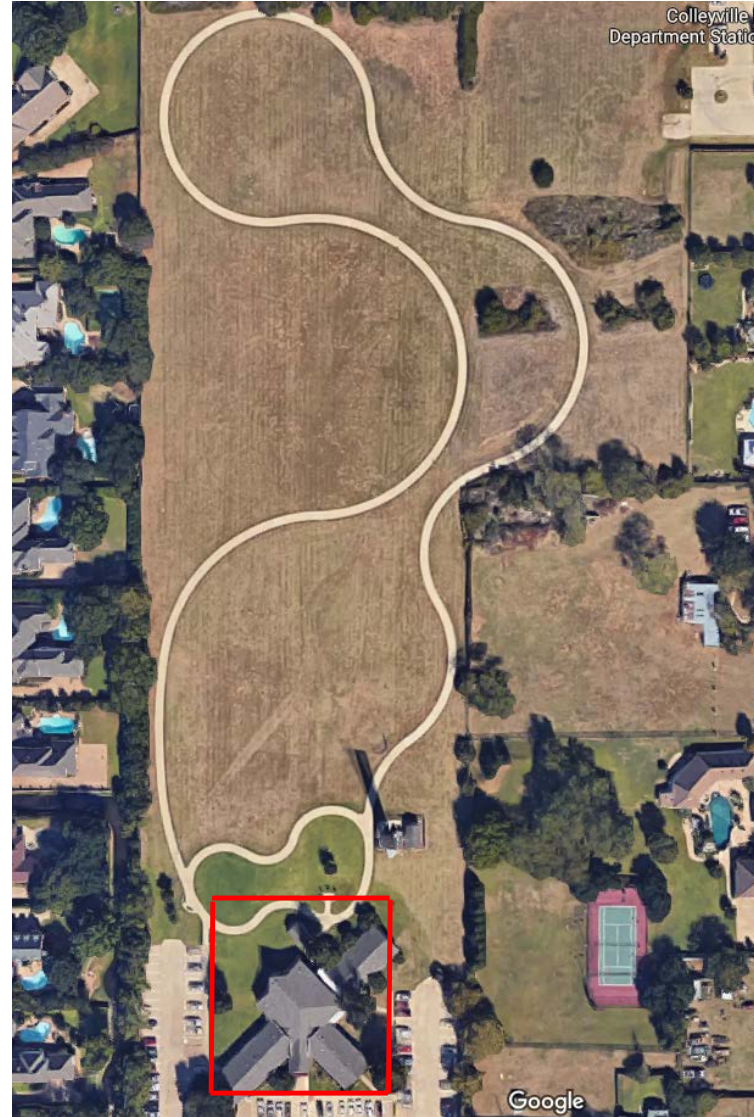
- ▶ Indoor Aquatics
- ▶ Restrooms/Locker Rooms
- ▶ Fitness Room (including equipment)
- ▶ Building Support Space
- ▶ Multi-purpose rooms
- ▶ Gymnasiums
- ▶ Elevated Walking Tracks



Points of Discussion

- ▶ Competing with Life Time Fitness
- ▶ Increase hours of operation
- ▶ Increase staff
- ▶ Programming difficulties with limited space (utilize GCISD facilities)
- ▶ Ongoing operational cost

Overhead Visual



Red Box = Approximately 30,000 sf

Outdoor Park Amenity Options

- ▶ Playground
- ▶ Trail
- ▶ Pavilion
- ▶ Splash pad
- ▶ Outdoor exercise equipment



Questions and Discussion



City of Colleyville City Council Agenda Briefing

City Hall
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Agenda Number WS-2

Agenda Date 12/18/2018

Type Worksession

Department Public Works

Title

Discussion of Glade Road Project Timeline

Strategic Plan

3.1 Upgrade the condition of major roads and neighborhood streets

Explanation

The design plans for Glade Road are now at 90% completion. All the necessary R.O.W.s and easements have been acquired for the project. This work session will provide you with an update regarding the final design and construction timeline for Glade Road.

Attachments

1. Glade Road Timeline Update

Discussion of Glade Road Phase 2 Project Timeline

**Work Session
December 18, 2018**

Phase 2 Construction Limits



Proposed Project Schedule



- **March 2019** – Receive final plans for franchise utilities relocation
- **April 2019** – Receive final plans for Glade Road Phase 2
- **May 2019** – Begin franchise utility relocation construction work
- **October 2019** – Advertise project for five weeks
- **November 2019** – Open bids
- **December 2019** – Award project to Contractor at council meeting
- **March 2020** – Begin road construction

Questions and Discussion



City of Colleyville City Council Agenda Briefing

City Hall
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Agenda Number WS-3

Agenda Date 12/18/2018

Type Worksession

Department Public Works

Title

Discussion of Cheek-Sparger Road shoulder improvements and alignment

Strategic Plan

3.1 Upgrade the condition of major roads and neighborhood streets

Explanation

Staff initially presented the Cheek-Sparger Highway Safety Improvement Program (HSIP) grant funded project during the August 7, 2018 City Council worksession. Subsequent to the worksession, a professional services agreement for design services was authorized by City Council on August 21, 2018 and an Advanced Funding Agreement with TxDOT on September 18, 2018. The estimated cost of the project is \$3,145,061. Costs will be allocated based on 90% federal funding and 10% local funding. Local participation, including engineering services, is estimated at \$563,294.

This presentation and discussion will provide an update reflecting information regarding right-of-way requirements and the impact the project will have on trees in the corridor. See Exhibit A.

The Base Requirements for the (HSIP) grant funded project include an asphalt street section with shoulders, concrete curbs and gutters, and a storm drain system. These requirements would be considered a complete reconstruction of the roadway as per TxDOT standards.

In order to adequately address questions from the City Council and citizens the following options and impacts will be discussed.

Base Requirements – Addition of shoulders, curb and gutters, and storm drain, one sidewalk on either side of the road. These requirements would require right-of-way to be acquired from two (2) parcels, and 73 trees will be impacted, plus the additional trees depending upon whether sidewalks are included on the north or south side of the road.

Alternate Option 1 – In addition to the base requirements consideration for including both an 8 foot trail on the north and a 6 foot sidewalk on the south would impact an additional 11 trees.

Alternate Option 2 – In addition to the base requirements consideration for adding an 8 foot trail on the north would impact an additional 4 trees.

Alternate Option 3 – In addition to the base requirements consideration for adding a 6 foot sidewalk on the south would impact an additional 7 trees.

Attachments

1. Presentation

Cheek-Sparger Road (San Bar Lane to Oakbriar Lane) Presentation and Discussion

City Council
December 18, 2018

WS-2 Cheek-Sparger (San Bar to Oakbriar)

This presentation and discussion will provide an update reflecting information regarding impacted trees and right-of-way requirements for the project.

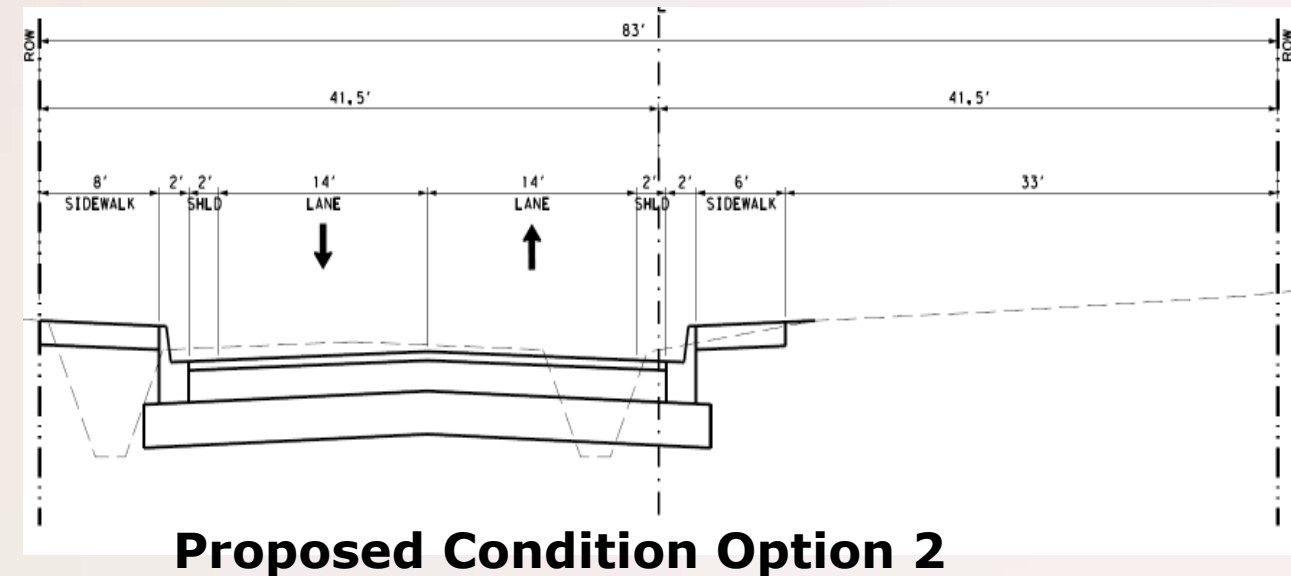
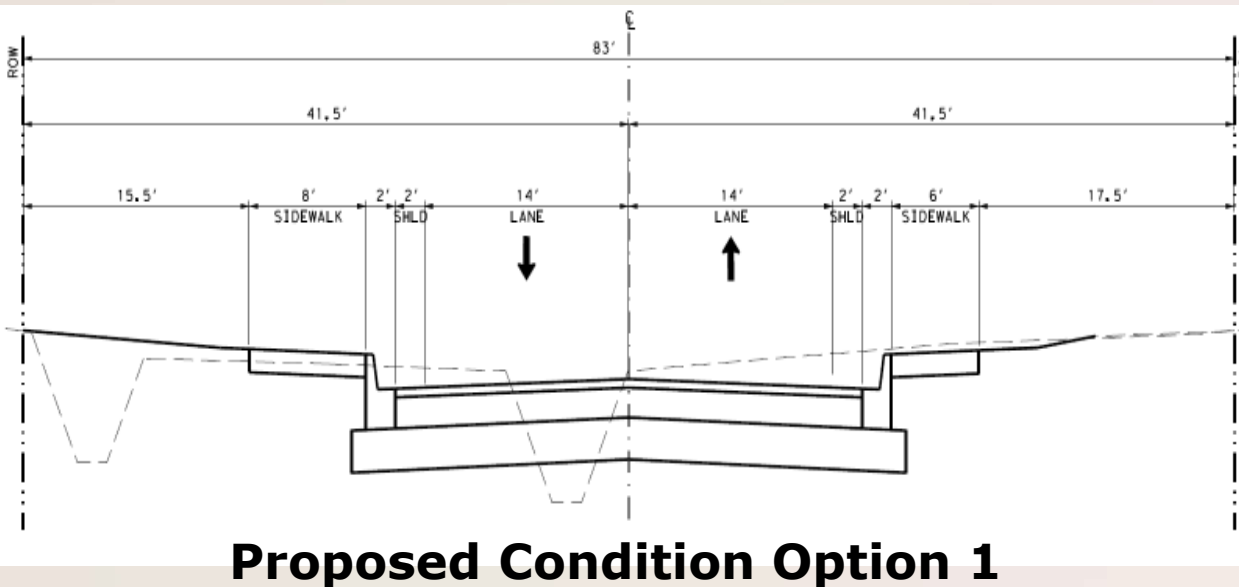
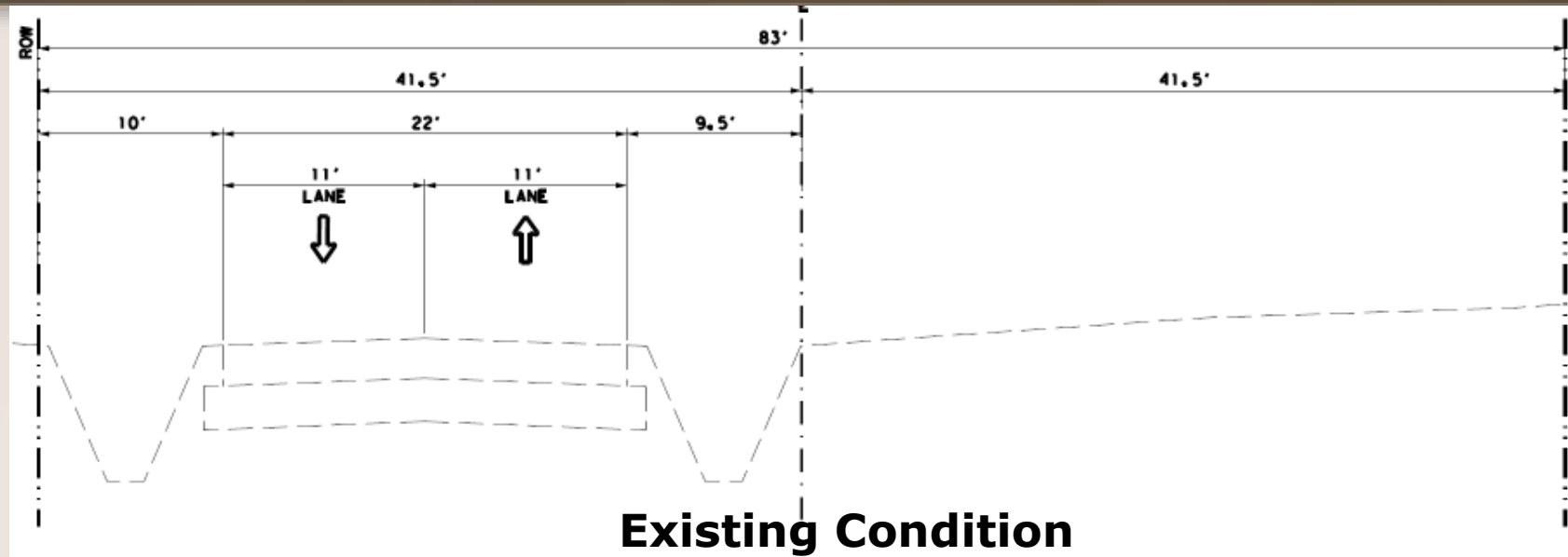


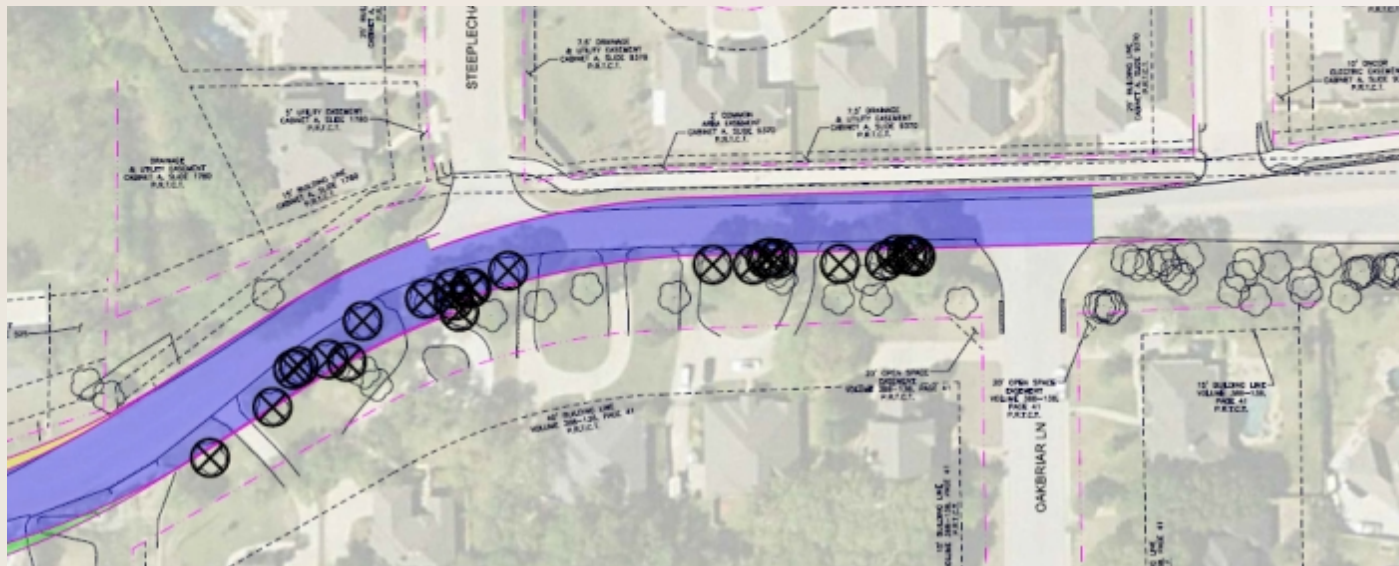
WS-2 Cheek-Sparger (San Bar to Oakbriar)

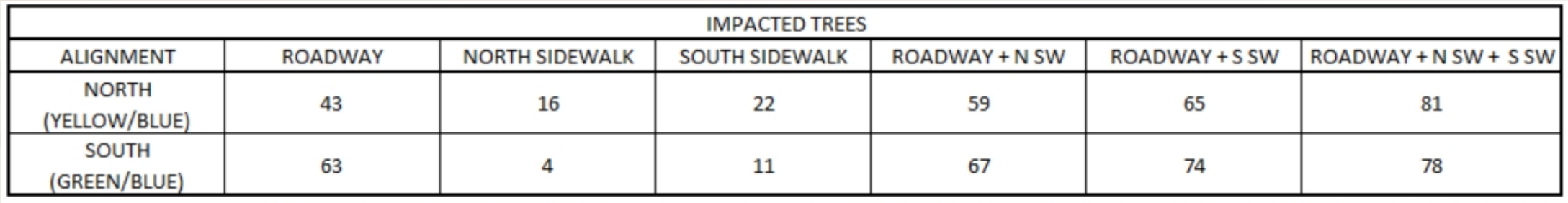
Project Information

- Full reconstruction and adding of shoulders along Cheek-Sparger from San Bar to Oakbriar Lane
- Awarded funding based upon a grant application for TxDOT's Highway Safety Improvement Program (HSIP)
- Design to begin fall 2018
- Construction in 2019
- HSIP requires TxDOT design review and construction administration
- Certain improvements required as condition of the grant (shoulders, curb and gutter, sidewalk on one side, guardrail replacement, etc.)

WS-2 Cheek-Sparger Options 1 & 2







IMPACTED TREES						
ALIGNMENT	ROADWAY	NORTH SIDEWALK	SOUTH SIDEWALK	ROADWAY + N SW	ROADWAY + S SW	ROADWAY + N SW + S SW
NORTH (YELLOW/BLUE)	43	16	22	59	65	81
SOUTH (GREEN/BLUE)	63	4	11	67	74	78

Questions and Discussion



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Agenda Number WS-4

Agenda Date 12/18/2018

Type Worksession

Department City Manager

Title

Discussion of alcohol and food regulations

Explanation

This item will allow the opportunity to begin discussion of the alcohol vs food regulations and direction to be given to staff.

Attachments



City of Colleyville City Council Agenda Briefing

City Hall
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Agenda Number WS-5

Agenda Date 12/18/2018

Type Worksession

Department City Secretary

Title

Discussion of the December 18, 2018, City Council regular agenda items



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number 1

Agenda Date 12/18/2018

Type Executive Session

Department City Secretary

Title

Section 551.071 - Legal - Consultation with attorney on legal issues raised by items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding contemplated and/or pending litigation, including:

- Glade Road eminent domain cases for Parcels 150 and 159
- Threatened litigation regarding zoning case ZC18-019

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

- Glade Road Project Phases 1B and 2
- Acquisition of real property along SH26

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

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-18-4335

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF DECEMBER 18, 2018**

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 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number 3

Agenda Date 12/18/2018

Type Announcements, Proclamations, and Presentations

Department City Manager

Title

Presentation to the Colleyville Police Department and the Colleyville Citizens on Patrol by Bobby and Tami Lindamood, J. R.'s Demolition - Assistant Police Chief Hillary Wreay and Citizens on Patrol

In recognition of the Featured Business of the Month - Bear Creek Wine and Spirits, 7101 Colleyville Boulevard, Randy Johnson, owner - Mayor Richard Newton and Assistant City Manager Mark Wood

Attachments

RESOLUTION R-18-4336

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT
ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
DECEMBER 18, 2018**

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 December 4, 2018
 - b. Approval of a construction contract with 308 Construction for the Frontier Court Paving and Drainage Improvements Project, in an amount not to exceed \$338,689.70, and authorizing the City Manager to execute the contract
 - c. Approval of a Construction Contract with Rey-Mar Construction, for Water Project No. 8, for pressure reducing valve improvements, in an amount not to exceed \$189,050, and authorizing the City Manager to execute the contract

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS ON THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Minutes - Draft

City Hall
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Tuesday, December 4, 2018

Mayor Richard Newton called the Colleyville City Council Worksession to order on Tuesday, December 4, 2018, at 5:30 p.m.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

ALSO PRESENT: City Manager Jerry Ducay, Assistant City Manager Mark Wood, Assistant City Manager Adrienne Lothery, Police Chief Michael Miller, Interim Fire Chief Mark Cantrell, Community Development Director Ben Bryner, Public Works Director Ray Silva-Reyes, Parks and Recreation Director Lisa Escobedo, Community Relations Specialist Erin Spicer, City Attorney Whitt Wyatt, and City Secretary Christine Loven.

WS-1 Discussion of SH26 lighting

Assistant City Manager Adrienne Lothery stated at the November 5 Worksession, lighting was discussed and now it is time to make a selection, so the bid process can move forward. Manager Lothery then introduced Mesa staff Stan Cowan, David Newman, and Jason Cooper, who presented the options and provided estimates.

City Council directed staff and MESA to move forward with the lighting design, with banner arm connections, and decorative bases for 48 lights along the corridor. City Council also agreed to rearrange six lights along the bridge and add pedestrian lights.

WS-2 Discussion of Cheek-Sparger Road shoulder improvements

Public Works Director Ray Silva-Reyes presented this item and reviewed the initial design plan, tree loss, traffic pattern during construction, right-of-way required to allow for the curve to be realigned. Director Silva-Reyes stated there are some requirements mandated by TxDOT as the funding for the project is a grant, noting a sidewalk and bike lane are two of those requirements.

Director Silva-Reyes noted residents directly located in the area received a letter advising them the Public Works Office would be open 5:00 to 7:00 p.m. on Monday, December 3, to discuss the improvements. Director Silva-Reyes stated the opportunity was well received as ten residents reviewed the plans and offered input to the department.

There was discussion regarding bike lane requirements, impact to trees, drainage, and the curve alignment. City Council requested Director Silva-Reyes work with the engineer to try to develop a plan which will impact fewer trees and still allow for traffic flow.

WS-3 Discussion of SH26 corridor business property enhancement program

Assistant City Manager Mark Wood presented this item. Manager Wood stated the B.E.S.T. (Business Enhancements to Support Transformation) program is designed to proactively encourage business owners to enhance their buildings along SH26 as the roadway nears completion. Manager Wood highlighted the program components and noted staff plans to begin B.E.S.T in January 2019. Mayor Newton asked for more details of the plan including the amount of money the City would allocate to the program, the business requirements for getting the grant, and the streamlined application and review process. The staff committed to get back to the Council on these items.

WS-4 Discussion of the 2019 City Council meeting dates

Mayor Newton discussed this item and City Council agreed to move forward with a resolution outlining the 2019 City Council meeting dates.

WS-5 Discussion of the December 4, 2018, City Council regular agenda items

Mayor Newton stated Case ZC18-019, Ordinance O-18-2056, had been tabled to a date certain of December 4, 2018, therefore, they will be taking action this evening.

He stated there has been no further action on Case PC17-004, Resolution R-18-4294, therefore, it will remain tabled.

Mayor Newton adjourned the worksession at 6:32 p.m.

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

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley, and Callie Rigney

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 items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding contemplated and/or pending litigation, including:

- Glade Road eminent domain cases for Parcels 150 and 159

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

- Acquisition of real property along SH26, including discussion of City participation in an online auction for the real property generally described as 4719 Colleyville Boulevard, Colleyville, Texas, ending December 5, 2018.
- Glade Road Project Phases 1B and 2
- Acquisition of real property along SH26

Section 551.074 – Personnel – Deliberate the appointment, employment, evaluations, and duties of the Fire Chief

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

Mayor Newton explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal, Section 551.072, Real Estate, Section 551.074 – Personnel, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. Executive Session was adjourned at 7:09 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Newton at 7:30 p.m.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley, and Callie Rigney

INVOCATION: Pastor Martin Richardson, Crown of Life

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-18-4330

Mayor Newton read Resolution R-18-4330 in its entirety.

Mayor Pro Tem Bobby Lindamood recused himself from this item, noting a company which he has interest in may be bidding on property located in the City. He further clarified the company is not bidding on a City project, only the potential to purchase property within the City.

Mayor Newton opened the public hearing at 7:37 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 7:37 p.m.

Councilmember Wheat made a motion to approve Resolution R-18-4330, and 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, Chuck Kelley, and Callie Rigney.

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

TEXRail Update: TEXRail has been notified of two occurrences of gate malfunction during commuter rail train crossings. Staff has reached out to TEXRail personnel to address the issue. TEXRail crews verified the equipment is working correctly. These occurrences are a reminder that we must be diligent around the rail tracks as we adjust to the increase speed and frequency of trains through our area. We will be installing message boards near all of the Colleyville crossings to remind residents to be aware of the faster and quieter trains.

Mayor Pro Tem Lindamood wished his daughter a Happy Birthday.

Santa's Helpers Toy Drive: Colleyville Heritage High School and the City of Colleyville are honored to be one of the five locations that WFAA, Channel 8 has selected for their 2018 Santa's Helpers Toy Drive. Residents, schools, churches, service organizations, and local businesses are encouraged to collect toys and decorate their vehicles to come through the drive-thru line at Colleyville Heritage from 5 - 8:30 p.m. on Thursday, Dec. 13. If you are unable to make it to the December 13 event, a collection box is located at Colleyville City Hall and the Colleyville Justice Center.

Chamber 43rd Annual Awards Nomination: The Chamber will hold the 43rd Annual Awards Event on January 17 at the Colleyville Center. The Colleyville Chamber of Commerce is accepting nominations for the following award categories: Citizen of the Year; Leadership Award; Youth of the Year; Business of the Year; Corporation of the Year; Member of the Year; New Member of the Year;

Jack Oswald Ambassador of the Year; and Outstanding Service Organization. For more information regarding the nomination process, contact the Chamber of Commerce office at 817-488-7148.

2018/2019 Leaf Recycling Dates: Each year, the City works with our solid waste franchise holder (CWD) to provide seasonal leaf and Christmas tree recycling. The dates for the 2018/2019 season are Saturdays, December 8, January 5, and January 12.

Grapevine Parade of Lights: Mayor and City Council will participate in the Grapevine Parade of Lights, Thursday, December 6, at 7:00 p.m. on Main Street in Grapevine.

Winter Ball – Tickets for the 2019 Winter Ball go on sale December 10. Scheduled for January 25 at 7:00 pm, the Winter Ball is an under the sea themed dance for mothers and sons (or mother figures) and fathers and daughters (or father figures). Activities include a deejay, professional photos, gift bags, and lots of fun. The event will be held at the Colleyville Center and is likely to sell out quickly. Tickets are \$25 per couple; \$10 for an additional child. More information is available at ColleyvilleParksandRec.com

Citizens on Patrol Acknowledgement – The Citizens on Patrol volunteers are to be applauded for the volunteer hours (888.5 hours) put in this year! This is a special place where our citizens take ownership and partner with the police department in keeping our community safe. The City of Colleyville is fortunate to have such wonderful volunteers giving of their time.

The City of Colleyville had a record setting crowd of nearly 3,000 people at the Christmas tree lighting activities last Friday evening. Everyone enjoyed games, carriage rides, bounce houses, a petting zoo, and other fun activities. There were over 35 vendors in the craft marketplace, 22 community decorated trees, 6 choirs, and of course 1 jolly old Saint Nick. This event would not be possible without the help of our community and our volunteers. We had 45 volunteers in addition to many city employees working hard behind the scenes to make sure the event was a success.

4. CONSENT: READING AND PUBLIC HEARING- RESOLUTION R-18-4331

4a Approval of the minutes of the regular City Council meeting of November 20, 2018

4b Approval of a Lease Agreement with Tarrant County 9-1-1 for facility space at the Colleyville Justice Center, and authorize the City Manager to execute the agreement

Mayor Newton read Resolution R-18-4331 in its entirety.

Police Chief Michael Miller presented item 4b and answered questions of the City Council.

Mayor Newton noted this agreement is of mutual benefit to the City and Tarrant County and the lease would not automatically renew, it would come before City Council. Chief Miller concurred.

Councilmember Wheat asked Chief Miller if the jail area could be used for any other purpose. Chief Miller replied the jail area really cannot serve any other purpose as there are no windows or outlets, and is constructed of thick cement walls.

Councilmember Dodson asked who pays the utility bills. Chief Miller stated the City pays, but the lease agreement includes the utilities.

Mayor Newton opened the public hearing at 7:59 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 7:59 p.m.

Councilmember Nakamura made a motion to approve Resolution R-18-4331, and Councilmember Dodson seconded the motion.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley, and Callie Rigney.

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

5a Ordinance O-18-2066

Consideration of a zoning change from R-40 Single Family Residential district to R-20 Single Family Residential district on Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154, in the R H McEwing Survey, located at 712-810 Lavaca Trail, Case ZC18-033

Mayor Newton read the caption of Ordinance O-18-2066.

Community Development Director Ben Bryner presented this item and answered questions of the City Council.

There was discussion of the drainage culvert, tree survey, and land design.

Mr. Kosse Maykus, the developer, Hat Creek Developments, 2700 William D. Tate, Grapevine, also presented this item and answered questions of the City Council.

Mr. Maykus stated he had prepared an updated presentation based on comments from the last meeting, however, he would be happy to answer questions and asked if he could address the trees. Mayor Newton agreed. Mr. Maykus stated he does have a tree survey and preservation plan, however, it is not fully developed as he stopped the survey when the zoning became an issue. Mr. Maykus explained the geo reference on each tree and noted the marking does not indicate removal of the tree.

Mayor Newton stated to Mr. Maykus that when he came before the Council at the last meeting he stated he has the support of the neighbors, however, he had asked Mr. Maykus to forward the agreements he has in place with the surrounding HOA's and City Council is not in receipt of the agreements.

Mr. Maykus noted he had included them in his updated presentation, and provided printed copies to Mayor Newton at that time.

Mayor Newton opened the public hearing at 8:21 p.m.

Ken McIntosh, 704 Lindsay Way, spoke in support of this item, R-20 zoning, surrounding property match, tree preservation, and nice street appearance.

Todd Ford, 6200 Legacy Trail, spoke in support of this item and presented a video which displayed the land use and beauty of The Legacy development.

Doug Chandler, 6804 Hillier Court, spoke in support of this item, noting the template for the development has already been established with The Legacy development.

Michael Capps, 6116 Legacy Trail, spoke in support, noting he agrees with the previous speakers comments.

Christopher Dergance, 705 Arcady Lane, representing Rosewood Villa HOA, spoke in support stating the developer is easy to work with and the residents are satisfied with the drainage plan.

Kathy Hadley, 204 N. Timberline Drive, spoke in opposition with concerns for tree preservations, wild animals, and maintaining a country atmosphere.

The following did not wish to speak, but registered support:

Bryan Yelverton, 708 Lyndsey Way, Brenda Capps, 6116 Legacy Trail, Doug and Theresa Wiseman, 808 Lyndsey Way, Jimmy and Sonia Bilderback, 6105 Ridgewood Lane, Gary McPherson, 316 Polo Trail, and Brad McPherson, 6204 Legacy Trail.

Matthew Coley, 700 Lyndsey Way, spoke in favor of the project, noted the amenities within The Legacy, tree preservation, and green space.

There being no others wishing to speak, Mayor Newton closed the public hearing at 8:49 p.m.

Mayor Newton stated he appreciates everyone speaking tonight and it is helpful to the City Council. He continued it is clear there is support for this project and he himself supports the R-20/R-40 zoning, because as many noted the development sits amidst this type zoning and our comprehensive plan contains some critical elements – protecting neighborhood integrity and consistency, so in context this development meets the criteria, which is important as zoning cases go. Mayor Newton commended Mr. Maykus on the design and view from the road. He further noted, as he stated last time this is a straight R-20 zoning and explained R-20 requires 20,000 square foot lots and does not call for platting with the zoning. Mr. Maykus desires to have private streets and that is a problem for me in a straight zoning case because there is no mechanism to approve private streets in a straight zoning case. In addition there is no mechanism to build in the agreements Mr. Maykus created with the neighbors in order to acquire their support for the zoning. It is incumbent on us as elected officials to ensure the zoning processes are proper and correct, and that we listen to citizens and protect the interest of our citizens as well as the interests of the City. To those ends, I do not believe this is the correct process. I think this is an R-20 PUD-R, which allows for the negotiated agreements, tree mitigation, and design to be built into the ordinance, as well as the request for private streets.

Mayor Newton stated his recommendation is to remand this item back to the Planning and Zoning Commission to process as a PUD-R.

Councilmember Nakamura stated she has seen the development, viewed a couple of the homes, and does not have any issue with the development, but does agree with Mayor Newton this needs to be a PUD-R and if we can move to the PUD-R, she will vote for it.

Mayor Pro Tem Lindamood asked what the timing on this plan would be. Mayor Newton stated it would have to go back to P&Z for one hearing and come before City Council for two public hearings, which time-wise is probably 60 days.

Councilmember Dodson asked what additional information will need to be brought forward by the applicant. Mayor Newton stated all the items which have been discussed, platting, tree study, etc.

City Manager Jerry Ducay noted in a PUD, 20-percent open space is required and this development currently contains 11.3-percent, therefore, a variance would have to be granted. Mayor Newton stated he would be willing to accept the concept plan in the form of a plat as a tradeoff for the zoning to be remanded to a PUD rather than a straight R-20 zoning case.

Councilmember Kelley stated he also would like to see the PUD.

There was discussion regarding open space, platting, and the City Council's willingness to accept a lesser percentage of open space because the developer is going through extra steps.

Mr. Maykus asked if he could summarize what he believes the Council has highlighted and must be in the PUD request if it goes back to P&Z. Mayor Newton agreed. Mr. Maykus noted:

- 25 lots on 17.3 acres
- Minimum of 20,000 square foot lots
- Tree Survey and Mitigation Plan
- Gated subdivision with private streets with public pedestrian access
- Attach plat to the PUD with more detail
- Deed restrictions
- Understanding we will not meet the 20-percent open space

Mr. Maykus noted the development is under contract and the process was begun in March and asked Mayor Newton if we can expedite the process.

Upon consultation with staff, it was decided it would go to P&Z on January 14, and City Council January 22 and February 5.

Mayor Newton made a motion to remand Ordinance O-18-2066 to the Planning and Zoning Commission as an R-20 PUD, and Mayor Pro Tem Lindamood seconded the motion.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley, and Callie Rigney.

Mayor Newton stated he was going to move to Item 6a and will come back to Item 5b after the rest of the business was conducted.

5b Ordinance O-18-2067

Consideration of amendments to the Land Development Code, specifically Chapter 3 – Land Use

Mayor Newton read the caption of Ordinance O-18-2067. In view of the lateness of the hour (after midnight) the Council discussed tabling the ordinance and completing it in the December 18th meeting.

Councilmember Wheat made a motion to table Ordinance O-18-2067 and Councilmember Rigney seconded the motion.

The motion to table was approved with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley, and Callie Rigney.

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

6a Ordinance O-18-2068

An ordinance amending Sections 3A and 3B of the Water and Sewer Policy and Procedure manual as contained in the Code of Ordinances of the City of Colleyville, Texas, adjusting water and wastewater volumetric rates to pass through changes from the Trinity River Authority

Mayor Newton read the caption of Ordinance O-18-2068.

Assistant City Manager Mark Wood presented this item and answered questions of the City Council.

Mayor Newton explained this is a pass-through cost as the Trinity River Authority, TRA, provides water and wastewater treatment services to the City, as well as other cities. Mayor Newton noted the City cannot control these costs, however, the costs are divided amongst all cities served by TRA.

Mayor Newton also noted TRA provided a program to the City Council which outlined some of the capital improvement projects, noting that rags, wipes, and products marketed to be flushable are tearing up equipment and requiring new equipment and processes to handle the waste. He reminded everyone it is important to communicate the items mentioned are not safe for the system.

Mayor Newton opened the public hearing at 9:21 p.m.

Kathleen Hennessey, 5013 Stonebridge Drive, noted it would be helpful to recyclers if food cans were rinsed or cleaned in the dishwasher before disposing.

There was no one else wishing to speak, and Mayor Newton closed the public hearing at 9:23 p.m.

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

6b Ordinance O-18-2069

Consideration of a zoning change from PUD-C Planned Unit Development – Commercial district, PUD-R Planned Unit Development – Residential district,

and ML Light Manufacturing district to AG Agricultural district on Lot 1A, Block 12, of the Longwood Estates at Ross Downs and Tract 1, Abstract 294 & Tract 4A3A, Abstract 591, in the Robert Chowning Survey, located at 7201 Colleyville Boulevard, Case ZC18-030

Mayor Newton read the caption of Ordinance O-18-2069.

Community Development Director Ben Bryner presented this item and answered questions of the City Council.

Mayor Newton stated the purpose of this ordinance is to ensure we show the appropriate designation on the future land use map.

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

Dave Dudziak, 2301 Wilkes Court, spoke in support of this item, adding a path to the Cotton Belt Trail, and thanked staff and the City Council.

There was no one else wishing to speak, Mayor Newton closed the public hearing at 9:30 p.m.

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

6c Ordinance O-18-2070

Consideration of a Special Use Permit for a carport on Lot 16, Block 2, of the Quail Crest Estates Addition, located at 316 Quail Crest Drive, Case ZC18-032

Mayor Newton read the caption of Ordinance O-18-2070.

Community Development Director Ben Bryner presented this item, stated a super majority vote will be required, and answered questions of the City Council.

Councilmember Dodson asked when the eight-foot wood fence was approved. Director Bryner stated earlier in 2018 and it was permitted.

Mayor Newton asked if any other fences had been permitted. Director Bryner replied no.

Mayor Newton opened the public hearing at 9:41 p.m.

Elizabeth Pursely, 400 Quail Crest, spoke in opposition to this item with concerns for property values and rights of property owners.

Mark Pursely, 400 Quail Crest, spoke in opposition to this item with concerns for drainage and fencing.

The following did not wish to speak, but registered opposition to this item: Larry Cox, 504 Quail Crest Drive, Mark Van Sickle, 412 Falcon Court.

There were no others wishing to speak, Mayor Newton closed the public hearing at 9:41 p.m.

Applicants Neil and Joyce Morris, 360 Quail Crest, presented this item and answered questions of the City Council.

Mr. Morris stated he constructed the system to protect the family vehicles and did not anticipate it was not allowed or there would be opposition from the neighbors. Mr. Morris went on to state he is a 100-percent disabled veteran from the Vietnam era and has cancer. He and his wife are elders in their church and they did not have any intention to deceive neighbors. Mr. Morris stated he believed he had an agreement with the neighbors. After concerns were raised regarding water run-off, he installed a 6" curb between the back and side yard. Mr. Morris also stated the structure can be disassembled and taken to a new location.

Mayor Newton thanked Mr. Morris for his services and stated it is the City Council's responsibility to ensure compliance with the Land Development Code. In this case there are many violations and he does not believe the Council will be able to approve this item because of the number of violations.

Councilmember Kelley asked Mr. Morris how long he had used the structure in Bedford. Mr. Morris replied 18 years.

Councilmember Nakamura thanked Mr. Morris for his service and noted if she lived next door, she would not like the structure either.

Mayor Pro Tem Lindamood thanked Mr. Morris for his service and asked if he received a permit for the 6 foot to 8 foot fence. Mr. Morris replied he permitted the 8 foot fence because the six foot fence was already in place. Mayor Pro Tem Lindamood said he could not support this request.

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

6d Ordinance O-18-2071

Consideration of a zoning change from R-10 Single Family Residential district to R-20 Single Family Residential district on Tracts 6A & 6A2, Abstract 1203, in the Peterson Pate Survey, located at 713 Field Street, Case ZC18-034

Mayor Newton read the caption of Ordinance O-18-2071.

Community Development Director Ben Bryner presented this item and answered questions of the City Council.

Mayor Newton asked what the size of each lot is and Director Bryner replied 26,528 and 24,671 square feet.

Mayor Pro Tem Lindamood asked if the home is going to be removed. Director Bryner stated he did not think so.

Mayor Newton opened the public hearing at 10:15 p.m.

There was no one wishing to speak, Mayor Newton closed the public hearing at 10:15 p.m.

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

Mayor Newton recessed the City Council meeting at 10:15 p.m. and reconvened at 10:29 p.m.

At 11:56 p.m. a vote was taken and unanimously approved to continue beyond midnight

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

7a Ordinance O-18-2056

Consideration of a zoning change from the R-40 Single Family Residential zoning district and AG Agricultural zoning district to the PUD-R Planned Unit Development-Residential zoning district on Lot 1R1 and 1R2, Block 1, of the Bear Creek Plantation, located at 1312 John McCain Road and 7309 Holly Lane N, Case ZC18-019

Councilmember Dodson made a motion to remove this ordinance from the table and Councilmember Kelley seconded the motion which passed unanimously.

Mayor Newton read the caption of Ordinance O-18-2056.

Community Development Director Ben Bryner provided a quick history of this item, reviewed the development plan, and stated there were several letters of opposition received since the packet was distributed and a super majority vote is required as there is 26% opposition.

Mayor Newton stated he is appreciative of the efforts of everyone involved, we have spent a long time on this case – neighbors, Burk Collins and his team, City Council and staff. As he has stated before this is an iconic location in Colleyville, it's beautiful and it is challenging whenever change takes place on something so beautiful. Mayor Newton noted he lives on Holly Lane which is on the west boundary of this property, in the Hidden Oaks Addition. He wants to spend whatever time needs to be spent on this item. He has participated in meetings

with the neighbors in Hidden Oaks and worksessions with City Council. Mayor Newton said he had committed to insuring the Council heard all concerns raised by the neighbors and that their concerns would be mitigated by including solutions to their concerns in the PUD ordinance giving those solutions the force of law. Mayor Newton also complimented developer Burk Collins for always listening to the neighbors' concerns and coming up with actions to alleviate their concerns. At this time Mayor Newton said he is unaware of any issue identified by a neighbor that has not been mitigated in the PUD ordinance

Mayor Newton stated it is important all of the items discussed are built into the ordinance because it ensures it becomes City law and provides the City with authority to enforce. Mayor Newton noted there is a list of over 20 items which have been captured.

Councilmember Callie Rigney stated she is also a neighbor to the development being considered and she lives on Hix Court.

Mayor Newton opened the public hearing at 10:39 p.m.

Bryan Fleming, 7312 Hix Court, spoke in opposition with concerns for compatibility.

Charles Mady, 7301 Trianon Court, spoke in support.

Tradonna Colgan, 8005 Derby Run Drive, North Richland Hills, spoke in support of this item, identified herself as the legal heir, and spoke in regard to life changes, the integrity of her parents, and the character of the development.

Jerry Huffman, 7309 Trianon Court, spoke in support.

Christine Gottredson, 7321 Trianon Court, spoke in support.

John Perone, 1216 Holly Lane, spoke in opposition with concern for density, traffic, and compatibility.

Charles Pierce, 7212 Holly Lane, spoke in opposition with concerns for rain, drainage, backflow, integrity of the land, and traffic.

Jeff Polk, 5705 Ponderosa, via video presentation, spoke in support.

Frank Genco, 1104 John McCain, spoke in opposition and corrected misinformation he had presented in a previous Council meeting at the first reading and public hearing of this ordinance.

Natalie Genco, 1104 John McCain, spoke in opposition with concerns for density, compatibility, the country atmosphere, and drainage.

Kathy Hadley, 204 N. Timberline, spoke in opposition with concerns for density and the country atmosphere.

Kathleen Hennessey, 5013 Stonebridge Drive, spoke in opposition with concerns for density and drainage.

The following did not wish to speak:

Curt and Donna Kauffman, 1208 John McCain – opposed.
Blair Cox 4308 Woodcrest Place, Keller, legal heir – support.

There being no others wishing to speak, Mayor Newton closed the public hearing at 11:16 p.m.

Burk Collins, 1312 John McCain, applicant, spoke regarding the history of the purchase of the property, and thanked Mr. Genco for addressing previous statements and setting the record straight.

Mr. Collins then spoke to the meetings and concerns which he addressed with solutions and agreements with the neighbors and stated a traffic study did not show a substantial increase in traffic. Mr. Collins noted a \$3 million flood survey indicates there is no need for concern with the creek. Mr. Collins further stated he has met the requests of landowners, exceeded City code, and he cannot find a solid reason to be denied.

Mayor Newton stated Charles Pearce's comments on creek "backflow" at flood stage should be addressed for the public at large since it had been addressed in a public City Council worksession. At the time this question came to the attention of the City Council, the City staff located a full Bear Creek Flood Study with a flood plain boundary projection through 2050 which was paid for by the Federal Government. The Mayor then highlighted the projections in the study and noted there are no changes in the flood plain boundaries with full development along the creek. Mayor Newton also noted topo maps were prepared that adequately explained creek flow that has been observed at flood stage.

Mayor Newton went on to discuss what can be built and lot sizes allowed in the current AG zoning. He also noted the applicant could develop under the current zoning and the City Council would be required to approve the plat if it met all Land Development Code requirements. If developed under the current zoning, Mayor Newton pointed out that none of the hard won concessions built into the current PUD would be enforceable. This is a risk to the neighbors desire to have these concessions, if this PUD is not approved.

Mayor Newton went on to say all of the special concessions can be enforced in the proposed PUD-R. Mayor Newton then read specific sections of the ordinance that

detailed all of the changes the developer made to the PUD ordinance and special requirements included in the PUD ordinance to satisfy all issues raised by any of the neighbors. The Mayor stated he is comfortable that all items have been addressed and he is unaware of any others.

In addition Mayor Newton pointed out that even if the developer sold the development after approval of this PUD ordinance, the new owner would have to conform to the PUD requirements and the neighbors would still know exactly what would have to be constructed.

Councilmember Rigney stated her concern for the 26-percent opposition and thanked Mr. Collins for the traffic study, but noted she had requested which builder had committed to the development and that information has not been given to her.

Mayor Newton asked the applicant to summarize which builders had committed to the development. Randy White, 806 Cleve Court, Southlake, stated some of the builders which were on contract have dropped out and there is a new list of builders who have been approved.

Councilmember Kelley stated he appreciates all the changes Mr. Collins has made, but he sees this as three developments glued together, instead of one cohesive development, due to mixed lot sizes.

In responding to Councilmember Kelley, Mayor Newton noted the lot sizes were changed to accommodate a variety of requests.

Councilmember Dodson stated he did not like the lot sizes being cut back either and would have preferred the larger lots throughout and he is also concerned about the high opposition.

Mayor Pro Tem Lindamood thanked everyone involved with working on this development, and doing so with class.

Mayor Newton made a motion to approve Ordinance O-18-2056, and Mayor Pro Tem Lindamood seconded the motion.

The motion to approve failed from lack of super majority by the following vote:

Aye: 4 – Mayor Richard Newton, Mayor Pro Tem Lindamood, and Councilmembers Tammy Nakamura, George Dodson

Nay: 3 – Councilmembers Kathy Wheat, Chuck Kelley, and Callie Rigney.

Mayor Newton made a motion to allow this application to proceed without prejudice and Councilmember Wheat seconded the motion.

The motion to allow the application to proceed without prejudice, was approved by the following vote:

Aye: 6 – Mayor Newton, Mayor Pro Tem Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley

Nay: 1 - Councilmember Callie Rigney

8. RESOLUTION(S): READING AND PUBLIC HEARING

8a Resolution R-18-4332

Consideration of a Replat for Lots A1R-1 and A1R -2, Block 2, of the Pleasant Oaks Estates Addition, located at 512 and 600 Leta Lane, Case PC18-014

Mayor Newton read Resolution R-18-4332 in its entirety.

Director Bryner presented this item and answered questions of the City Council.

Mayor Newton opened the public hearing at 12:24 a.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 12:24 a.m.

Councilmember Dodson made a motion to approve Resolution R-18-4332, and Councilmember Wheat seconded the motion.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley, and Callie Rigney.

8b Resolution R-18-4333

A resolution changing January, May, October, and November 2019 City Council meetings dates

Mayor Newton read Resolution R-18-4333 in its entirety.

This item is self-explanatory and there was no discussion.

Mayor Newton opened the public hearing at 12:26 a.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 12:26 a.m.

Councilmember Dodson made a motion to approve Resolution R-18-4333, and Councilmember Nakamura seconded the motion.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley, and Callie Rigney.

9. TABLED: RESOLUTION(S) READING AND PUBLIC HEARING

9a Resolution R-18-4294

Consideration of a final plat for Lots 1, 2, and 3X, Block 1, Old Grove Addition, Phase II, located at 105 and 103 John McCain Road and 7189 Cast Iron Forest Trail, Case PC17-004

The Mayor asked the City Manager if any new information has been brought forward by the applicant. The City Manager said no, so this item remained tabled.

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

Kathleen Hennessey, 5013 Stonebridge Drive, spoke regarding the design, turn-around, and drainage on Cherry Lane.

11. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR DECEMBER 4, 2018 - READING AND PUBLIC HEARING - RESOLUTION R-18-4334

This resolution was not needed.

12. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the City Council meeting at 12:45 a.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 18TH DAY OF DECEMBER 2018.

Minutes taken and prepared by:

*Christine Loven, TRMC
City Secretary*



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4b
Type Resolution
Department Engineering

Agenda Date 12/18/2018

Number

Title

Approval of a construction contract with 308 Construction for the Frontier Court Paving and Drainage Improvements Project, in an amount not to exceed \$338,689.70, and authorizing the City Manager to execute the contract

Strategic Plan

3.1 Upgrade the condition of major roads and neighborhood streets

Explanation

Reading and Public Hearing

The current comprehensive Five Year Capital Improvement Program (CIP), adopted by City Council on September 18, 2018 by attached Resolution R-18-4305, includes the rehabilitation of Frontier Court. In March 2017, the City executed a Professional Services Agreement with Westra Consultants, LLC for the design of the Frontier Court Rehabilitation Project.

Public notification of the invitation for bids was advertised in the *Fort Worth Star-Telegram* on October 14, 21, 28, and November 4, and 11, 2018. The notice to bidders and bid packet were posted on CivCast for free downloading and distributed to the Dodge Lead Center, BlueBook Building and Construction Network, and Construct Connect, which includes ISqFt, CMD, CDC, and Bid Clerk. Additionally, staff directly notified a list of local contractors who may be interested in the bid opportunity. The project had 62 plan holders, of which 29 were general contractors, 12 sub-contractors, nine suppliers, five plan rooms, one engineer, one manufacturer, one owner, and four others.

The City received seven sealed bids, which were opened and publicly read aloud on November 14, 2018.

Financial Impact

Funding for the project is available in the Capital Projects Fund.
Form 1295 - Acknowledged by City

Recommendation

Approve

Attachments

1. Construction Services Agreement
2. Bid Tab
3. Frontier Presentation
4. CIQ Form
5. Resolution R-18-4305
6. Form 1295 Cert 2018-430362

4b. Frontier Court Paving and Drainage Improvements



- Approval of a construction contract with 308 Construction for the Frontier Court Paving and Drainage Improvements Project, in an amount not to exceed \$338,689.70, and authorizing the city manager to execute the contract
- The project consists of street rehabilitation and drainage improvements

CONSTRUCTION SERVICES AGREEMENT
Frontier Court Paving and Drainage Improvements

This **CONSTRUCTION SERVICES AGREEMENT** ("Agreement") is made as of the Effective Date by and between **308 Construction**, hereinafter called "CONTRACTOR", and the **City of Colleyville, Texas**, hereinafter called "CITY".

RECITALS

WHEREAS, CITY desires CONTRACTOR to perform certain work and services set forth in Section 1, Scope of Services and

WHEREAS, CONTRACTOR has expressed a willingness to perform said work and services, hereinafter referred to only as "services", specified in the Contract Documents, and enumerated under Section 1, of this Agreement;

NOW, THEREFORE, for and in consideration of the covenants and promises made one to the other herein, CITY and CONTRACTOR agree as follows:

Section 1. Scope of Services

Upon issuance of a written Notice to Proceed by CITY, CONTRACTOR agrees to provide to CITY the necessary services, labor, equipment and supplies related to concrete and paving work to be performed in conjunction with the Frontier Court Paving and Drainage Improvements Project ("the Project"), such services being more fully described herein and pursuant to the specifications provided in the Contract Documents.

Section 2. Term of Agreement

The term of this Agreement shall begin on the last date of execution hereof (the "Effective Date") and shall continue until CONTRACTOR completes the services required herein to the satisfaction of CITY and has been paid in full by City, unless sooner terminated as provided in Section 9, below.

Section 3. Contract Documents

- A. This Agreement is a part of the Contract Documents, which include:
- 1) This Agreement, including all exhibits and addenda hereto;
 - 2) CITY'S Specifications and Contract Documents for the Project ("Bid Packet");
 - 3) CITY'S written notice(s) to proceed to the CONTRACTOR;
 - 4) Properly authorized change orders;
 - 5) CONTRACTOR's Bid Proposal ("Proposal" and/or "Response"); and
 - 6) Any other materials distributed by the CITY that relate to the Project.

Section 4. Contractor Obligations

A. CONTRACTOR shall devote such time as reasonably necessary for the satisfactory performance of the work under this Agreement. Should CITY require additional services not included under this Agreement, CONTRACTOR shall make reasonable effort to provide such additional services at mutually agreed charges or rates, and within the time schedule prescribed by CITY; and without decreasing the effectiveness of the performance of services required under this Agreement.

B. To the extent reasonably necessary for CONTRACTOR to perform the services under this Agreement, CONTRACTOR shall be authorized to engage the services of any agents, assistants, persons, or corporations that CONTRACTOR may deem proper to aid or assist in the performance of the services under this Agreement with the prior written approval of CITY. The cost of such personnel and assistance shall be a reimbursable expense to CONTRACTOR only if authorized in writing in advance by CITY.

C. Unless otherwise agreed, CONTRACTOR shall provide and pay for all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and all water, light, power, fuel, transportation and all other facilities necessary for the execution and completion of the work covered by the Scope of Services. Unless otherwise specified, all materials shall be new and both workmanship and materials shall be of a good quality. CONTRACTOR shall, if required, furnish satisfactory evidence as to the kind and quality of materials. Materials or work described in words that so applied have well known, technical or trade meaning shall be held to refer to such recognized standards.

D. CONTRACTOR shall comply with all laws, ordinances, rules and regulations governing CONTRACTOR's performance of this Agreement.

E. All minor details of the work not specifically mentioned in the Scope of Services or Project Drawings but obviously necessary for the proper completion of the work, such as the proper connection of new work to old, shall be considered as incidental to and a part of the work for which the prices are set forth in this Agreement. CONTRACTOR will not be entitled to any additional compensation therefor unless specifically stated otherwise. Otherwise the term "extra work" as used in this Agreement shall be understood to mean and include all work that may be required by CITY to be done by CONTRACTOR to accomplish any alteration or addition to the work as shown on the Project Drawings. It is agreed that CONTRACTOR shall perform all extra work under the direction of the City's Representative when presented with a written work order signed by the City's Representative, subject, however, to the right of CONTRACTOR to require written confirmation of such extra work order by CITY. Payment for extra work shall be as agreed in the work order.

F. CONTRACTOR agrees to indemnify, defend, and save CITY harmless from all claims growing out of any demands of subcontractors, laborers, workmen, mechanics, materialmen, and suppliers of machinery and parts thereof, equipment, power tools, all supplies incurred in the furtherance of the performance of this Agreement. When CITY requests, CONTRACTOR shall furnish satisfactory evidence that all obligations of the nature hereinabove designated have been paid, discharged or waived.

Section 5. Payment

A. CITY agrees to pay CONTRACTOR for all services authorized in writing and properly performed by CONTRACTOR in a total amount not to exceed **Three Hundred Thirty-Eight Thousand Six Hundred Eighty-Nine Dollars and Seventy Cents (\$338,689.70)** ("Contract Price"), subject to additions or deletions for changes or extras agreed upon in writing. Unless otherwise provided herein, payment to CONTRACTOR shall be monthly based on the CONTRACTOR'S monthly progress report and detailed monthly itemized statement for services that shows the names of the CONTRACTOR'S employees, agents, contractors performing the services, the time worked, the actual services performed, and the rates charged for such services, in a form reasonably acceptable to CITY. CITY shall pay such monthly statements within thirty (30) days after receipt and CITY verification of the services.

B. CITY may deduct from any amounts due or to become due to CONTRACTOR any sum or sums owing by CONTRACTOR to CITY. In the event of any breach by CONTRACTOR of any provision or obligation of this Agreement, or in the event of the assertion by other parties of any claim or lien against CITY, or the CITY'S premises, arising out of CONTRACTOR's performance of this Agreement, CITY shall

have the right to retain out of any payments due or to become due to CONTRACTOR an amount sufficient to completely protect the CITY from any and all loss, damage or expense therefrom, until the breach, claim or lien has been satisfactorily remedied or adjusted by CONTRACTOR.

C. CITY may, on account of subsequently discovered evidence, withhold the whole or part of any payment to such extent as may be necessary to protect itself from loss on account of:

- (1) Defective work not remedied;
- (2) Claims filed or reasonable evidence indicating possible filing of claims;
- (3) Failure of CONTRACTOR to make payments promptly to subcontractors or for material or labor which CITY may pay as an agent for the CONTRACTOR; or
- (4) Damages to another contractor or subcontractor.

When the above grounds are removed, or CONTRACTOR provides a surety bond satisfactory to CITY which will protect CITY in the amount withheld because of said grounds, CITY will release the amounts withheld.

Section 6. Responsibilities

A. CONTRACTOR shall be responsible for the professional quality, technical accuracy, and the coordination of all materials, construction, installation and other services furnished by CONTRACTOR under this Agreement. CONTRACTOR shall, without additional compensation, correct or revise any errors or deficiencies in the installation and construction of the Project components to conform as shown in the Project drawings and specifications.

B. Neither CITY's review, approval or acceptance of, nor payment for any of the services required under this Agreement, shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement, and CONTRACTOR shall be and remain liable to CITY in accordance with applicable law for all damages to CITY caused by CONTRACTOR's negligent performance of any of the services furnished under this Agreement.

C. The rights and remedies of CITY under this Agreement are as provided by law.

Section 7. Time for Performance

A. CONTRACTOR shall perform all services as provided for under this Agreement in a proper, efficient, timely, and professional manner in accordance with CITY'S requirements.

B. In the event CONTRACTOR's performance of this Agreement is delayed or interfered with by acts of the CITY or others, CONTRACTOR may request an extension of time for the performance of same as hereinafter provided, but shall not be entitled to any increase in fee or price, or to damages or additional compensation as a consequence of such delays.

C. No allowance of any extension of time, for any cause whatever, shall be claimed or made to CONTRACTOR, unless CONTRACTOR shall have made written request upon CITY for such extension within forty-eight (48) hours after the cause for such extension occurred, and unless CITY and CONTRACTOR have agreed in writing upon the allowance of additional time to be made.

D. Liquidated Damages. CONTRACTOR understands and agrees that time is of the essence of this contract, and that for each day of delay beyond the number of calendar days herein agreed upon for the completion of the work herein specified and contracted for (after due allowance for such extension of time as may otherwise be provided for extension of time herein), the Owner may withhold permanently from the Contract Price an amount equal to \$650.00 per day.

E. Abandonment by Contractor. In case CONTRACTOR should abandon and fail or refuse to resume work within ten (10) days after written notification from the City, or if CONTRACTOR fails to comply with the orders of the CITY, when such orders are consistent with the Contract Documents, then, and in that case, where performance and payment bonds exist, the Sureties on these bonds may be notified in writing by CITY and directed to complete the work (at CITY'S sole discretion), and a copy of said notice shall be delivered to CONTRACTOR. After receiving said notice of abandonment, CONTRACTOR shall not remove from the work any machinery, equipment, tools, materials or supplies then on the job, but the same, together with any materials and equipment under contract for the work, may be held for use on the work by the CITY or the Surety on the performance bond, or another contractor in completion of the work; and CONTRACTOR shall not receive any rental or credit therefor, it being understood that the use of such equipment and materials will ultimately reduce the cost to complete the work and be reflected in the final settlement. Nothing in this section shall be deemed a waiver of any remedy available to the CITY under this Agreement and the CITY shall retain all remedies upon default provided in Section 14 herein.

- (1) In case the Surety should fail to commence compliance with the notice for completion hereinbefore provided for, written ten (10) days after service of such notice, then the CITY may provide for completion of the work in either of the following elective manners:
 - a. The CITY may employ such force of labor and use such machinery, equipment, tools, materials and supplies as said CITY may deem necessary to complete the work and charge the expense of such labor, machinery, equipment, tools, materials and supplies to said CONTRACTOR, and expense so charged shall be deducted and paid by the CITY out of such moneys as may be due, or that may thereafter at any time become due to the CONTRACTOR under and by virtue of this Agreement. In case such expense is less than the sum which would have been payable under this contract, if the same had been completed by the CONTRACTOR, then said CONTRACTOR shall receive the difference. In case such expense is greater than the sum which would have been payable under this contract, if the same had been completed by said CONTRACTOR, then the CONTRACTOR and/or its Surety shall pay the amount of such excess to the CITY; or
 - b. The CITY under sealed bids, when and in the manner required by law, may let the contract for the completion of the work under substantially the same terms and conditions which are provided in this Agreement. In the case of any increase in cost to the CITY under the new contract as compared to what would have been the cost under this Agreement, such increase shall be charged to the CONTRACTOR and the Surety shall be and remain bound therefor. However, should the cost to complete any such new contract prove to be less than what would have been the cost to complete under this Agreement, the CONTRACTOR and/his Surety shall be credited therewith.

Section 8. Ownership of Project; Bill of Sale

A. CONTRACTOR warrants that title to all work, including all equipment and materials incorporated into the Project, will pass to CITY no later than the time of final payment. CONTRACTOR further warrants that upon payment by CITY, all Work for which payments have been received from CITY shall be free and clear of liens, claims, security interests or other encumbrances in favor of CONTRACTOR or any other person or entity whatsoever.

B. CONTRACTOR agrees to assign to CITY at the time of completion of the Scope of Services all manufacturer's warranties relating to equipment, materials and labor used in the Project and further agrees to perform the Project in such manner to preserve all manufacturer's warranties. If necessary as a matter of law, CONTRACTOR may retain the right to enforce directly any such manufacturers' warranties during the one year period following the date of acceptance of the Project by City.

Section 9. Termination

A. CITY may suspend or terminate this Agreement for cause or without cause at any time by giving written notice to CONTRACTOR. In the event suspension or termination is without cause, payment to CONTRACTOR, in accordance with the terms of this Agreement, will be made based on services reasonably determined by CITY to be satisfactorily performed to the date of suspension or termination. Such payment will be due upon delivery of all instruments of service to CITY.

B. If CITY requires a modification of this Agreement with CONTRACTOR, and in the event CITY and CONTRACTOR fail to agree upon a modification to this Agreement, CITY shall have the option of terminating this Agreement and CONTRACTOR's services hereunder at no additional cost other than the payment to CONTRACTOR, in accordance with the terms of this Agreement, for the services reasonably determined by CITY to be properly performed by CONTRACTOR prior to such termination date.

Section 10. Insurance

A. CONTRACTOR shall during the term hereof maintain in full force and effect the following insurance: (i) a comprehensive general liability policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the CONTRACTOR's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$1,000,000.00 per occurrence for injury to persons (including death), and for property damage; (ii) policy of automobile liability insurance covering any vehicles owned and/or operated by CONTRACTOR, its officers, agents, and employees, and used in the performance of this Agreement with policy limits of not less than \$500,000.00 combined single limit and aggregate for bodily injury and property damage; (iii) statutory Worker's Compensation Insurance at the statutory limits and Employers Liability covering all of CONTRACTOR's employees involved in the provision of services under this Agreement with policy limit of not less than \$500,000.00.

B. All insurance and certificate(s) of insurance shall contain the following provisions: (1) name CITY, its officers, and employees as additional insureds as to all applicable coverage with the exception of Workers Compensation Insurance; (2) provide for at least thirty (30) days prior written notice to CITY for cancellation or non-renewal of the insurance; (3) provide for a waiver of subrogation against CITY for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance. Contractor shall provide written notice to CITY of any material change of or to the insurance required herein.

C. All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service.

D. A certificate of insurance evidencing the required insurance and all endorsements shall be submitted prior to commencement of services.

Section 11. Indemnification

CITY SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE SERVICES OF CONTRACTOR PURSUANT TO THIS AGREEMENT. CONTRACTOR HEREBY WAIVES ALL CLAIMS AGAINST CITY, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "CITY") FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE NEGLIGENCE OR WILLFUL MISCONDUCT OF CITY OR BREACH OF CITY'S OBLIGATIONS HEREUNDER. CONTRACTOR AGREES TO INDEMNIFY AND SAVE HARMLESS CITY FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, REASONABLE ATTORNEYS' FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY CONTRACTOR'S NEGLIGENT PERFORMANCE OF SERVICES UNDER THIS AGREEMENT OR BY REASON OF ANY NEGLIGENT ACT OR OMISSION ON THE PART OF CONTRACTOR, ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO NEGLIGENCE OF CITY, IN WHOLE OR IN PART, IN WHICH CASE CONTRACTOR SHALL INDEMNIFY CITY ONLY TO THE EXTENT OR PROPORTION OF NEGLIGENCE ATTRIBUTED TO CONTRACTOR AND/OR ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION). CONTRACTOR'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY CONTRACTOR UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

Section 12. Assignment

CONTRACTOR shall not assign or sublet this Agreement, or any part thereof, without the prior written consent of CITY.

Section 13. Applicable Laws

CONTRACTOR shall comply with all Federal, State, County and Municipal laws, ordinances, regulations, safety orders, resolutions and building codes relating or applicable to services to be performed under this Agreement. The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall be in the State District Court of Tarrant County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court

Section 14. Default of CONTRACTOR

In the event CONTRACTOR fails to comply or becomes disabled and unable to comply with the provisions of this Agreement as to the quality or character of the service or time of performance, and the failure is not corrected within ten (10) days after written notice by CITY to CONTRACTOR, CITY may, at its sole discretion without prejudice to any other right or remedy:

A. Terminate this Agreement and be relieved of the payment of any further consideration to CONTRACTOR except for all work determined by CITY to be satisfactorily completed prior to termination. Payment for work satisfactorily completed shall be for actual costs, including reasonable salaries and travel expenses of CONTRACTOR to and from meetings called by CITY at which CONTRACTOR is required to attend, but shall not include any loss of profit of CONTRACTOR. In the event, of such termination, CITY may proceed to complete the services in any manner deemed proper by CITY, either by the use of its own forces or by resubletting to others.

B. CITY may, without terminating this Agreement or taking over the services, furnish the necessary materials, equipment, supplies and/or help necessary to remedy the situation, at the expense of CONTRACTOR.

Section 15. Adjustments in Services

No claims for extra services, additional services or changes in the services will be made by CONTRACTOR without a written agreement with CITY prior to the performance of such services.

Section 16. Execution Becomes Effective

This Agreement will be effective upon signing of the Agreement by authorized representatives of CONTRACTOR and CITY.

Section 17. Agreement Amendments

This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and there are no oral understandings, statements or stipulations bearing upon the meaning or effect of this Agreement which have not been incorporated herein. This Agreement may only be modified, amended, supplemented or waived by a written instrument executed by the parties except as may be otherwise provided therein.

Section 18. Severability

In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

Section 19. Independent Contractor

In satisfying the conditions of and providing the services under this Agreement, CONTRACTOR is acting independently, and CITY assumes no responsibility or liabilities to any third party in connection with CONTRACTOR's actions. All services to be performed by CONTRACTOR pursuant to this Agreement shall be in the capacity of an independent contractor and not as an agent or employee of CITY. CONTRACTOR shall supervise the performance of its services and shall be entitled to control the manner

and means by which its services are to be performed, subject to the terms of this Agreement. There is no intended third-party beneficiary to this Agreement.

Section 20. Right-Of-Access

CITY will obtain and/or furnish right-of-access on any project site for CONTRACTOR to perform any required studies, surveys, tests or other necessary investigations in relation to the Scope of Services. CONTRACTOR will take reasonable precautions to minimize damage to the personal or real property in the performance of such surveys, tests, studies and investigations.

Section 21. Notice

Any notice required or permitted to be delivered hereunder may be sent by first class mail, overnight courier or by confirmed telefax or facsimile to the address specified below, or to such other party or address as either party may designate in writing, and shall be deemed received three (3) days after delivery set forth herein:

If to CITY: City Manager
City of Colleyville
100 Main Street
Colleyville, Texas 76034

With copy to: Whitt L. Wyatt
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
500 North Akard, Suite 1800
Dallas, Texas 75201

If to CONTRACTOR: 308 Construction
2126 Hamilton Drive, Suite 250
Argyle, TX 76226

Section 22. Counterparts

This Agreement may be executed by the parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the parties hereto.

Section 23. Exhibits

The exhibits attached hereto are incorporated herein and made a part hereof for all purposes.

Section 24. Survival of Obligations

Any of the representations and obligations of the parties, as well as any rights and benefits of the parties pertaining to a period of time following the termination of this Agreement shall survive termination.

Section 25. Sales and Use Taxes

CONTRACTOR understands and acknowledges that CITY is a governmental entity and exempt from the payment of sales and use taxes for certain materials and equipment conveyed to City as part of this Project or otherwise incorporated into the Project. CITY agrees to provide CONTRACTOR such documentation as may otherwise be required by state law to allow CONTRACTOR to avoid payment of sales and uses taxes for materials and equipment with respect to the Project to the extent allowed by law.

AGREED AND SIGNED this ____ day of _____, 2018.

CITY OF COLLEYVILLE, TEXAS

By: _____
Jerry Ducay, City Manager

ATTEST:

Christine Loven, City Secretary

APPROVED AS TO FORM:

Whitt L. Wyatt City Attorney
(WLW:1.16.18:95081v1)

AGREED AND SIGNED this _____ day of _____, 2018.

308 CONSTRUCTION

By: _____

Name: _____

Title: _____

PROPOSAL AND UNIT PRICE BID FORM

FRONTIER COURT
(PAVING AND DRAINAGE IMPROVEMENTS)

CITY OF COLLEYVILLE, TEXAS

Date: 11/15/18

TO: CITY OF COLLEYVILLE
Public Works Department Engineering Office 100 Main Street
Colleyville, Texas 76034

FOR: FRONTIER COURT (PAVING AND DRAINAGE IMPROVEMENTS)

Pursuant to the foregoing "Notice to Bidders" the undersigned bidder, having thoroughly examined the Contract Documents, the site(s) of the project and understanding the amount of work to be done and the prevailing conditions, hereby proposes to fully complete all of, the work and requirements (including furnishing all necessary superintendence, labor, machinery, equipment, tools and materials), as provided in the Plans, Specifications and Contract Documents and binds himself, upon acceptance of this proposal, to execute a contract and bonds, and to furnish all required guarantees (according to the accompanying forms) and to complete the work within the required time and for the following prices to-wit:

Item No.	Specification Item	Name of Pay Item with Unit Price in Words	Bid Quantity	Unit	Unit Bid Price	Amount Bid
BASE BID						
1	CICPD A 4.19	Mobilization and Bonds	1	LS		
		Complete and in Place for the sum of: fourteen thousand, six hundred			14,600.00	14,600.00
		_____ Dollars and zero _____ Cents per Unit				
2	CICPD B 2.4	Detours, Barricades, and Project Signs	1	LS		
		Complete and in Place for the sum of: three thousand			3,000.00	3,000.00
		_____ Dollars and zero _____ Cents per Unit				

Item No.	Specification Item	Name of Pay Item with Unit Price in Words	Bid Quantity	Unit	Unit Bid Price	Amount Bid
3	CICPD B 2.29	Asphalt Reclamation/Pulvermixing (14-inch thick)	4,300	SY		
		Complete and in Place for the sum of: eight _____ Dollars and sixty eight _____ Cents per Unit			8.68	\$37,324.00
4	CICPD B 2.29	Portland Cement Stabilized Subgrade	4,300	SY		
		Complete and in Place for the sum of: four _____ Dollars and thirty four _____ Cents per Unit			4.34	18,662.00
5	CICPD B 2.29	Portland Cement for Subgrade Stabilization	90	TON		
		Complete and in Place for the sum of: one hundred, sixty two _____ Dollars and sixty three _____ Cents per Unit			162.63	14,636.70
6	CICPD B 1.10	Hot Mix Asphaltic Concrete Type "D" (2-inch thick) (PVMT Reconstruction)	4,300	SY		
		Complete and in Place for the sum of: twelve _____ Dollars and ninety nine _____ Cents per Unit			12.99	55,857.00
7	CICPD B 1.10	Hot Mix Asphaltic Concrete Type "B" (4-inch thick) (PVMT Reconstruction)	4,300	SY		
		Complete and in Place for the sum of: twenty one _____ Dollars and ten _____ Cents per Unit			21.10	90,730.00
8	CICPD B 2.35	Adjustment of Sanitary Sewer Manholes	1	EA		
		Complete and in Place for the sum of: two hundred and ten dollars _____ Dollars and zero _____ Cents per Unit			210.00	210.00
9	CICPD B 2.35	Adjust Water Valves	5	EA		
		Complete and in Place for the sum of: one hundred and fifty _____ Dollars and zero _____ Cents per Unit			150.00	750.00

Item No.	Specification Item	Name of Pay Item with Unit Price in Words	Bid Quantity	Unit	Unit Bid Price	Amount Bid
10	CICPD B 2.13	Concrete Curb and Gutter (Plan Quantity)	590	LF		
		Complete and in Place for the sum of: thirty Dollars and zero Cents per Unit			30.00	17,700.00
11	CICPD B 2.13	Concrete Curb and Gutter (As Directed)	450	LF		
		Complete and in Place for the sum of: thirty Dollars and zero Cents per Unit			30.00	13,500.00
12	CICPD B 2.23	Sodding/Turf grass Planting	1,800	LF		
		Complete and in Place for the sum of: zero Dollars and ninety Cents per Unit			.90	1,620.00
13	CICPD B 2.16	6" Concrete Driveway Repair	100	SY		
		Complete and in Place for the sum of: Ninety Dollars and zero Cents per Unit			90.00	9,000.00
14	CICPD B 2.16	6" Concrete Driveway Repair (TRA Driveway)	100	SY		
		Complete and in Place for the sum of: ninety Dollars and zero Cents per Unit			90.00	9,000.00
15	CICPD B 2.16	6" Concrete Flume Repair	70	SY		
		Complete and in Place for the sum of: one hundred and ten Dollars and zero Cents per Unit			110.00	7,700.00
16	CICPD B 2.17	Concrete Sidewalks (Lead Walk) Remove/Replace	50	SY		
		Complete and in Place for the sum of: seventy five Dollars and zero Cents per Unit			75.00	3,750.00

Item No.	Specification Item	Name of Pay Item with Unit Price in Words	Bid Quantity	Unit	Unit Bid Price	Amount Bid
17	CICPD B 2.14	Concrete Valley Gutters (4 ft. width)	70	SY		
		Complete and in Place for the sum of: <u>one hundred and ten</u> Dollars and <u>zero</u> Cents per Unit			110.00	7,700.00
18		Brick Mailbox (Brick) (Remove and Replace)	5	EA		
		Complete and in Place for the sum of: <u>four hundred and ten</u> Dollars and <u>zero</u> Cents per Unit			410.00	2,050.00
19	CICPD A 4.39	Stormwater Pollution Prevention Plan	1	LS		
		Complete and in Place for the sum of: <u>nine hundred</u> Dollars and <u>zero</u> Cents per Unit			900.00	900.00
20	CICPD A 4.18	Construction Contingency Allowance	1	LS	\$ 30,000.00	\$ 30,000.00
		Complete and in Place for the sum of: <u>THIRTY THOUSAND</u> Dollars and <u>NO</u> Cents per Unit				

TOTAL BASE BID

\$338,689.70

(Total Base Bid, Numerical Value)

Three hundred thirty eight thousand, six hundred and eighty nine Dollars and
seventy Cents

(Total Base Bid, in Words)

90

(Total Calendar Days Bid)

The CONTRACTOR hereby agrees to commence work within ten (10) days after the date written notice to do so shall have been given, and to complete the same within the calendar days bid subject to such extensions of time as are provided by this contract document.

***The Owner reserves the right to delete any bid items or portions thereof.**

The undersigned Bidder hereby declares that he has visited the site(s) of work and has carefully examined the Contract Documents pertaining to the work covered by this bid. The Bidder further agrees to execute and file with the City a contract and bonds on the forms provided within ten (10) days after receipt of written notification of award of the contract.

Enclosed with this proposal is a Certified Check for:

+ forty eight cents

Sixteen thousand, nine hundred thirty four dollars (\$16,934.48) or a Proposal Bond in the amount of five (5%) percent of the total bid, which it is agreed shall be collected and retained by the City as liquidated damages (for delay and additional work caused thereby) in the event that this Proposal is accepted by the City within ninety (90) days after the bids are received and the undersigned fails to execute the contract and required bonds for the City within ten (10) days after the Proposal is accepted and the Contract awarded by the City. Otherwise, said check or bond shall be returned to the undersigned upon request.

Signed: [Signature]

Company: 308 Construction

Address: 2126 Hamilton Drive, Suite 250, Argyle, TX 76226

SEAL

(If Corporation)

Telephone: 940-387-4002

Fax: N/A

Federal ID Number: 81-1376790

The undersigned bidder acknowledges receipt of the following Addenda: (If none is received, then write NONE across the blanks.)

Addendum No. 1 - Date Received: _____ By: _____

Addendum No. 2 - Date Received: _____ By: _____

Addendum No. 3 - Date Received: _____ By: _____

Addendum No. 4 - Date Received: _____ By: _____

Addendum No. 5 - Date Received: _____ By: _____

BIDDER QUALIFICATION STATEMENT

ALL BIDDERS ARE NOTIFIED THAT THE FOLLOWING QUALIFICATION STATEMENT MUST BE COMPLETED AND SUBMITTED WITH THE BID PROPOSAL. FAILURE TO COMPLETE THIS SECTION WILL RESULT IN A NON-RESPONSIVE SUBMITTAL AND WILL NOT BE CONSIDERED.

Contractor's Qualifications

The contractor shall show experience with projects of a comparable size and nature. Reference projects shall include major items of work similar in nature to the work included in the Bid Proposal and relative to this project.

Date: 11/15/18

Bidder: 308 Construction

A. List the number of years company has performed similar work: 2.5

B. List a minimum of 5 projects located in the Dallas/Fort Worth (D/FW) metroplex of the comparable size, design and features to this project.

1. Project Name: Please see attached Master Project List

Project Description: _____

Owner/Engineer: _____

Year Built: _____ Contract Price: _____

Contact Person: _____ Phone: _____

2. Project Name: _____

Project Description: _____

Owner/Engineer: _____

Year Built: _____ Contract Price: _____

Contact Person: _____ Phone: _____

3. Project Name: _____

Project Description: _____

Owner/Engineer: _____

Year Built: _____ Contract Price: _____

Contact Person: _____ Phone: _____

4. Project Name: _____

Project Description: _____

Owner/Engineer: _____

Year Built: _____ Contract Price: _____

Contact Person: _____ Phone: _____

5. Project Name: _____

Project Description: _____

Owner/Engineer: _____

Year Built: _____ Contract Price: _____

Contact Person: _____ Phone: _____

List incomplete projects with the following information (use attachments if necessary):

1. Project Name: Please see attached Current Project List

Project Description: _____

Owner/Engineer: _____

Year Built: _____ Contract Price: _____

Contact Person: _____ Phone: _____

2. Project Name: _____

Project Description: _____

Owner/Engineer: _____

Year Built: _____ Contract Price: _____

Contact Person: _____ Phone: _____

Qualification Statement by Bidder's Surety

Bidder: 308 Construction, LLC

1. Has this surety furnished contract bonds on behalf of this Bidder for contracts now complete?

Yes

2. Has this surety furnished contract bonds on behalf of this Bidder for contracts now incomplete?

Yes

3. What is the maximum bonding capacity of this Bidder?

\$5,000,000 Single / \$8,000,000 Aggregate

4. Is the current financial information on this Bidder satisfactory?

Yes

5. Does information available to this surety indicate accounts are paid when due?

Yes

If not, give details: _____

6. Is it the surety's opinion that the bidder has sufficient experience and financial resources to satisfactorily perform the contract?

Yes

7. Provided this bidder does not assume other commitments or that this surety does not acquire further information that will materially affect the bidder's capacity to perform this contract, will bonds be furnished as specified?

Yes

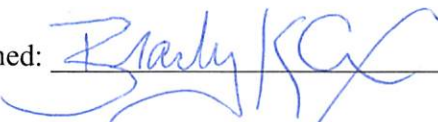
Remarks: Excellent Contractor

Surety: Developers Surety and Indemnity Company

Address: P.O. Box 19725

Irvine, CA 92623-9725

Phone: 949-263-3300

Signed: 

By: Brady K. Cox

Title: Attorney-in-Fact

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

308 Construction, LLC

PO Box 1927

Denton, TX 76202

SURETY:

(Name, legal status and principal place of business)

Developers Surety and Indemnity Company

P.O. Box 19725

Irvine, CA 92623

Mailing Address for Notices

Developers Surety and Indemnity Company

P.O. Box 19725

Irvine, CA 92623

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

City of Colleyville

100 Main St., Colleyville, TX 76034

, US|

BOND AMOUNT: Five Percent of the Greatest Amount Bid

(5% G.A.B.)

PROJECT:

(Name, location or address, and Project number, if any)

City of Colleyville - Frontier Court Paving and drainage improvements

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 15th day of November 2018

(Witness)

308 Construction, LLC

(Principal)

(Seal)

By:

(Title)

Developers Surety and Indemnity Company

(Surety)

(Seal)

By:

(Title)

Brady K. Cox

Attorney-in-Fact

(Witness)

Candice Allen, Witness

IMPORTANT NOTICE

To obtain information or make a complaint:

You may call the Surety's toll free telephone number for information or to make a complaint at:

1-800-782-1546

You may also write to the Surety at:

P.O. Box 19725
Irvine, CA 92623-9725

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at:

1-800-252-3439

You may write the Texas Department of Insurance at:

P.O. Box 149104
Austin, TX 78714-9104
Fax# 512-475-1771
web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning your premium or about a claim you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY: This notice is for information only and does not become a part or condition of the attached document.

AVISO IMPORTANCE

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de para informacion o para someter una queja al:

1-800-782-1546

Usted tambien puede escribir al Surety:

P.O. Box 19725
Irvine, CA 92623-9725

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de compa-
nias, coberturas, derechos o quejas al:

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104
Austin, TX 78714-9104
Fax# 512-475-1771
web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

DISPUTAS SOBRE PRIMAS O RECLAMOS: Si tiene una disputa concerniente a su prima o a un reclamo, debe comunicarse con el Surety primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTEAVISO A SU POLIZA: Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.



Developers Surety and Indemnity Company
Indemnity Company of California
CorePointe Insurance Company

17771 Cowan, Suite 100
Irvine, CA 92614
1-800-782-1546
www.AmTrustSurety.com

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY**
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY, does hereby make, constitute and appoint:

Brent Baldwin, Brock Baldwin, William D. Baldwin, Michael B. Hill, Brady K. Cox, Blaine Allen, Monica Campos, Russ Frenzel, John A. Aboumrads, jointly or severally

as its true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporation, as surety, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as said corporation could do, but reserving to said corporation full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the Board of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or Vice-President of the corporation be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporation, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporation be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY has caused these presents to be signed by its officers and attested by its Secretary or Assistant Secretary this 4th day of October, 2018.

By: *Daniel Young*
Daniel Young, Senior Vice-President

By: *Mark Lansdon*
Mark Lansdon, Vice-President



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On October 4, 2018 before me, _____
Date

Lucille Raymond, Notary Public
Here Insert Name and Title of the Officer

personally appeared _____

Daniel Young and Mark Lansdon
Name(s) of Signer(s)

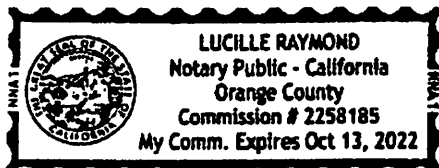
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

Lucille Raymond, Notary Public



Place Notary Seal Above

CERTIFICATE

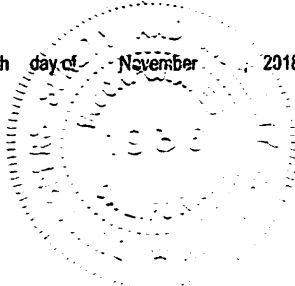
The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the Board of Directors of said corporation set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this

15th day of November, 2018.

By: *Cassie J. Bernisford*
Cassie J. Bernisford, Assistant Secretary

ATS-1004 (10/18)



Bidder's List of Proposed Sub-Contractors

Subcontractor's Name

Type of Work

First: <u>Ram Concrete</u>	<u>Asphalt</u>
Alternate: <u>Advance paving</u>	

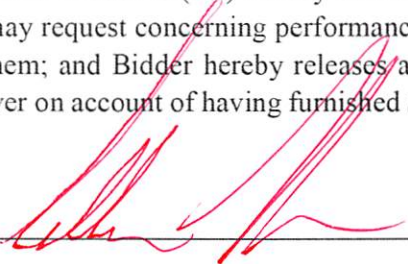
First: <u>Ram Concrete</u>	<u>Concrete</u>
Alternate: <u>Reno Construction</u>	

First: <u>Protex Environmental</u>	<u>SWPP</u>
Alternate: <u>Texas Swpp Services</u>	

First: <u>NTX landscape</u>	<u>Landscape</u>
Alternate: <u>Redbeard landscaping</u>	

BIDDER'S RELEASE OF QUALIFICATION INFORMATION

Pursuant to advertisement for bids and in conformance with Instructions to Bidders for types of work outlined in Bidder's Statement of Qualifications, the undersigned is submitting information as required with the understanding that the purpose is for the Owner's confidential use, only to assist in determining the qualifications of Bidders organization to perform the type and magnitude of work designated, and further, Bidder guarantees the truth and accuracy of all statements made, and will accept the Owner's determination of qualifications without prejudice. The surety herein names, any other bonding company(s) with whom Bidder has done business, or who have extended any credit to Bidder is (are) hereby authorized to furnish the Owner with any information the Owner may request concerning performance on previous work and Bidder's credit standing with any of them; and Bidder hereby releases any and all such parties from any legal responsibility whatsoever on account of having furnished such information to the Owner.

Signed:  Title: CEO/ President

Bidder: 308 Construction Date: 11/15/18

LOCATION OF LOCAL UNDERWRITING OFFICE OF PROPOSED SURETY (MUST BE IN DALLAS OR TARRANT COUNTY)

Name: Baldwin Cox Allen Phone: 972-644-2688

Address: 5930 Preston View Blvd., Suite 200 City: Dallas State: TX

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.

308 Construction

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.

none

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

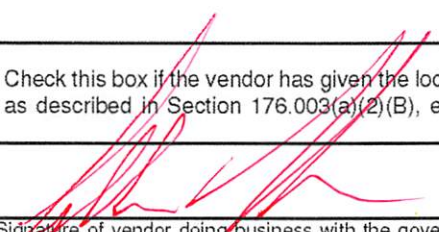
B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ 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

11/15/18

Date

308 Construction - Current Projects List:

- Fort Worth ISD Forest Oak Middle School New Doors
 - Location: 3221 Pecos St, Fort Worth, TX 76119
 - Contract amount: \$15,963.91
 - Percent complete: 75%
 - Completion Date: October 2018
 - Owner Contact: Fort Worth ISD, David Guerra
 - 817.938.4251
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201

- University of Texas at Arlington Maverick Parking Garage Stairs
 - Location: 708 S West St Arlington, TX
 - Contract amount: \$266,286.15
 - Percent complete: 0%
 - Completion Date: TBD
 - Owner Contact: UNT, Jeff Johnson
 - 817-272-3232
 - Arlington, TX
 - Architect reference: N/A
 - Contract or Co-op #: UTA18-14446CW

- Fort Worth ISD: Arlington Heights High School Theatre Stage Remodel:
 - Location: 4501 West Fwy, Fort Worth, TX 76107
 - Contract amount: \$6,221.93
 - Percent complete: 40%
 - Completion Date: October 2018
 - Owner Contact: Fort Worth ISD, Louis Alonzo
 - 817-343-5985
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201

- Fort Worth ISD: Southwest High School Fieldhouse Paint Job:
 - Location: 4501 West Fwy, Fort Worth, TX 76107
 - Contract amount: \$28,492.27

- Percent complete: 60%
 - Completion Date: October 2018
 - Owner Contact: Fort Worth ISD, Louis Alonzo
 - 817-343-5985
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201
-
- Town of Addison Kellway Liftstation Improvements
 - Location: 4501 West Fwy, Fort Worth, TX 76107
 - Contract amount: \$356,000
 - Percent complete: 0% (Procurement)
 - Completion Date: December 2018
 - Owner Contact: Town of Addison, Jason Shroyer
 - 972-450-2849
 - 6801 Westgrove Dr. Addison, Texas 75001
 - Architect reference: Garver, 972-377-7480
 - Contract or Co-op #: CSP# 18-155
-
- University of North Texas Surplus Fans
 - Location: 925 Precision Dr, Denton, TX 76207
 - Contract amount: \$85,139.48
 - Percent Complete: 20%
 - Completion date: November 2018
 - Owner contact: UNT, Randy Salsman
 - (940)465-7402
 - 1155 Union Circle #311277 Denton, Texas 76203-5017
 - Contract or Co-op #: TIPS #170201
-
- Denton County Courthouse Renovation (In-House Electrical Only)
 - Location: 1450 E McKinney St. Denton, TX 76209
 - Contract amount: \$144,305.40
 - Percent Complete: 50%
 - Completion date: November 2018
 - GC contact: JC Commercial, Michael Piscopo
 - (972)436-4622
 - 1801 Lakepointe Dr. #129, Lewisville, TX 75057
 - Contract or Co-op #: 14648-1601

- Texas Women's University – Pole Light Repairs (In-House Electrical Only)
 - Location: 1200 Frame St. Denton, TX 76201
 - Contract amount: \$12,800.00
 - Percent Complete: 50%
 - Completion date: November 2018
 - GC contact: TWU, Kenneth Burt
 - (940)465-4126
 - 304 Administration Dr. Denton, TX 76204
 - Contract or Co-op #: TIPS #170201

- GCISD – Grapevine HS Auditorium Clouds
 - Location: 3223 Mustang Dr. Grapevine, TX 76051
 - Contract amount: \$4,800.00
 - Percent Complete: 90%
 - Completion date: October 2018
 - GC contact: GCISD, Gary Foree
 - (817)251-5609
 - 3050 Mustang Dr. Grapevine, TX 76051
 - Contract or Co-op #: TIPS #170201

- Northwest ISD – Security Upgrades
 - Location: 27 Campuses within NISD
 - Contract amount: \$356,000.00
 - Percent Complete: 0% (Procurement)
 - Completion date: June 2019
 - GC contact: NISD, Sarah Stewart
 - (817)215-0055
 - 1800 Highway 114 Justin, TX 76247
 - Contract or Co-op #: CSP #B017-07-067

Master Project List

#

- 1700 Shady Oaks Denton Bolt Company – Tenant Renovation
 - Scope: 10,000 SF retail/office/warehouse renovation. We transformed an abandoned warehouse into a functional storefront for the Denton Bolt & Tool Company. All trades were involved from concrete polishing & repairs, painting, to installing an all new fire alarm system. This was a 3 month project.
 - Size: 10,000 SF
 - Location: Denton, TX
 - Contract Amount: \$185,000.00
 - Percent complete: 100%
 - Project Completion date: May 2018
 - Owner Contact:
 - Steve McLean
 - 1103 Avenue C, Denton, TX 76201
 - 940-383-1483, steve@dentonbolt.com
 - Architect Contact: Holtman Designworks
 - Means of procurement: Direct contract with owner
 - Project type: commercial private

A

- Town of Addison Kellway Liftstation Improvements
 - Scope: Electrical upgrades & installation of new dewatering dumpster for Liftstation complex.
 - Size: N/A
 - Location: 4501 West Fwy, Fort Worth, TX 76107
 - Contract amount: \$356,000
 - Percent complete: 0%
 - Completion Date: December 2018
 - Owner Contact: Town of Addison, Jason Shroyer
 - 972-450-2849
 - 6801 Westgrove Dr. Addison, Texas 75001
 - Architect reference: Garver, 972-377-7480
 - Contract or Co-op #: CSP# 18-155
 - Project type: Municipal

B

- Birdville ISD Smith Elementary Fire Alarm Replacement & Haltom High Tennis Court Lift/Finish
 - Scope: Renovation of 2 schools for Birdville ISD: Leveling and resurfacing of eight tennis courts at Haltom High school. Fire Alarm upgrades at David E. Smith Elementary School.
 - Size: Smith ES - 84,000 SF
 - Size: Tennis court size at Haltom HS - 85,000 SF
 - Location: 3701 Haltom Rd, Haltom City, TX 76117
 - Location: 5501 Haltom Rd, Haltom City, TX 76137
 - Contract amount: \$291,230
 - Percent complete: 95%
 - Project Start: June 2018
 - Completion date:
 - Haltom HS - September 2018
 - Smith ES – Ongoing (9/26/18)
 - Owner Contact:
 - Birdville ISD, Conan Mathson
 - 817-547-5851
 - 6125 EAST BELKNAP ST Haltom City, TX 76117
 - Architect reference:
 - PBK, Corrie Hood
 - 817-332-4333
 - 100 Throckmorton St #1550, Fort Worth, TX 76102
 - Contract or Co-op #: RFCSP 061-18
 - Project type: K-12 educational

C

- Cyxtera Downspout Replacements
 - Scope: Replace downspouts throughout data center building.
 - Location: Fort Worth, TX
 - Contract Amount: \$29,930.72
 - Percent complete: 0%
 - Project Completion date: June 2018
 - Owner Contact:
 - Matt Soper, Cyxtera Facilities Project Manager
 - 469-426-6842, Matt.soper@cyxtera.com
 - 14901 FAA Blvd Fort Worth, 76155
 - Architect Contact: N/A
 - Bid or co-op number: N/A
 - Project type: Private commercial

- Cyxtera RTU Sealant Project
 - Scope: Seal all RTUs on roof of data center.
 - Size: N/A
 - Location: Fort Worth, TX
 - Contract Amount: \$169,300.00
 - Percent complete: 75%
 - Project Completion date: May 2018
 - Owner Contact:
 - Matt Soper, Cyxtera Facilities Project Manager
 - 469-426-6842, Matt.soper@cyxtera.com
 - 14901 FAA Blvd Fort Worth, 76155
 - Architect Contact: N/A
 - Bid or co-op number: N/A
 - Project type: Private commercial

D

- Denton County Courthouse Renovation (In-House Electrical Only)
 - Location: 1450 E McKinney St. Denton, TX 76209
 - Contract amount: \$144,305.40
 - Percent Complete: 50%
 - Completion date: November 2018
 - GC contact: JC Commercial, Michael Piscopo
 - (972)436-4622
 - 1801 Lakepointe Dr. #129, Lewisville, TX 75057
 - Contract or Co-op #: 14648-1601

F

- Fort Worth ISD - Arlington Heights High School Restroom Remodel:
 - Scope: Create new staff restroom.
 - Size: 250 SF
 - Location: 4501 West Fwy, Fort Worth, TX 76107
 - Contract amount: \$44,992
 - Percent complete: 50%
 - Completion Date: September 2018
 - Owner Contact:
 - Fort Worth ISD, Louis Alonzo
 - 817-343-5985
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201
 - Project Type: K-12 educational

- Fort Worth ISD - Arlington Heights High School Theatre Stage Remodel:
 - Scope: Cover existing stage with plywood & paint.
 - Size: 1800 SF
 - Location: 4501 West Fwy, Fort Worth, TX 76107
 - Contract amount: \$6,221.93
 - Percent complete: 10%
 - Completion Date: September 2018
 - Owner Contact: Fort Worth ISD, Louis Alonzo
 - 817-343-5985
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201
 - Project type: K-12 educational

- Fort Worth ISD – Benbrook Middle Level Learning Center/ World Languages Institute
 - Interior renovation including paint, new flooring, new cabinets, new sinks for science classrooms, and minor exterior improvements.
 - Size: 144,000 SF
 - Location: 4921 Benbrook Hwy Fort Worth, TX
 - Original & Final Contract amount: \$385,000
 - No Change Orders Issued
 - Percent complete: 100%
 - Project start: June 2018
 - Completion date: August 2018
 - Owner contact:
 - Fort Worth ISD, Brian Mathis
 - 214-734-6382
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201
 - Project type: K-12 educational

- Fort Worth ISD - Forest Oak Middle School New Doors
 - Scope: Installation of new exterior double doors
 - Size: N/A
 - Location: 3221 Pecos St, Fort Worth, TX 76119
 - Contract amount: \$15,963.91
 - Percent complete: 75%
 - Completion Date: September 2018

- Owner Contact:
 - Fort Worth ISD, David Guerra
 - 817.938.4251
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201
 - Project type: K-12 educational
-
- Fort Worth ISD - North Hi Mount Elementary School Chimney Repairs
 - Scope: Masonry and chimney repairs on exterior of 100 year old historic elementary school
 - Size: N/A
 - Location: 3801 W. 7th Fort Worth, TX 76107
 - Contract amount: \$11,602
 - Percent complete: 100%
 - Completion Date: August 2018
 - Owner Contact: Fort Worth ISD, David Heib
 - 817.871.3305
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Project type: K-12 educational
-
- Fort Worth ISD - Rosemont Middle School Restroom Remodel
 - Scope: Restroom remodel for special needs classroom
 - Size: 250 SF
 - Location: 1501 W Seminary Dr, Fort Worth, TX 76115
 - Contract Amount: \$45,604
 - Final Contract amount: \$45,604
 - Percent complete: 75%
 - Project start date: August 2018
 - Completion Date: September 2018
 - Number of days to complete: 60
 - Owner Contact:
 - Fort Worth ISD, Louis Alonzo
 - 817-343-5985
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201
 - Project type: K-12 educational

- Fort Worth ISD - South Hills High School office build out
 - Scope: 2 new hard wall counseling offices built in waiting room area.
 - Size: 40 SF
 - Location: Fort Worth, TX
 - Contract Amount: \$16,148.52
 - Percent complete: 20%
 - Project Completion date: June 2018 (got put on hold until summer)
 - Owner Contact: Louis Alonzo, Fort Worth ISD Maintenance & Operations
 - 817-343-5985, louis.alonzo@fwisd.org
 - 2808 Tillar St. Fort Worth, TX 76107
 - Architect Contact: Hanfeld Hoffer Stanford,
 - 200 Bailey Ave Suite 200 Fort Worth, TX 76107
 - 817-921-5928
 - Bid or co-op number: TIPS #170201
 - Project type: K-12 educational

- Fort Worth ISD - South Hills High School Science Classrooms Walls/Paint
 - Scope: Install 2 new walls/doors in large classrooms to create 4 classrooms
 - Size: N/A
 - Location: 6101 McCart Ave, Fort Worth, TX 76133
 - Contract amount: \$28,347
 - Percent complete: 100%
 - Completion Date: August 2018
 - Owner Contact: Fort Worth ISD, Louis Alonzo
 - 817-343-5985
 - 100 N. University Fort Worth, TX 76107
 - Architect reference: N/A
 - Project type: K-12 educational

- Fort Worth ISD - Southwest High School Fieldhouse Paint Job:
 - Scope: Paint all lockers & walls in football locker room
 - Size: N/A
 - Location: 4501 West Freeway, Fort Worth, TX 76107
 - Contract amount: \$28,492.27
 - Final Contract amount: \$28,492.27
 - Project Start date: September 2018
 - Completion Date: October 2018
 - Number of days to complete: 15
 - Owner Contact: Fort Worth ISD, Louis Alonzo

- 817-343-5985
- 100 N. University Fort Worth, TX 76107
- Architect reference: N/A
- Contract or Co-op #: TIPS #170201
- Project type: K-12 educational

H

- Hurst Euless Bedford ISD Central Junior High Fire Lane Improvements
 - Scope: Demo concrete, repair utilities, patch back
 - Size: 175 LF
 - Location: 3191 W Pipeline Rd, Euless, TX 76040
 - Contract amount: \$128,942
 - Percent complete: 80%
 - Completion date: September 2018
 - Owner Contact:
 - HEB ISD, Josh Minor
 - 817-283-1277
 - 1849 Central Dr. Bedford, TX 76022
 - Architect reference:
 - Teague Nall & Perkins, Philip Varughese
 - 817.723.9127
 - 5237 N. Riverside Drive | Suite 100 | Fort Worth, Texas 76137
 - Contract or Co-op #: CSP #18-04
 - Project type: K-12 educational

M

- Mansfield ISD - Perry Elementary School Interior Renovations
 - Scope: Interior renovation of an existing elementary school, including data cabling throughout, adding 1 new sink, sewer line repairs, adding roof drains, & minor finish work.
 - Size (SF): N/A
 - Location: 1261 S. Main St. Mansfield, TX
 - Contract amount: \$298,200
 - Percent complete: 100%
 - Project Start: June 2018
 - Completion date: August 2018
 - Owner contact:
 - Mansfield ISD, Garry Walker
 - 817-733-9858
 - 605 East Broad St. Mansfield, TX
 - Architect reference:
 - Huckabee, John Horsak

- 817-897-5168
- 801 Cherry St #500, Fort Worth, TX 76102
- Contract or Co-op #: CSP 1721-06-02
- Project type: K-12 educational

N

- Norman St. Duplexes
 - Scope: Ground up construction of (2) 3800 SF duplex units near the UNT campus. All trades & permitting were involved and this was a 7 month job.
 - Size: (2) 3,800 SF
 - Location: Denton, TX
 - Contract Amount: \$408,411.25
 - Percent complete: 100%
 - Project Completion date: July 2017
 - Owner Contact:
 - Ryan Davenport, Davenport Property Management
 - 972-207-4647, ryan@trestle-re.com
 - Architect Contact:
 - Bates & Martin Architects
 - Percent completed with own forces: 0%
 - Bid or co-op number: N/A
 - Means of Procurement: Direct Contract with owner
 - Project type: Private multi-family

P

- Paycom 100 KW Generator Reconnection
 - Scope: Provide/install new 100 KW generator
 - Size: N/A
 - Location: Lewisville, TX
 - Contract Amount: \$29,923.00
 - Percent complete: 50%
 - Project Completion date: May 2018
 - Owner Contact:
 - Ryan Byrd
 - 7501 West Memorial Road OKC, OK 73142
 - Architect Contact: N/A
 - Bid or co-op number: N/A
 - Project type: Private commercial

- Paycom 3rd Floor Finish Upgrades
 - Scope: removed glass wall of office & patched floor, replace ceiling tiles, light switches
 - Size: 180 SF
 - Location: Lewisville, TX
 - Contract Amount: \$12,000
 - Percent complete: 90%
 - Project Completion date: May 2018
 - Owner Contact:
 - Ryan Byrd
 - 7501 West Memorial Road OKC, OK 73142
 - Architect Contact: N/A
 - Bid or co-op number: N/A
 - Project type: Private commercial

T

- Texas Health Presbyterian Hospital Denton Concrete Repairs
 - Scope: Demo of concrete for utility repair & patch back
 - Size: 6,000 SF
 - Location: Denton, TX
 - Contract Amount: \$75,600.00
 - Percent Complete: 100%
 - Project Completion date: December 2017
 - Owner Contact:
 - Todd Jarrett, Entech Project Manager
 - 817-688-9785, Todd.jarrett@entechsales.com
 - 3404 Garden Brook Dr. Dallas, TX 75234
 - Architect Contact: N/A
 - Project type: Private healthcare
- TWU Old Main Building Plaster Repairs
 - Scope: Provide abatement & repairs of plaster walls throughout a 100 year old building. This involved coordinating with end users, a day & night shift crew, over a 2 month period.
 - Size: 15,000 SF
 - Location: Denton, TX
 - Contract Amount: \$155,443.00
 - Percent complete: 100%
 - Project Completion date: June 2017
 - Owner Contact:

- Tim Wentreck, TWU Facilities Management & Construction Physical Plant Project Manager
- 940-898-3140, twentreck@twu.edu
- 304 Administration Dr, Denton, TX 76204
- Architect Contact: N/A
- Percent completed with own forces: 0%
- Bid or co-op number: TIPS #170201
- Project type: Higher education
- TWU Facilities Warehouse Restroom Build Out
 - Scope: New single occupancy restroom build out
 - Size: 100 SF
 - Location: Denton, TX
 - Contract Amount: \$29,026.24
 - Percent complete: 70%
 - Project Completion date: May 2018
 - Owner Contact:
 - Tim Wentreck, TWU Facilities Management & Construction Physical Plant Project Manager
 - 940-898-3140, twentreck@twu.edu
 - 304 Administration Dr, Denton, TX 76204
 - Architect Contact: N/A
 - Bid or co-op number: TIPS #170201
 - Project type: Higher education
- Texas Women's University – Pole Light Repairs (In-House Electrical Only)
 - Location: 1200 Frame St. Denton, TX 76201
 - Contract amount: \$12,800.00
 - Percent Complete: 50%
 - Completion date: November 2018
 - GC contact: TWU, Kenneth Burt
 - (940)465-4126
 - 304 Administration Dr. Denton, TX 76204
 - Contract or Co-op #: TIPS #170201

U

- University of North Texas - Administration Building Roof Repairs
 - Scope: Roof replacements due to hail damage
 - Size: 10,600 SF
 - Location: Denton, TX

- Contract Amount: \$108,836.71
 - Percent complete: 20%
 - Project Completion date: June 2018
 - Owner Contact:
 - Randy Salsman, UNT Facilities Maintenance Sr. Construction Project Manager
 - 940-369-7348, Randy.Salsman@unt.edu
 - 2204 W. Prairie St. Denton, TX 76203
 - Architect Contact: N/A
 - Bid or co-op number: TIPS #170201
 - Project type: Higher education
-
- University of North Texas - Avenue C Parking Lot
 - Scope: Demolish existing building & install new asphalt parking lot and provide parking stalls & signs
 - Size: 12,700 SF
 - Location: Denton, TX
 - Contract Amount: \$162,701
 - Project Completion date: February 2018
 - Owner Contact: Randy Salsman, UNT Facilities Maintenance Sr. Construction Project Manager
 - 940-369-7348, Randy.Salsman@unt.edu
 - 2204 W. Prairie St. Denton, TX 76203
 - Architect Contact: N/A
 - Bid or co-op number: TIPS #170201
 - Project type: Higher education
-
- University of North Texas - Bain Hall Concrete Repairs
 - Scope: Remove existing sidewalk & replace with new concrete walkway
 - Size: 6,000 SF
 - Location: Denton, TX
 - Contract Amount: \$106,996.58
 - Percent complete: 60%
 - Project Completion date: March 2018
 - Owner Contact:
 - Randy Salsman, UNT Facilities Maintenance Sr. Construction Project Manager
 - 940-369-7348, Randy.Salsman@unt.edu
 - 2204 W. Prairie St. Denton, TX 76203

- Architect Contact: N/A
- Bid or co-op number: TIPS #170201
- Project type: Higher education

- University of North Texas – Champs Dining Reception Desk
 - Scope: Interior renovation of an existing dining hall on UNT Campus. Added countertops, desk spaces, cabinets, and a checkout kiosk, flooring, tiling, glass partitions and vinyl coverings.
 - Size: N/A
 - Location: 1379 S Bonnie Brae St, Denton, TX 76207
 - Contract amount: \$41,358
 - Final Contract amount: \$44,177.03
 - Percent complete: 100%
 - Start date: July 2018
 - Completion date: August 2018
 - Number of days to complete: 60
 - Owner Contact:
 - UNT, Brandon Lacy
 - 979.219.4090
 - 1155 Union Circle #311277 Denton, Texas 76203-5017
 - Bid or co-op number: TIPS #170201
 - Project type: Higher education

- University of North Texas - Discovery Park Concrete Repairs
 - Scope: Demolition of existing damaged sidewalk & pavers, pour concrete and replace.
 - Size: 2300 SF
 - Location: Denton, TX
 - Contract Amount: \$55,206.78
 - Percent complete: 100%
 - Project Completion date: June 2017
 - Owner Contact:
 - Randy Salsman, UNT Facilities Maintenance Sr. Construction Project Manager
 - 940-369-7348, Randy.Salsman@unt.edu
 - 2204 W. Prairie St. Denton, TX 76203
 - Architect Contact: N/A
 - Bid or co-op number: TIPS #170201
 - Project type: Higher education

- University of North Texas - GAB 440 Renovations
 - Scope: Interior renovation of the General Academic Building on UNT campus. Create 6 office spaces in existing room. Trades involved are drywall, paint, flooring, shelving, doorframes, and other cosmetic upgrades
 - Size: 1800 SF
 - Location: 225 S. Avenue B, Denton, TX 76201
 - Contract amount: \$104,758.10
 - Percent complete: 30%
 - Completion Date: September 2018
 - Owner Contact:
 - UNT, Gena Lomelin
 - 940-369-8222
 - 2204 W. Prairie St. Denton, TX 76201
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201
 - Project type: Higher education

- University of North Texas - Matthews Hall Suite 117 Renovation
 - Scope: 4,400 SF renovation for College of Education Dean's office. This was a complete gut/abatement of a day care center. This build back of walls/ceiling/restrooms/all new finishes & all new electrical was a 3 month project done in time for school in the fall.
 - Size: 4,400 SF
 - Location: Denton, TX
 - Contract Amount: \$475,889.99
 - Original Contract Amount: \$475,889.99
 - Final Contract Amount: \$486,057.24
 - 5 Change Orders Issued
 - Percent complete: 100%
 - Project Completion date: August 2017
 - Owner Contact:
 - Cheryl Smith, UNT Facilities Project Manager
 - 940-565-4365, Cheryl.smith@unt.edu
 - 2204 W. Prairie St. Denton, TX 76201
 - Architect Contact: Stantec
 - Percent completed with own forces: 0%
 - Bid or co-op number: TIPS #170201
 - Project type: Higher education

- University of North Texas - MGV L Building Demolition
 - Scope: Demolition of entire building & repair landscape
 - Size: 3600 SF
 - Location: Denton, TX
 - Contract Amount: \$106,996.58
 - Percent complete: 70%
 - Project Completion date: May 2018
 - Owner Contact:
 - Randy Salsman, UNT Facilities Maintenance Sr. Construction Project Manager
 - 940-369-7348, Randy.Salsman@unt.edu
 - 2204 W. Prairie St. Denton, TX 76203
 - Architect Contact: N/A
 - Bid or co-op number: TIPS #170201
 - Project type: Higher education

- University of North Texas - Roof Replacement Job (various buildings)
 - Scope: Roof replacements throughout campus after hail damage/insurance claim. This included 7 different buildings, coordinating with end users over a 3 month period.
 - Size: 126,000 SF
 - Location: Denton, TX
 - Contract Amount: \$733,119.37
 - No Change Orders Issued
 - Percent complete: 100%
 - Project Completion date: April 2018
 - Owner Contact:
 - Randy Salsman, UNT Facilities Maintenance Sr. Construction Project Manager
 - 940-369-7348, Randy.Salsman@unt.edu
 - 2204 W. Prairie St. Denton, TX 76203
 - Architect Contact: N/A
 - Work performed with in-house forces: 0%
 - Bid or co-op number: TIPS #170201
 - Project type: Higher education

- University of North Texas - Surplus Dock Levelers
 - Scope: Provide/install of dock levelers at warehouse
 - Size: N/A
 - Location: 925 Precision Dr, Denton, TX 76207
 - Contract amount: \$24,781
 - Percent Complete: 25%
 - Completion date: September 2018
 - Owner contact:
 - UNT, Randy Salsman
 - (940)465-7402
 - 1155 Union Circle #311277 Denton, Texas 76203-5017
 - Contract or Co-op #: TIPS #170201
 - Project type: Higher education

- University of North Texas - Surplus Fans
 - Scope: Install of large fans in warehouse
 - Size: N/A
 - Location: 925 Precision Dr, Denton, TX 76207
 - Contract amount: \$85,139.48
 - Percent Complete: 0%
 - Completion date: November 2018
 - Owner contact:
 - UNT, Randy Salsman
 - (940)465-7402
 - 1155 Union Circle #311277 Denton, Texas 76203-5017
 - Contract or Co-op #: TIPS #170201
 - Project type: Higher education

- University of North Texas - Welch St. Concrete Repairs
 - Scope: Demolition of old curb & Parallel parking spots, installation of new curb and Asphalt parking lot
 - Size: 800 SF
 - Location: Denton, TX
 - Contract Amount: \$45,548.13
 - Percent complete: 100%
 - Project Completion date: November 2017
 - Owner Contact:
 - Randy Salsman, UNT Facilities Maintenance Sr. Construction Project Manager

- 940-369-7348, Randy.Salsman@unt.edu
 - 2204 W. Prairie St. Denton, TX 76203
- Architect Contact: N/A
- Bid or co-op number: TIPS #170201
- Project type: Higher education

- University of North Texas - Willis Library 433 Renovations
 - Scope: Renovation of an interior room to turn into a study space for UNT Library, scope includes demolition, flooring, paint, drywall, general cosmetic upgrades
 - Size: 600 SF
 - Location: 1506 W. Highland St. Denton, TX 76203
 - Contract amount: \$38,170
 - Percent Complete: 100%
 - Completion date: August 2018
 - Owner Contact:
 - UNT, Janell Cottam
 - 940.369.8492
 - 1155 Union Circle #311277 Denton, Texas 76203-5017
 - Architect reference: N/A
 - Contract or Co-op #: TIPS #170201
 - Project type: Higher education

- University of Texas at Arlington - Maverick Parking Garage Stairs
 - Scope: Remove and Replacement of (2) concrete and metal staircases in a parking garage on UTA Campus
 - Size: N/A
 - Location: 708 S West St Arlington, TX
 - Contract amount: \$266,286.15
 - Percent complete: 0%
 - Completion Date: TBD
 - Owner Contact:
 - UTA, Jeff Johnson
 - 817-272-3232
 - Arlington, TX
 - Architect reference: N/A
 - Contract or Co-op #: UTA18-14446CW
 - Project type: Higher education

Frontier Court Paving and Drainage Improvements

November 15, 2018

2:00 pm

Bid Summary

Contractor	Bid Amount	Addendum	Bid Bond
308 construction	\$338,685.70	N/A	OK
Quality Ex	\$474,640.00		OK
Anderson Asphalt	\$374,225.00		OK
Pave Con Public work	\$407,405.00		OK
Texasbit	\$394,795.95		OK
FNH Construction	\$413,100.00		OK
Reyes Group	\$517,240.00		OK

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

11/15/2018

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

308 Construction

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.

none

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

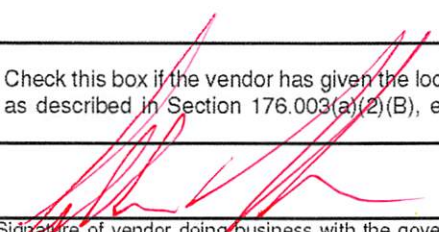
B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ 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

11/15/18

Date

RESOLUTION R-18-4305
A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT
ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
SEPTEMBER 18, 2018

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 September 4, 2018
 - b. Approval of the minutes of the City Council Worksession of September 6, 2018
 - c. Approval of the minutes of the City Council Worksession of August 28, 2018
 - d. Approval of authorized broker/dealers for investment purchases
 - e. Approval of an Interlocal Agreement and funding for the Metroport Teen Court Program
 - f. Approval to use the Voluntary Library Fund in Fiscal Year 2019, for the purchase of library materials, collection processing supplies, and library programs, in an amount not to exceed \$167,000
 - g. Adoption of the Fiscal Year 2019 to 2023 Capital Improvement Program (CIP)
 - h. Approval of the Grounds Maintenance Mowing Contract with Whitmore and Sons, Inc., in an amount not to exceed \$214,784.73, and authorize the city manager to execute same, and any associated change orders, in an amount not to exceed 25 percent of the contract price

- i. Approval of a Local Project Advance Funding Agreement for the Highway Safety Improvement Program (HSIP) for the reconstruction of Cheek-Sparger Road (San Bar Lane to Oak Briar Lane), and authorizing 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 18TH DAY OF SEPTEMBER 2018.

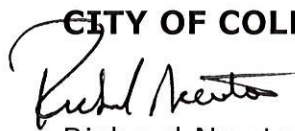
Mayor Richard Newton	<u>Aye</u>	Mayor Pro Tem Bobby Lindamood	<u>Aye</u>
Place 1, Tammy Nakamura	<u>Aye</u>	Place 3, Kathy Wheat	<u>Aye</u>
Place 4, George Dodson	<u>Aye</u>	Place 5, Chuck Kelley	<u>Aye</u>
Place 6, Callie Rigney	<u>Aye</u>		

ATTEST:



Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor

Project Year	Title	Total Project Cost	Capital Projects Fund	CEDC Fund	County Funding	Crime Control District	Drainage Fund	FHA/TxDOT	Area II Impact Fees (West of 26)	TIF	Utility Capital Fund	Wastewater Impact Fees	Water Impact Fees
2018	Library Renovations	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Kimzey Park Pond Dredging	\$388,520.00	\$0.00	\$388,520.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Webb House Repairs	\$10,000.00	\$0.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	WW Project 3 (Manning)	\$412,242.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$412,242.00	\$0.00	\$0.00
	Street Maintenance Program - Stafford, Manning, etc.	\$335,000.00	\$335,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Glade Rd (Phase 2 Manning to Pool) ROW Acquisition	\$110,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110,000.00	\$0.00	\$0.00	\$0.00
	Glade Rd (Phase 2-SH26 to Pool) Design	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$0.00	\$0.00	\$0.00
	L. D. Lockett Rehabilitation (Precinct Line Road to Pleasant Run) - resurfacing	\$430,000.00	\$430,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	John McCain Rehabilitation (Pleasant Run to Maranatha Court) - resurfacing	\$508,147.02	\$508,147.02	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road and Westcoat Drive Roundabout - DESIGN	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$2,543,909.02	\$1,273,147.02	\$698,520.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	\$120,000.00	\$412,242.00	\$0.00	\$0.00
	Estimated 9/30/18 Available Balances		\$7,957,458.98	\$0.00		\$0.00	\$0.00		\$2,011,832.00	\$21,460,372.00	\$5,083,588.00	\$928,492.00	\$3,114,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY19 Budgeted Contribution		\$1,500,000.00	\$860,516.00		\$0.00	\$500,000.00		\$0.00	\$5,400,000.00	\$200,000.00	\$60,000.00	\$192,000.00
Estimated 10/1/18 Available Balances			\$9,957,458.98	\$860,516.00	N/A	\$0.00	\$500,000.00	N/A	\$2,011,832.00	\$26,860,372.00	\$5,783,588.00	\$988,492.00	\$3,306,746.00
2019	Bransford Rehabilitation (Glade to Westcoat)	\$416,000.00	\$249,600.00	\$0.00	\$166,400.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Bransford Water Tank Rehabilitation - Design	\$80,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$80,000.00	\$0.00	\$0.00
	Central Fire Station Repairs	\$147,322.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$147,322.00	\$0.00	\$0.00	\$0.00
	Cheek-Sparger Road (San Bar to Brown Trail) - Design	\$320,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$320,000.00	\$0.00	\$0.00	\$0.00
	Cheek-Sparger Road (San Bar to Brown Trail) - Construction	\$2,085,395.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,660,395.00	\$0.00	\$425,000.00	\$0.00	\$0.00	\$0.00
	Cheek-Sparger Road Rehabilitation (Bedford to Heritage)	\$324,000.00	\$194,400.00	\$0.00	\$129,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	City Hall - Backup Generator	\$181,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$181,000.00	\$0.00	\$0.00	\$0.00
	City Hall/Library - HVAC Replacement	\$327,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$327,600.00	\$0.00	\$0.00	\$0.00
	Fire Station 2 Repairs	\$67,300.00	\$67,300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Frontier Court Rehabilitation	\$600,000.00	\$600,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Glade Rd (Phase 2-SH26 to Pool) Design (Multi-year project)	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150,000.00	\$0.00	\$0.00	\$0.00
	Glade Rd (Phase 2 Manning to Pool) ROW Acquisition (Multi-year project)	\$170,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$170,000.00	\$0.00	\$0.00	\$0.00
	Install Backup Generator for Emergency Power at L.D. Lockett Pump Station	\$140,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$140,000.00	\$0.00	\$0.00
	L.D. Lockett Road Right Turn Ln - Design	\$25,000.00	\$25,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Library Renovations	\$315,516.00	\$0.00	\$315,516.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road Rehabilitation	\$247,500.00	\$148,500.00	\$0.00	\$99,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road Right Turn Ln - Design	\$25,000.00	\$25,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road and Westcoat Drive Roundabout - DESIGN (Multi-year project)	\$60,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$60,000.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road Westcoat Drive Roundabout - ROW Acquisition	\$250,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250,000.00	\$0.00	\$0.00	\$0.00
	Plaza at City Hall	\$1,750,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,750,000.00	\$0.00	\$0.00	\$0.00
	Pleasant Run Waterline (John McCain North to Bear Creek) - Design	\$105,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$105,000.00	\$0.00	\$0.00
	Replacement of Palladium Windows & Patio	\$280,000.00	\$0.00	\$280,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Roberts Road (Glade to Grapevine City Limits) - DESIGN	\$354,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$354,000.00	\$0.00	\$0.00	\$0.00
	Roberts Road (Glade to Grapevine City Limits) - ROW Acquisition	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00	\$0.00
	SH-26 Lighting	\$3,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,000,000.00	\$0.00	\$0.00	\$0.00
	SH26 Medians & ROW	\$4,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,000,000.00	\$0.00	\$0.00	\$0.00
	Stormwater Master Plan	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$685,614.00	\$617,214.00	\$0.00	\$68,400.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Water Project 7: Demolish Overland Trail Pump Station	\$130,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$130,000.00	\$0.00	\$0.00
	Water Project 8: Install Pressure Relief and Flow Control Valves	\$348,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$348,000.00	\$0.00	\$0.00
	Water Project 10: Apple Valley Subdivision/Rustic Oaks Subdivisions/ Bills Lane Water Lines - DESI	\$70,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$70,000.00	\$0.00	\$0.00
	Webb House Repairs	\$265,000.00	\$0.00	\$265,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$17,919,247.00	\$1,927,014.00	\$860,516.00	\$463,400.00	\$0.00	\$500,000.00	\$1,660,395.00	\$60,000.00	\$11,574,922.00	\$873,000.00	\$0.00	\$0.00
	Estimated 9/30/19 Available Balances		\$8,030,444.98	\$0.00		\$0.00	\$0.00		\$1,951,832.00	\$15,285,450.00	\$4,910,588.00	\$988,492.00	\$3,306,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY20 Budgeted Contribution		\$1,500,000.00	\$0.00		\$167,200.00	\$425,000.00		\$0.00	\$5,400,000.00	\$250,000.00	\$60,000.00	\$192,000.00
Estimated 10/1/19 Available Balances			\$10,030,444.98	\$0.00	N/A	\$167,200.00	\$425,000.00	N/A	\$1,951,832.00	\$20,685,450.00	\$5,660,588.00	\$1,048,492.00	\$3,498,746.00

Project Year	Title	Total Project Cost	Capital Projects Fund	CEDC Fund	County Funding	Crime Control District	Drainage Fund	FHA/TxDOT	Area II Impact Fees (West of 26)	TIF	Utility Capital Fund	Wastewater Impact Fees	Water Impact Fees
2020	Bransford Water Tank Rehabilitation - Construction	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	County Project (TBD) - Construction	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Flood Gates Upgrade	\$425,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$425,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Glade Road (Phase 1 - SH26 to Manning) - Construction	\$2,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$0.00	\$0.00
	Glade Road (Phase 2 - Manning to Pool) - Construction	\$2,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$0.00	\$0.00
	John McCain Road and Westcoat Drive Roundabout - Design	\$175,000.00	\$175,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Justice Center - Metal Roof Coating	\$167,200.00	\$0.00	\$0.00	\$0.00	\$167,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	L.D. Lockett Road Right Turn Ln - Construction	\$150,000.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road Right Turn Ln - Construction	\$150,000.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road and Westcoat Drive Roundabout - Construction	\$1,400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,400,000.00	\$0.00	\$0.00	\$0.00	\$0.00
	Pleasant Run Waterline (John McCain North to Bear Creek) - Construction	\$900,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$900,000.00	\$0.00	\$0.00
	Roberts Road - Construction	\$2,100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,100,000.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Supervisory Control and Data Acquisition (SCADA) Replacement	\$350,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$350,000.00	\$0.00	\$0.00
	Water Project 10: Apple Valley/Rustic Oaks/Bills Lane Water Lines and Road Rehabilitation on Blauvelt Road	\$935,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$935,000.00	\$0.00	\$0.00
	Water Project 5: Upsize and Replace Water Lines in Brighton Oaks Subdivision and Rehabilitate Streets	\$145,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$145,000.00	\$0.00	\$0.00
	Water Project 11: Tinker Road Water Lines - Design	\$123,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$123,000.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$12,820,200.00	\$1,375,000.00	\$0.00	\$400,000.00	\$167,200.00	\$425,000.00	\$0.00	\$1,400,000.00	\$6,100,000.00	\$2,953,000.00	\$0.00	\$0.00
	Estimated 9/30/20 Available Balances		\$8,655,444.98	\$0.00		\$0.00	\$0.00		\$551,832.00	\$14,585,450.00	\$2,707,588.00	\$1,048,492.00	\$3,498,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY21 Budgeted Contribution		\$1,500,000.00	\$0.00		\$325,052.00	\$1,200,000.00		\$0.00	\$5,400,000.00	\$400,000.00	\$60,000.00	\$192,000.00
	Estimated 10/1/20 Available Balances		\$10,655,444.98	\$0.00	N/A	\$325,052.00	\$1,200,000.00	N/A	\$551,832.00	\$19,985,450.00	\$3,607,588.00	\$1,108,492.00	\$3,690,746.00
2021	City Hall - Flooring Rehab	\$87,808.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$87,808.00	\$0.00	\$0.00	\$0.00
	County Project (TBD) - Construction	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Glade Road (Phase 2 - Manning to Pool) - Construction	\$2,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$0.00	\$0.00
	John McCain Road and Westcoat Drive Roundabout - Construction	\$1,400,000.00	\$1,400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Justice Center - Carpet and VCT Tile	\$88,052.00	\$0.00	\$0.00	\$0.00	\$88,052.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Justice Center - HVAC Replacement	\$237,000.00	\$0.00	\$0.00	\$0.00	\$237,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Pleasant Run Road Bridge at Big Bear (White Chapel Bridge) - Construction	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Streetlighting for Pedestrian Crosswalks - Construction	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Water Project 11: (Partial) Tinker Road Water Lines - Construction	\$1,110,000.00	\$450,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$660,000.00	\$0.00	\$0.00
	Water Project 12: (Partial) Woodbriar Estate Water Lines Replacement - Design	\$70,020.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$70,020.00	\$0.00	\$0.00
	Water Project 5: Upsize and Replace Water Lines in Brighton Oaks Subdivision and Rehabilitate Streets	\$2,550,000.00	\$650,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,900,000.00
	Water Project 6: Upsize and Replace Water Lines in Woodbriar Estates and Quail Crest Subdivision	\$145,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$145,000.00	\$0.00	\$0.00
	WW Project 1: Replace Sewer Lines in Woodbriar Estates and Quail Crest Subdivisions - Design	\$361,700.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$361,700.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$10,599,580.00	\$3,450,000.00	\$0.00	\$400,000.00	\$325,052.00	\$1,200,000.00	\$0.00	\$0.00	\$2,087,808.00	\$1,236,720.00	\$0.00	\$1,900,000.00
	Estimated 9/30/21 Available Balances		\$7,205,444.98	\$0.00		\$0.00	\$0.00		\$551,832.00	\$17,897,642.00	\$2,370,868.00	\$1,108,492.00	\$1,790,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY22 Budgeted Contribution		\$1,500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$5,400,000.00	\$500,000.00	\$60,000.00	\$192,000.00
	Estimated 10/1/21 Available Balances		\$9,205,444.98	\$0.00	N/A	\$0.00	\$0.00	N/A	\$551,832.00	\$23,297,642.00	\$3,370,868.00	\$1,168,492.00	\$1,982,746.00
2022	County Project (TBD) - Construction	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Library - Flooring Rehab	\$95,210.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,210.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Water Projec 12: Partial Woodbriar Estate Water Lines Replacement - Construction	\$433,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$433,000.00	\$0.00	\$0.00
	Water Project 3: New Elevated Water Storage Tank and Associated Distribution Lines - Design	\$545,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$545,000.00
	Water Project 6: Upsize and Replace Water Lines in Woodbriar Estates and Quail Crest Subdivision	\$745,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$745,000.00	\$0.00	\$0.00
	WW Project 1: Replace Sewer Lines in Woodbriar Estates and Quail Crest Subdivisions - Constructi	\$1,900,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,900,000.00	\$0.00	\$0.00
	WW Project 5: Quails Path and Chestnut Bend Sewer Line Replacement - Design	\$91,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$91,000.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$5,109,210.00	\$900,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,210.00	\$3,169,000.00	\$0.00	\$545,000.00
	Estimated 9/30/22 Available Balances		\$8,305,444.98	\$0.00		\$0.00	\$0.00		\$551,832.00	\$23,202,432.00	\$201,868.00	\$1,168,492.00	\$1,437,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY23 Budgeted Contribution		\$1,500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$5,400,000.00	\$600,000.00	\$60,000.00	\$192,000.00
	Estimated 10/1/22 Available Balances		\$10,305,444.98	\$0.00	N/A	\$0.00	\$0.00	N/A	\$551,832.00	\$28,602,432.00	\$1,301,868.00	\$1,228,492.00	\$1,629,746.00

Project Year	Title	Total Project Cost	Capital Projects Fund	CEDC Fund	County Funding	Crime Control District	Drainage Fund	FHA/TxDOT	Area II Impact Fees (West of 26)	TIF	Utility Capital Fund	Wastewater Impact Fees	Water Impact Fees
2023	City Hall - Boiler Replacement	\$99,600.00	\$99,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	County Project (TBD) - Construction	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Water Project 3: New Elevated Water Storage Tank and Associated Distribution Lines - Constructic	\$4,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,500,000.00	\$0.00	\$0.00	\$0.00
	Woodbriar, Quail Crest Estates Rehabilitation (Companion Project to Water Projects #6 and 12/Po	\$2,768,000.00	\$2,768,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	WW Project 5: Quails Path and Chestnut Bend Sewer Line Replacement and Road Rehabilitation -	\$829,000.00	\$110,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$719,000.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$9,496,600.00	\$3,877,600.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,500,000.00	\$719,000.00	\$0.00	\$0.00
	Estimated 9/30/23 Available Balances		\$6,427,844.98	\$0.00		\$0.00	\$0.00		\$551,832.00	\$24,102,432.00	\$582,868.00	\$1,228,492.00	\$1,629,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY24 Budgeted Contribution		\$1,500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$5,400,000.00	\$700,000.00	\$60,000.00	\$192,000.00
	Estimated 10/1/23 Available Balances		\$8,427,844.98	\$0.00	N/A	\$0.00	\$0.00	N/A	\$551,832.00	\$29,502,432.00	\$1,782,868.00	\$1,288,492.00	\$1,821,746.00

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.**

308 Construction, LLC
Argyle, TX United States

Certificate Number:
2018-430362

Date Filed:
12/04/2018

Date Acknowledged:
12/04/2018

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.

ENG2019-001
General Contracting 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 UNSWORN DECLARATION**

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

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

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2018-430362

Date Filed:
12/04/2018

Date Acknowledged:

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

308 Construction, LLC
Argyle, 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.

ENG2019-001
General Contracting 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 UNSWORN DECLARATION

My name is Allen Heiser, and my date of birth is 6/30/84.

My address is 2126 Hamilton Dr Suite 250 Argyle, TX, 76226, USA.
(street) (city) (state) (zip code) (country)

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

Executed in Denton County, State of Texas, on the 4 day of December, 20 18.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4c
Type Resolution
Department Engineering

Agenda Date 12/18/2018

Number

Title

Approval of a Construction Contract with Rey-Mar Construction, for Water Project No. 8, for pressure reducing valve improvements, in an amount not to exceed \$189,050, and authorizing the City Manager to execute the contract

Strategic Plan

3.2 Ensure regular repair and replacement of water and wastewater facilities

Explanation

Reading and Public Hearing

The current comprehensive Five Year Capital Improvement Program (CIP) adopted by City Council on September 18, 2018, by attached Resolution R-18-4305, includes Water Project No. 8 for Pressure Reducing Valve Improvements. In September 2017, the City executed a Professional Services Agreement with Garver, LLC for the design of the project.

Public notification of the invitation for bids was advertised in the *Fort Worth Star-Telegram* on October 28, and November 4, 11, 18, and 25, 2018. The notice to bidders and bid packet were posted on CivCast for free downloading and distributed to the Dodge Lead Center, BlueBook Building and Construction Network, and Construct Connect, which includes ISqFt, CMD, CDC, and Bid Clerk. Additionally, staff directly notified a list of local contractors who may be interested in the bid opportunity. The project had 57 plan holders, of which 12 were general contractors, 14 sub-contractors, 16 suppliers, six plan rooms, two engineers, one manufacturer, and six others.

The City received two sealed bids, which were opened and publicly read aloud on December 4, 2018.

Financial Impact

Funding for the project is available in the Utility Capital Fund.
Form 1295 - Acknowledged by Ci

Recommendation

Approve

Attachments

1. Construction Services Agreement

2. PRV Presentation
3. Recommendation of Award
4. CIQ Form
5. Form 1295
6. Resolution R-18-4305

CONSTRUCTION SERVICES AGREEMENT
Water Project 8: Pressure Reducing Valve Improvements

This **CONSTRUCTION SERVICES AGREEMENT** ("Agreement") is made as of the Effective Date by and between **Rey-Mar Construction**, hereinafter called "CONTRACTOR", and the **City of Colleyville, Texas**, hereinafter called "CITY".

RECITALS

WHEREAS, CITY desires CONTRACTOR to perform certain work and services set forth in Section 1 ("Scope of Services"); and

WHEREAS, CONTRACTOR has expressed a willingness to perform said work and services, hereinafter referred to only as "services", specified in the Contract Documents, and enumerated under Section 1, of this Agreement;

NOW, THEREFORE, for and in consideration of the covenants and promises made one to the other herein, CITY and CONTRACTOR agree as follows:

Section 1. Scope of Services

Upon issuance of a written Notice to Proceed by CITY, CONTRACTOR agrees to provide to CITY the necessary services, labor, materials, equipment and supplies for the Water Project 8 Pressure Reducing Valve Improvements ("the Project"), such services being more fully described herein and pursuant to the specifications provided in the Contract Documents.

Section 2. Term of Agreement

The term of this Agreement shall begin on the last date of execution hereof (the "Effective Date") and shall continue until CONTRACTOR completes the services required herein to the satisfaction of CITY and has been paid in full by City, unless sooner terminated as provided in Section 9, below.

Section 3. Contract Documents

- A. This Agreement is a part of the Contract Documents, which include:
- 1) This Agreement, including all exhibits and addenda hereto;
 - 2) CITY'S Specifications and Contract Documents for the Project ("Bid Packet");
 - 3) CITY'S written notice(s) to proceed to the CONTRACTOR;
 - 4) Properly authorized change orders;
 - 5) CONTRACTOR's Bid Proposal ("Proposal" and/or "Response"); and
 - 6) Any other materials distributed by the CITY that relate to the Project.

Section 4. Contractor Obligations

A. CONTRACTOR shall devote such time as reasonably necessary for the satisfactory performance of the work under this Agreement. Should CITY require additional services not included under this Agreement, CONTRACTOR shall make reasonable effort to provide such additional services at mutually agreed charges or rates, and within the time schedule prescribed by CITY; and without decreasing the effectiveness of the performance of services required under this Agreement.

B. To the extent reasonably necessary for CONTRACTOR to perform the services under this Agreement, CONTRACTOR shall be authorized to engage the services of any agents, assistants, persons, or corporations that CONTRACTOR may deem proper to aid or assist in the performance of the services under this Agreement with the prior written approval of CITY. The cost of such personnel and assistance shall be a reimbursable expense to CONTRACTOR only if authorized in writing in advance by CITY.

C. Unless otherwise agreed, CONTRACTOR shall provide and pay for all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and all water, light, power, fuel, transportation and all other facilities necessary for the execution and completion of the work covered by the Scope of Services. Unless otherwise specified, all materials shall be new and both workmanship and materials shall be of a good quality. CONTRACTOR shall, if required, furnish satisfactory evidence as to the kind and quality of materials. Materials or work described in words that so applied have well known, technical or trade meaning shall be held to refer to such recognized standards.

D. CONTRACTOR shall comply with all laws, ordinances, rules and regulations governing CONTRACTOR's performance of this Agreement.

E. All minor details of the work not specifically mentioned in the Scope of Services or Project Drawings but obviously necessary for the proper completion of the work, such as the proper connection of new work to old, shall be considered as incidental to and a part of the work for which the prices are set forth in this Agreement. CONTRACTOR will not be entitled to any additional compensation therefor unless specifically stated otherwise. Otherwise the term "extra work" as used in this Agreement shall be understood to mean and include all work that may be required by CITY to be done by CONTRACTOR to accomplish any alteration or addition to the work as shown on the Project Drawings. It is agreed that CONTRACTOR shall perform all extra work under the direction of the City's Representative when presented with a written work order signed by the City's Representative, subject, however, to the right of CONTRACTOR to require written confirmation of such extra work order by CITY. Payment for extra work shall be as agreed in the work order.

F. CONTRACTOR agrees to indemnify, defend, and save CITY harmless from all claims growing out of any demands of subcontractors, laborers, workmen, mechanics, materialmen, and suppliers of machinery and parts thereof, equipment, power tools, all supplies incurred in the furtherance of the performance of this Agreement. When CITY requests, CONTRACTOR shall furnish satisfactory evidence that all obligations of the nature hereinabove designated have been paid, discharged or waived.

Section 5. Payment

A. CITY agrees to pay CONTRACTOR for all services authorized in writing and properly performed by CONTRACTOR in a total amount not to exceed ONE HUNDRED EIGHTY-NINE THOUSAND FIFTY DOLLARS (\$189,050.00) ("Contract Price"), subject to additions or deletions for changes or extras agreed upon in writing. Unless otherwise provided herein, payment to CONTRACTOR shall be monthly based on the CONTRACTOR'S monthly progress report and detailed monthly itemized statement for services that shows the names of the CONTRACTOR'S employees, agents, contractors performing the services, the time worked, the actual services performed, and the rates charged for such services, in a form reasonably acceptable to CITY. CITY shall pay such monthly statements within thirty (30) days after receipt and CITY verification of the services.

B. CITY may deduct from any amounts due or to become due to CONTRACTOR any sum or sums owing by CONTRACTOR to CITY. In the event of any breach by CONTRACTOR of any provision or obligation of this Agreement, or in the event of the assertion by other parties of any claim or lien against CITY, or the CITY'S premises, arising out of CONTRACTOR's performance of this Agreement, CITY shall

have the right to retain out of any payments due or to become due to CONTRACTOR an amount sufficient to completely protect the CITY from any and all loss, damage or expense therefrom, until the breach, claim or lien has been satisfactorily remedied or adjusted by CONTRACTOR.

C. CITY may, on account of subsequently discovered evidence, withhold the whole or part of any payment to such extent as may be necessary to protect itself from loss on account of:

- (1) Defective work not remedied;
- (2) Claims filed or reasonable evidence indicating possible filing of claims;
- (3) Failure of CONTRACTOR to make payments promptly to subcontractors or for material or labor which CITY may pay as an agent for the CONTRACTOR; or
- (4) Damages to another contractor or subcontractor.

When the above grounds are removed, or CONTRACTOR provides a surety bond satisfactory to CITY which will protect CITY in the amount withheld because of said grounds, CITY will release the amounts withheld.

Section 6. Responsibilities

A. CONTRACTOR shall be responsible for the professional quality, technical accuracy, and the coordination of all materials, construction, installation and other services furnished by CONTRACTOR under this Agreement. CONTRACTOR shall, without additional compensation, correct or revise any errors or deficiencies in the installation and construction of the Project components to conform as shown in the Project drawings and specifications.

B. Neither CITY's review, approval or acceptance of, nor payment for any of the services required under this Agreement, shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement, and CONTRACTOR shall be and remain liable to CITY in accordance with applicable law for all damages to CITY caused by CONTRACTOR's negligent performance of any of the services furnished under this Agreement.

C. The rights and remedies of CITY under this Agreement are as provided by law.

Section 7. Time for Performance

A. CONTRACTOR shall perform all services as provided for under this Agreement in a proper, efficient, timely, and professional manner in accordance with CITY'S requirements.

B. In the event CONTRACTOR's performance of this Agreement is delayed or interfered with by acts of the CITY or others, CONTRACTOR may request an extension of time for the performance of same as hereinafter provided but shall not be entitled to any increase in fee or price, or to damages or additional compensation as a consequence of such delays.

C. No allowance of any extension of time, for any cause whatever, shall be claimed or made to CONTRACTOR, unless CONTRACTOR shall have made written request upon CITY for such extension within forty-eight (48) hours after the cause for such extension occurred, and unless CITY and CONTRACTOR have agreed in writing upon the allowance of additional time to be made.

D. Liquidated Damages. CONTRACTOR understands and agrees that time is of the essence of this contract, and that for each day of delay beyond the number of calendar days herein agreed upon for the completion of the work herein specified and contracted for (after due allowance for such extension of time as may otherwise be provided for extension of time herein), the Owner may withhold permanently from the Contract Price an amount equal to \$1,000.00 per day.

E. Abandonment by Contractor. In case CONTRACTOR should abandon and fail or refuse to resume work within ten (10) days after written notification from the City, or if CONTRACTOR fails to comply with the orders of the CITY, when such orders are consistent with the Contract Documents, then, and in that case, where performance and payment bonds exist, the Sureties on these bonds may be notified in writing by CITY and directed to complete the work (at CITY'S sole discretion), and a copy of said notice shall be delivered to CONTRACTOR. After receiving said notice of abandonment, CONTRACTOR shall not remove from the work any machinery, equipment, tools, materials or supplies then on the job, but the same, together with any materials and equipment under contract for the work, may be held for use on the work by the CITY or the Surety on the performance bond, or another contractor in completion of the work; and CONTRACTOR shall not receive any rental or credit therefor, it being understood that the use of such equipment and materials will ultimately reduce the cost to complete the work and be reflected in the final settlement. Nothing in this section shall be deemed a waiver of any remedy available to the CITY under this Agreement and the CITY shall retain all remedies upon default provided in Section 14 herein.

- (1) In case the Surety should fail to commence compliance with the notice for completion hereinbefore provided for, written ten (10) days after service of such notice, then the CITY may provide for completion of the work in either of the following elective manners:
 - a. The CITY may employ such force of labor and use such machinery, equipment, tools, materials and supplies as said CITY may deem necessary to complete the work and charge the expense of such labor, machinery, equipment, tools, materials and supplies to said CONTRACTOR, and expense so charged shall be deducted and paid by the CITY out of such moneys as may be due, or that may thereafter at any time become due to the CONTRACTOR under and by virtue of this Agreement. In case such expense is less than the sum which would have been payable under this contract, if the same had been completed by the CONTRACTOR, then said CONTRACTOR shall receive the difference. In case such expense is greater than the sum which would have been payable under this contract, if the same had been completed by said CONTRACTOR, then the CONTRACTOR and/or its Surety shall pay the amount of such excess to the CITY; or
 - b. The CITY under sealed bids, when and in the manner required by law, may let the contract for the completion of the work under substantially the same terms and conditions which are provided in this Agreement. In the case of any increase in cost to the CITY under the new contract as compared to what would have been the cost under this Agreement, such increase shall be charged to the CONTRACTOR and the Surety shall be and remain bound therefor. However, should the cost to complete any such new contract prove to be less than what would have been the cost to complete under this Agreement, the CONTRACTOR and/his Surety shall be credited therewith.

Section 8. Ownership of Project; Bill of Sale

A. CONTRACTOR warrants that title to all work, including all equipment and materials incorporated into the Project, will pass to CITY no later than the time of final payment. CONTRACTOR further warrants that upon payment by CITY, all Work for which payments have been received from CITY shall be free and clear of liens, claims, security interests or other encumbrances in favor of CONTRACTOR or any other person or entity whatsoever.

B. CONTRACTOR agrees to assign to CITY at the time of completion of the Scope of Services all manufacturer's warranties relating to equipment, materials and labor used in the Project and further agrees to perform the Project in such manner to preserve all manufacturer's warranties. If necessary as a matter of law, CONTRACTOR may retain the right to enforce directly any such manufacturers' warranties during the one year period following the date of acceptance of the Project by City.

Section 9. Termination

A. CITY may suspend or terminate this Agreement for cause or without cause at any time by giving written notice to CONTRACTOR. In the event suspension or termination is without cause, payment to CONTRACTOR, in accordance with the terms of this Agreement, will be made based on services reasonably determined by CITY to be satisfactorily performed to the date of suspension or termination. Such payment will be due upon delivery of all instruments of service to CITY.

B. If CITY requires a modification of this Agreement with CONTRACTOR, and in the event CITY and CONTRACTOR fail to agree upon a modification to this Agreement, CITY shall have the option of terminating this Agreement and CONTRACTOR's services hereunder at no additional cost other than the payment to CONTRACTOR, in accordance with the terms of this Agreement, for the services reasonably determined by CITY to be properly performed by CONTRACTOR prior to such termination date.

Section 10. Insurance

A. CONTRACTOR shall during the term hereof maintain in full force and effect the following insurance: (i) a comprehensive general liability policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the CONTRACTOR's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$2,000,000.00 per occurrence for injury to persons (including death), and for property damage; (ii) policy of automobile liability insurance covering any vehicles owned and/or operated by CONTRACTOR, its officers, agents, and employees, and used in the performance of this Agreement with policy limits of not less than \$500,000.00 combined single limit and aggregate for bodily injury and property damage; (iii) statutory Worker's Compensation Insurance at the statutory limits and Employers Liability covering all of CONTRACTOR's employees involved in the provision of services under this Agreement with policy limit of not less than \$500,000.00.

B. All insurance and certificate(s) of insurance shall contain the following provisions: (1) name CITY, its officers, and employees as additional insureds as to all applicable coverage with the exception of Workers Compensation Insurance; (2) provide for at least thirty (30) days prior written notice to CITY for cancellation or non-renewal of the insurance; (3) provide for a waiver of subrogation against CITY for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance. Contractor shall provide written notice to CITY of any material change of or to the insurance required herein.

C. All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service.

D. A certificate of insurance evidencing the required insurance and all endorsements shall be submitted prior to commencement of services.

Section 11. Indemnification.

CITY SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE SERVICES OF CONTRACTOR PURSUANT TO THIS AGREEMENT. CONTRACTOR HEREBY WAIVES ALL CLAIMS AGAINST CITY, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "CITY") FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE NEGLIGENCE OR WILLFUL MISCONDUCT OF CITY OR BREACH OF CITY'S OBLIGATIONS HEREUNDER. CONTRACTOR AGREES TO INDEMNIFY AND SAVE HARMLESS CITY FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, REASONABLE ATTORNEYS' FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY CONTRACTOR'S NEGLIGENT PERFORMANCE OF SERVICES UNDER THIS AGREEMENT OR BY REASON OF ANY NEGLIGENT ACT OR OMISSION ON THE PART OF CONTRACTOR, ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO NEGLIGENCE OF CITY, IN WHOLE OR IN PART, IN WHICH CASE CONTRACTOR SHALL INDEMNIFY CITY ONLY TO THE EXTENT OR PROPORTION OF NEGLIGENCE ATTRIBUTED TO CONTRACTOR AND/OR ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION). CONTRACTOR'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY CONTRACTOR UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

Section 12. Assignment

CONTRACTOR shall not assign or sublet this Agreement, or any part thereof, without the prior written consent of CITY.

Section 13. Applicable Laws

CONTRACTOR shall comply with all Federal, State, County and Municipal laws, ordinances, regulations, safety orders, resolutions and building codes relating or applicable to services to be performed under this Agreement. The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall be in the State District Court of Tarrant County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court

Section 14. Default of CONTRACTOR

In the event CONTRACTOR fails to comply or becomes disabled and unable to comply with the provisions of this Agreement as to the quality or character of the service or time of performance, and the failure is not corrected within ten (10) days after written notice by CITY to CONTRACTOR, CITY may, at its sole discretion without prejudice to any other right or remedy:

A. Terminate this Agreement and be relieved of the payment of any further consideration to CONTRACTOR except for all work determined by CITY to be satisfactorily completed prior to termination. Payment for work satisfactorily completed shall be for actual costs, including reasonable salaries and travel expenses of CONTRACTOR to and from meetings called by CITY at which CONTRACTOR is required to attend, but shall not include any loss of profit of CONTRACTOR. In the event, of such termination, CITY may proceed to complete the services in any manner deemed proper by CITY, either by the use of its own forces or by resubletting to others.

B. CITY may, without terminating this Agreement or taking over the services, furnish the necessary materials, equipment, supplies and/or help necessary to remedy the situation, at the expense of CONTRACTOR.

Section 15. Adjustments in Services

No claims for extra services, additional services or changes in the services will be made by CONTRACTOR without a written agreement with CITY prior to the performance of such services.

Section 16. Execution Becomes Effective

This Agreement will be effective upon signing of the Agreement by authorized representatives of CONTRACTOR and CITY.

Section 17. Agreement Amendments

This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and there are no oral understandings, statements or stipulations bearing upon the meaning or effect of this Agreement which have not been incorporated herein. This Agreement may only be modified, amended, supplemented or waived by a written instrument executed by the parties except as may be otherwise provided therein.

Section 18. Severability

In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

Section 19. Independent Contractor

In satisfying the conditions of and providing the services under this Agreement, CONTRACTOR is acting independently, and CITY assumes no responsibility or liabilities to any third party in connection with CONTRACTOR's actions. All services to be performed by CONTRACTOR pursuant to this Agreement shall be in the capacity of an independent contractor and not as an agent or employee of CITY. CONTRACTOR shall supervise the performance of its services and shall be entitled to control the manner

this Project or otherwise incorporated into the Project. CITY agrees to provide CONTRACTOR such documentation as may otherwise be required by state law to allow CONTRACTOR to avoid payment of sales and uses taxes for materials and equipment with respect to the Project to the extent allowed by law.

AGREED AND SIGNED this _____ day of _____, 2018

CITY OF COLLEYVILLE, TEXAS

By: _____
Jerry Duca, City Manager

ATTEST:

Christine Loven, City Secretary

APPROVED AS TO FORM:

Whitt L. Wyatt City Attorney
(3042:12.7.2018:104780)

AGREED AND SIGNED this _____ day of _____, 2018.

REY-MAR CONSTRUCTION

By: _____

Name: _____

Title: _____

PERFORMANCE BOND

THE STATE OF TEXAS

§

THE COUNTY OF TARRANT

§

§

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, _____, as Principal ("Contractor") and the other subscriber hereto _____, as Surety, do hereby acknowledge ourselves to be held and firmly bound to the City of Colleyville, Texas ("City"), in the sum of _____ **Dollars** (\$_____) Contractor and Surety do bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT:

WHEREAS, Principal has entered into a certain Contractor Agreement ("Contract") for the Water Project 8: Pressure Reducing Valve Improvements Project ("Project") with the City of Colleyville, Texas, dated the ____ day of _____, 2018; said Contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein.

NOW THEREFORE, if the said Contractor shall faithfully and strictly perform its Work pursuant to the Agreement's terms, provisions, and stipulations in accordance with its true meaning and effect, and in accordance with the Agreement Documents referred to therein and shall comply strictly with each and every provision of the Contract, including all warranties and indemnities therein and with this bond, then this obligation shall become null and void and shall have no further force and effect; otherwise the same is to remain in full force and effect.

It is further understood and agreed that the Surety does hereby relieve City or its representatives from the exercise of any diligence whatever in securing compliance on the part of the Contractor with the terms of the Contract, including the making of payments thereunder and, having fully considered Contractor's competence to perform the Contract in the underwriting of this Performance Bond, the Surety hereby waives any notice to it of any default, or delay by the Contractor in the performance of the Contract and agrees that it, the Surety, shall be bound to take notice of and shall be held to have knowledge of all acts or omissions of the Contractor in all matters pertaining to the Contract. The Surety understands and agrees that the provision in the Contract that City shall retain certain amounts due the Contractor until the expiration of thirty (30) days from the acceptance of the Work is intended for City's benefit, and City shall have the right to pay or withhold such retained amounts or any other amount owing under the Contract without changing or affecting the liability of the Surety hereon in any degree.

It is further expressly agreed by Surety that City or its representatives are at liberty at any time, without notice to the Surety, to make any change in the Agreement Documents and in the Work to be done thereunder, as provided in the Contract, and in the terms and conditions thereof, or to make any change in, addition to, or deduction from the work to be done thereunder; and that such changes, if made, shall not in any way vitiate the obligation in this bond and undertaking or release the Surety therefrom.

It is further expressly agreed and understood that the Contractor and Surety will fully indemnify and hold harmless City from any liability, loss, cost, expense, or damage arising out of or in connection with the work done by the Contractor under the Contract. In the event that City shall bring any suit or other proceeding at law on the Contract or this bond or both, the Contractor and Surety agree to pay to City the actual amounts of attorneys' fees incurred by City in connection with such suit.

Performance Bond

This bond and all obligations created hereunder shall be performable in Tarrant County, Texas.

Notices required or permitted hereunder shall be in writing and shall be deemed delivered when actually received or, if earlier, on the third day following deposit in a United State Postal Service post office or receptacle, with proper postage affixed (certified mail, return receipt requested), addressed to the respective other party at the address prescribed in the Contract, or at such other address as the receiving party may hereafter prescribe by written notice to the sending party.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this _____ day of _____, 2018.

Principal

Surety

By _____

By _____

Title _____

Title _____

Address _____

Address _____

The name and address of the Resident Agent of Surety is:

Performance Bond

PAYMENT BOND

THE STATE OF TEXAS

§

THE COUNTY OF TARRANT

§

§

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, _____, as Contractor, hereinafter called "Principal" and the other subscriber hereto _____, a corporation organized and existing under the laws of the State of _____, licensed to business in the State of Texas and admitted to write bonds, as Surety, herein after called "Surety", do hereby acknowledge ourselves to be held and firmly bound to the City of Colleyville, Texas, a Texas home-rule municipality, in the sum of _____ Dollars (\$_____) for payment whereof, the said Principal and Surety bind themselves, and their heirs, administrators, executors, successors and assigns jointly and severally.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT:

WHEREAS, Principal has entered into a certain Contractor Agreement ("Contract") for the Project 8: Pressure Reducing Valve Improvements Project ("Project") with the City of Colleyville, Texas, dated the _____ day of _____, 2018; said Contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein.

NOW THEREFORE, the condition of this obligation is such, that the Bond guarantees the prompt payment and satisfaction of all bills, invoices and statements, including those for usual extras, together with protection of all claims of claimants supplying labor and material and the prosecution of the work provided for in said contract and for the use of each claimant. Should the Principal faithfully perform said contract and in all respects duly and faithfully observe and perform, all and singular the covenants, conditions, and agreements in and by said contract agreed to by the Principal and according to the true intent and meaning of said contract and the claims and specifications hereto annexed, then this obligation shall be void; otherwise, this obligation shall remain in full force and effect.

This Bond is executed pursuant to the provisions of Section 2253.021 of the Texas Government Code, as amended, for a public work contracts, and Section 53.201 of the Property Code, and all liabilities on this Bond shall be subject to and in accordance with the provisions of said Articles to the same extent as if they were fully copied at length herein.

Surety, for value received, stipulates and agrees that the Bond shall automatically be increased by the amount of any change order or supplemental agreement which increases the contract price with or without notice to the Surety and that no change, extension of time, alteration or addition to the terms of the contract, or to the work performed thereunder, or the plans, specifications, or drawings accompanying the same shall in any way affect its obligation of this Bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition to the terms of the contract or to the work to be performed thereunder.

Signature page to follow

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this _____day of _____, 2018.

Principal

Surety

By _____

By _____

Title_____

Title_____

Address_____

Address_____

The name and address of the Resident Agent of Surety is:

Payment Bond

MAINTENANCE BOND

THE STATE OF TEXAS

§

§

THE COUNTY OF TARRANT

§

KNOW ALL MEN BY THESE PRESENTS:

THAT _____, whose address is _____, as PRINCIPAL, and _____ whose address is _____ a CORPORATION organized and existing under the laws of the State of Texas, and fully authorized to transact business in the State of Texas, as Sureties, do hereby expressly acknowledge ourselves to be held and bound to pay unto City of Colleyville, Texas, hereinafter called CITY, the sum of (\$_____) which is one hundred per cent (100%) of the Contract Price of the Contract defined herein, in lawful money of the United States, for the payment of which sum will and truly to be made unto said City of Colleyville, and its successors, said PRINCIPAL AND SURETIES do hereby bind ourselves, our heirs, executors, administrators, their assigns and successors, jointly and severally, firmly by these presents. This bond shall automatically be increased by the amount of any Change Order or Supplemental Agreement which increases the Contract price, but in no event shall a Change Order or Supplemental Agreement which reduces the Contract Price decrease the sum of this Bond.

WHEREAS, Principal has entered into a certain Contractor Agreement ("Contract") for the Project 8: Pressure Reducing Valve Improvements Project ("Project") with the City of Colleyville, Texas, dated the ____ day of _____, 2018; said Contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein.

WHEREAS, said Contract was entered into pursuant to the requirements of the CITY, and

WHEREAS, in said Contract, CONTRACTOR binds itself to use of materials and methods of construction such that all improvements including but not limited to the completed Project will be initially completed free of perceptible defects and will remain in good repair and condition and free of perceptible defects for and during the period of two (2) years after the date of acceptance of the completed work and/or improvements by the CITY, and

WHEREAS, said CONTRACTOR binds itself to construct said improvements in such a manner and obtain inspection approvals in proper sequence as are required to obtain acceptance by the CITY and to repair or reconstruct the said improvements in whole or in part at any time within said two (2) years period to such an extent as the CITY deems necessary to properly correct all defects except those which have been caused by circumstances and conditions occurring after the time of construction over which the CONTRACTOR had no control and which are other than those arising from defect of construction by the CONTRACTOR; and,

WHEREAS, after the acceptance of the improvements by the CITY, said CONTRACTOR binds itself, upon receiving notice from the CITY of the need thereof to repair or reconstruct said improvements and if the CONTRACTOR fails to make the necessary corrections, within ten (10) days after being notified, the CITY may do or have done all said corrective work and shall have recovery hereon for all expenses thereby incurred.

WHEREAS, under the Contract Documents it is provided that the CONTRACTOR will maintain and keep in good repair the work herein contracted to be done and performed for a period of two (2) years

Maintenance Bond

from the date of acceptance; it being understood that the purpose of this section is to cover all defective conditions arising by reason of defective material, work, or labor performed by said CONTRACTOR; and in case the said CONTRACTOR shall fail to do so, within ten (10) days after being notified, it is agreed that the CITY may do said work and supply such materials, and charge to same against the said CONTRACTOR, AND SURETIES, on this obligation, and said CONTRACTOR AND SURETIES hereon shall be subject to the liquidated damages mentioned in said contract.

NOW THEREFORE, if the said CONTRACTOR, shall keep and perform its said agreement to maintain said work and keep the same in repair for the said maintenance period of two (2) years, as provided, then these presents shall be null and void, and have no further effect, but if default shall be made by the said CONTRACTOR in the performance of his contract to so maintain and repair said work, then these presents shall have full force and effect, and said CITY shall have and recover from said CONTRACTOR and SURETIES damages in the premises, as provided, and it is further agreed that this obligation shall be a continuing one against the PRINCIPAL and SURETIES hereon, and that successive recoveries may be had thereon for successive breaches until the full amount shall have been exhausted; and it is further understood that the obligation herein to maintain said work shall continue throughout said maintenance period, and the same shall not be changed, diminished, or in any manner - affected from any cause during said time.

PROVIDED FURTHER, that if any legal action be filed upon this Bond, exclusive venue shall lie in Tarrant County, State of Texas.

AND PROVIDED FURTHER, that the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the term of the Contract or to the work to be performed thereunder or the specifications accompanying the same shall in anyway affect its obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the work or to the Specifications.

This Bond complies with the provisions of Chapter 2253 of the Texas Government Code, and any other applicable statutes of the State of Texas.

The undersigned and designated agent is hereby designated by the Surety herein as the Resident agent in City of Colleyville to whom any requisite notices may be delivered and on whom service of process may be had in matters arising out of such suretyship, as provided by Article 7.19-1 of the Insurance Code, Vernon's Annotated Civil Statutes of the State of TEXAS.

Signature page to follow

IN WITNESS WHEREOF, the said _____ has caused these presents to be executed by _____ them;
and the said _____ has caused these presents to be executed by its ATTORNEY-IN-FACT and the
said ATTORNEY-IN-FACT has hereunto set his hand this the _____ day of _____, 2018.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this
_____ day of _____, 2018.

Principal

Surety

By _____

By _____

Title _____

Title _____

Address _____

Address _____

The name and address of the Resident Agent of Surety is:

4c. Water Project 8: Pressure Reducing Valve Improvements



- Approval of a construction contract with Rey-Mar Construction for Water Project No. 8: Pressure Reducing Valve Improvements, in an amount not to exceed \$189,050, and authorizing the city manager to execute the contract
- The project consists of the installation of a water pressure reducing valve (PRV) near the intersection of John McCain Road and Bandit Trail
- The PRV will help to regulate the water pressure between the high and low pressure planes and will be connected to the SCADA system



3010 Gaylord Parkway
Suite 190
Frisco, TX 75034
TEL 972.377.7480
FAX 972.377.8380
www.GarverUSA.com

December 10, 2018

City of Colleyville
Public Works Department – Engineering Office
100 Main Street
Colleyville, Texas 76034

Re: Recommendation of Award
Water Project No. 8 Pressure Relief Valve Improvements

Dear City of Colleyville:

Bids were received for the City of Colleyville Water Project No. 8 – Pressure Relief Valve Improvements on December 4th, 2018. The bids have been checked for accuracy and for compliance with the contract documents. A tabulation of the bids received was provided to the City on December 5th, 2018.

A total of 2 bids were received for the project. Fort Worth Civil Constructors submitted a bid for the project in the amount of **\$218,995.00**, and Rey-Mar Construction submitted a bid for the project in the amount of **\$189,050.00**.

We believe the bid submitted by Rey-Mar Construction represents a responsive and responsible bid. We recommend the construction contract for Water Project No. 8 be awarded to Rey-Mar Construction.

Please call me if you have any questions.

Sincerely,

GARVER, LLC

Lance Klement, P.E.
Project Engineer

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

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

12/4/2018

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

Rey-Mar Construction

NA

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.

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?

☐

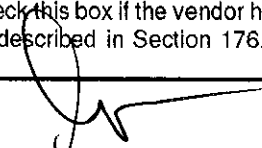
Yes

☐

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

12-4-2018

Date

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.**

Rey-Mar Construction
Fort Worth, TX United States

Certificate Number:
2018-431580

Date Filed:
12/06/2018

Date Acknowledged:
12/10/2018

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.

Pressure Relief Valve Improve
New Pressure Relief Valve Assembly

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 UNSWORN DECLARATION**

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

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

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2018-431580

Date Filed:
12/06/2018

Date Acknowledged:

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

Rey-Mar Construction
Fort Worth, 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.

Pressure Relief Valve Improve
New Pressure Relief Valve Assembly

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.



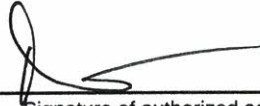
6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

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

Executed in TARRANT County, State of TEXAS, on the 6th day of Dec., 2018.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)

RESOLUTION R-18-4305
A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT
ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
SEPTEMBER 18, 2018

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 September 4, 2018
 - b. Approval of the minutes of the City Council Worksession of September 6, 2018
 - c. Approval of the minutes of the City Council Worksession of August 28, 2018
 - d. Approval of authorized broker/dealers for investment purchases
 - e. Approval of an Interlocal Agreement and funding for the Metroport Teen Court Program
 - f. Approval to use the Voluntary Library Fund in Fiscal Year 2019, for the purchase of library materials, collection processing supplies, and library programs, in an amount not to exceed \$167,000
 - g. Adoption of the Fiscal Year 2019 to 2023 Capital Improvement Program (CIP)
 - h. Approval of the Grounds Maintenance Mowing Contract with Whitmore and Sons, Inc., in an amount not to exceed \$214,784.73, and authorize the city manager to execute same, and any associated change orders, in an amount not to exceed 25 percent of the contract price

- i. Approval of a Local Project Advance Funding Agreement for the Highway Safety Improvement Program (HSIP) for the reconstruction of Cheek-Sparger Road (San Bar Lane to Oak Briar Lane), and authorizing 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 18TH DAY OF SEPTEMBER 2018.

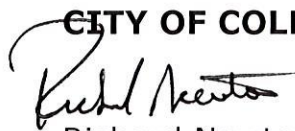
Mayor Richard Newton	<u>Aye</u>	Mayor Pro Tem Bobby Lindamood	<u>Aye</u>
Place 1, Tammy Nakamura	<u>Aye</u>	Place 3, Kathy Wheat	<u>Aye</u>
Place 4, George Dodson	<u>Aye</u>	Place 5, Chuck Kelley	<u>Aye</u>
Place 6, Callie Rigney	<u>Aye</u>		

ATTEST:



Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor

Project Year	Title	Total Project Cost	Capital Projects Fund	CEDC Fund	County Funding	Crime Control District	Drainage Fund	FHA/TxDOT	Area II Impact Fees (West of 26)	TIF	Utility Capital Fund	Wastewater Impact Fees	Water Impact Fees
2018	Library Renovations	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Kimzey Park Pond Dredging	\$388,520.00	\$0.00	\$388,520.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Webb House Repairs	\$10,000.00	\$0.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	WW Project 3 (Manning)	\$412,242.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$412,242.00	\$0.00	\$0.00
	Street Maintenance Program - Stafford, Manning, etc.	\$335,000.00	\$335,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Glade Rd (Phase 2 Manning to Pool) ROW Acquisition	\$110,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$110,000.00	\$0.00	\$0.00	\$0.00
	Glade Rd (Phase 2-SH26 to Pool) Design	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$0.00	\$0.00	\$0.00
	L. D. Lockett Rehabilitation (Precinct Line Road to Pleasant Run) - resurfacing	\$430,000.00	\$430,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	John McCain Rehabilitation (Pleasant Run to Maranatha Court) - resurfacing	\$508,147.02	\$508,147.02	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road and Westcoat Drive Roundabout - DESIGN	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$2,543,909.02	\$1,273,147.02	\$698,520.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	\$120,000.00	\$412,242.00	\$0.00	\$0.00
	Estimated 9/30/18 Available Balances		\$7,957,458.98	\$0.00		\$0.00	\$0.00		\$2,011,832.00	\$21,460,372.00	\$5,083,588.00	\$928,492.00	\$3,114,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY19 Budgeted Contribution		\$1,500,000.00	\$860,516.00		\$0.00	\$500,000.00		\$0.00	\$5,400,000.00	\$200,000.00	\$60,000.00	\$192,000.00
Estimated 10/1/18 Available Balances			\$9,957,458.98	\$860,516.00	N/A	\$0.00	\$500,000.00	N/A	\$2,011,832.00	\$26,860,372.00	\$5,783,588.00	\$988,492.00	\$3,306,746.00
2019	Bransford Rehabilitation (Glade to Westcoat)	\$416,000.00	\$249,600.00	\$0.00	\$166,400.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Bransford Water Tank Rehabilitation - Design	\$80,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$80,000.00	\$0.00	\$0.00
	Central Fire Station Repairs	\$147,322.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$147,322.00	\$0.00	\$0.00	\$0.00
	Cheek-Sparger Road (San Bar to Brown Trail) - Design	\$320,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$320,000.00	\$0.00	\$0.00	\$0.00
	Cheek-Sparger Road (San Bar to Brown Trail) - Construction	\$2,085,395.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,660,395.00	\$0.00	\$425,000.00	\$0.00	\$0.00	\$0.00
	Cheek-Sparger Road Rehabilitation (Bedford to Heritage)	\$324,000.00	\$194,400.00	\$0.00	\$129,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	City Hall - Backup Generator	\$181,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$181,000.00	\$0.00	\$0.00	\$0.00
	City Hall/Library - HVAC Replacement	\$327,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$327,600.00	\$0.00	\$0.00	\$0.00
	Fire Station 2 Repairs	\$67,300.00	\$67,300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Frontier Court Rehabilitation	\$600,000.00	\$600,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Glade Rd (Phase 2-SH26 to Pool) Design (Multi-year project)	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150,000.00	\$0.00	\$0.00	\$0.00
	Glade Rd (Phase 2 Manning to Pool) ROW Acquisition (Multi-year project)	\$170,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$170,000.00	\$0.00	\$0.00	\$0.00
	Install Backup Generator for Emergency Power at L.D. Lockett Pump Station	\$140,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$140,000.00	\$0.00	\$0.00
	L.D. Lockett Road Right Turn Ln - Design	\$25,000.00	\$25,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Library Renovations	\$315,516.00	\$0.00	\$315,516.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road Rehabilitation	\$247,500.00	\$148,500.00	\$0.00	\$99,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road Right Turn Ln - Design	\$25,000.00	\$25,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road and Westcoat Drive Roundabout - DESIGN (Multi-year project)	\$60,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$60,000.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road Westcoat Drive Roundabout - ROW Acquisition	\$250,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250,000.00	\$0.00	\$0.00	\$0.00
	Plaza at City Hall	\$1,750,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,750,000.00	\$0.00	\$0.00	\$0.00
	Pleasant Run Waterline (John McCain North to Bear Creek) - Design	\$105,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$105,000.00	\$0.00	\$0.00
	Replacement of Palladium Windows & Patio	\$280,000.00	\$0.00	\$280,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Roberts Road (Glade to Grapevine City Limits) - DESIGN	\$354,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$354,000.00	\$0.00	\$0.00	\$0.00
	Roberts Road (Glade to Grapevine City Limits) - ROW Acquisition	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00	\$0.00
	SH-26 Lighting	\$3,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,000,000.00	\$0.00	\$0.00	\$0.00
	SH26 Medians & ROW	\$4,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,000,000.00	\$0.00	\$0.00	\$0.00
	Stormwater Master Plan	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$685,614.00	\$617,214.00	\$0.00	\$68,400.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Water Project 7: Demolish Overland Trail Pump Station	\$130,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$130,000.00	\$0.00	\$0.00
	Water Project 8: Install Pressure Relief and Flow Control Valves	\$348,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$348,000.00	\$0.00	\$0.00
	Water Project 10: Apple Valley Subdivision/Rustic Oaks Subdivisions/ Bills Lane Water Lines - DESI	\$70,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$70,000.00	\$0.00	\$0.00
	Webb House Repairs	\$265,000.00	\$0.00	\$265,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$17,919,247.00	\$1,927,014.00	\$860,516.00	\$463,400.00	\$0.00	\$500,000.00	\$1,660,395.00	\$60,000.00	\$11,574,922.00	\$873,000.00	\$0.00	\$0.00
	Estimated 9/30/19 Available Balances		\$8,030,444.98	\$0.00		\$0.00	\$0.00		\$1,951,832.00	\$15,285,450.00	\$4,910,588.00	\$988,492.00	\$3,306,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY20 Budgeted Contribution		\$1,500,000.00	\$0.00		\$167,200.00	\$425,000.00		\$0.00	\$5,400,000.00	\$250,000.00	\$60,000.00	\$192,000.00
Estimated 10/1/19 Available Balances			\$10,030,444.98	\$0.00	N/A	\$167,200.00	\$425,000.00	N/A	\$1,951,832.00	\$20,685,450.00	\$5,660,588.00	\$1,048,492.00	\$3,498,746.00

Project Year	Title	Total Project Cost	Capital Projects Fund	CEDC Fund	County Funding	Crime Control District	Drainage Fund	FHA/TxDOT	Area II Impact Fees (West of 26)	TIF	Utility Capital Fund	Wastewater Impact Fees	Water Impact Fees
2020	Bransford Water Tank Rehabilitation - Construction	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	County Project (TBD) - Construction	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Flood Gates Upgrade	\$425,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$425,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Glade Road (Phase 1 - SH26 to Manning) - Construction	\$2,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$0.00	\$0.00
	Glade Road (Phase 2 - Manning to Pool) - Construction	\$2,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$0.00	\$0.00
	John McCain Road and Westcoat Drive Roundabout - Design	\$175,000.00	\$175,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Justice Center - Metal Roof Coating	\$167,200.00	\$0.00	\$0.00	\$0.00	\$167,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	L.D. Lockett Road Right Turn Ln - Construction	\$150,000.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road Right Turn Ln - Construction	\$150,000.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	McDonwell School Road and Westcoat Drive Roundabout - Construction	\$1,400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,400,000.00	\$0.00	\$0.00	\$0.00	\$0.00
	Pleasant Run Waterline (John McCain North to Bear Creek) - Construction	\$900,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$900,000.00	\$0.00	\$0.00
	Roberts Road - Construction	\$2,100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,100,000.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Supervisory Control and Data Acquisition (SCADA) Replacement	\$350,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$350,000.00	\$0.00	\$0.00
	Water Project 10: Apple Valley/Rustic Oaks/Bills Lane Water Lines and Road Rehabilitation on Blauvelt	\$935,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$935,000.00	\$0.00	\$0.00
	Water Project 5: Upsize and Replace Water Lines in Brighton Oaks Subdivision and Rehabilitate Streets	\$145,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$145,000.00	\$0.00	\$0.00
	Water Project 11: Tinker Road Water Lines - Design	\$123,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$123,000.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$12,820,200.00	\$1,375,000.00	\$0.00	\$400,000.00	\$167,200.00	\$425,000.00	\$0.00	\$1,400,000.00	\$6,100,000.00	\$2,953,000.00	\$0.00	\$0.00
	Estimated 9/30/20 Available Balances		\$8,655,444.98	\$0.00		\$0.00	\$0.00		\$551,832.00	\$14,585,450.00	\$2,707,588.00	\$1,048,492.00	\$3,498,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY21 Budgeted Contribution		\$1,500,000.00	\$0.00		\$325,052.00	\$1,200,000.00		\$0.00	\$5,400,000.00	\$400,000.00	\$60,000.00	\$192,000.00
	Estimated 10/1/20 Available Balances		\$10,655,444.98	\$0.00	N/A	\$325,052.00	\$1,200,000.00	N/A	\$551,832.00	\$19,985,450.00	\$3,607,588.00	\$1,108,492.00	\$3,690,746.00
2021	City Hall - Flooring Rehab	\$87,808.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$87,808.00	\$0.00	\$0.00	\$0.00
	County Project (TBD) - Construction	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Glade Road (Phase 2 - Manning to Pool) - Construction	\$2,000,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$0.00	\$0.00
	John McCain Road and Westcoat Drive Roundabout - Construction	\$1,400,000.00	\$1,400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Justice Center - Carpet and VCT Tile	\$88,052.00	\$0.00	\$0.00	\$0.00	\$88,052.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Justice Center - HVAC Replacement	\$237,000.00	\$0.00	\$0.00	\$0.00	\$237,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Pleasant Run Road Bridge at Big Bear (White Chapel Bridge) - Construction	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Streetlighting for Pedestrian Crosswalks - Construction	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Water Project 11: (Partial) Tinker Road Water Lines - Construction	\$1,110,000.00	\$450,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$660,000.00	\$0.00	\$0.00
	Water Project 12: (Partial) Woodbriar Estate Water Lines Replacement - Design	\$70,020.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$70,020.00	\$0.00	\$0.00
	Water Project 5: Upsize and Replace Water Lines in Brighton Oaks Subdivision and Rehabilitate Streets	\$2,550,000.00	\$650,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,900,000.00
	Water Project 6: Upsize and Replace Water Lines in Woodbriar Estates and Quail Crest Subdivision	\$145,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$145,000.00	\$0.00	\$0.00
	WW Project 1: Replace Sewer Lines in Woodbriar Estates and Quail Crest Subdivisions - Design	\$361,700.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$361,700.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$10,599,580.00	\$3,450,000.00	\$0.00	\$400,000.00	\$325,052.00	\$1,200,000.00	\$0.00	\$0.00	\$2,087,808.00	\$1,236,720.00	\$0.00	\$1,900,000.00
	Estimated 9/30/21 Available Balances		\$7,205,444.98	\$0.00		\$0.00	\$0.00		\$551,832.00	\$17,897,642.00	\$2,370,868.00	\$1,108,492.00	\$1,790,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY22 Budgeted Contribution		\$1,500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$5,400,000.00	\$500,000.00	\$60,000.00	\$192,000.00
	Estimated 10/1/21 Available Balances		\$9,205,444.98	\$0.00	N/A	\$0.00	\$0.00	N/A	\$551,832.00	\$23,297,642.00	\$3,370,868.00	\$1,168,492.00	\$1,982,746.00
2022	County Project (TBD) - Construction	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Library - Flooring Rehab	\$95,210.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,210.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Water Projec 12: Partial Woodbriar Estate Water Lines Replacement - Construction	\$433,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$433,000.00	\$0.00	\$0.00
	Water Project 3: New Elevated Water Storage Tank and Associated Distribution Lines - Design	\$545,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$545,000.00
	Water Project 6: Upsize and Replace Water Lines in Woodbriar Estates and Quail Crest Subdivision	\$745,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$745,000.00	\$0.00	\$0.00
	WW Project 1: Replace Sewer Lines in Woodbriar Estates and Quail Crest Subdivisions - Constructi	\$1,900,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,900,000.00	\$0.00	\$0.00
	WW Project 5: Quails Path and Chestnut Bend Sewer Line Replacement - Design	\$91,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$91,000.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$5,109,210.00	\$900,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,210.00	\$3,169,000.00	\$0.00	\$545,000.00
	Estimated 9/30/22 Available Balances		\$8,305,444.98	\$0.00		\$0.00	\$0.00		\$551,832.00	\$23,202,432.00	\$201,868.00	\$1,168,492.00	\$1,437,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY23 Budgeted Contribution		\$1,500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$5,400,000.00	\$600,000.00	\$60,000.00	\$192,000.00
	Estimated 10/1/22 Available Balances		\$10,305,444.98	\$0.00	N/A	\$0.00	\$0.00	N/A	\$551,832.00	\$28,602,432.00	\$1,301,868.00	\$1,228,492.00	\$1,629,746.00

Project Year	Title	Total Project Cost	Capital Projects Fund	CEDC Fund	County Funding	Crime Control District	Drainage Fund	FHA/TxDOT	Area II Impact Fees (West of 26)	TIF	Utility Capital Fund	Wastewater Impact Fees	Water Impact Fees
2023	City Hall - Boiler Replacement	\$99,600.00	\$99,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	County Project (TBD) - Construction	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Street Maintenance Program	\$500,000.00	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Water Project 3: New Elevated Water Storage Tank and Associated Distribution Lines - Constructic	\$4,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,500,000.00	\$0.00	\$0.00	\$0.00
	Woodbriar, Quail Crest Estates Rehabilitation (Companion Project to Water Projects #6 and 12/Po	\$2,768,000.00	\$2,768,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	WW Project 5: Quails Path and Chestnut Bend Sewer Line Replacement and Road Rehabilitation -	\$829,000.00	\$110,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$719,000.00	\$0.00	\$0.00
	Sum Of Total Project Cost:	\$9,496,600.00	\$3,877,600.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,500,000.00	\$719,000.00	\$0.00	\$0.00
	Estimated 9/30/23 Available Balances		\$6,427,844.98	\$0.00		\$0.00	\$0.00		\$551,832.00	\$24,102,432.00	\$582,868.00	\$1,228,492.00	\$1,629,746.00
	(+) Year-end surplus contributions		\$500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$0.00	\$500,000.00	\$0.00	\$0.00
	(+) FY24 Budgeted Contribution		\$1,500,000.00	\$0.00		\$0.00	\$0.00		\$0.00	\$5,400,000.00	\$700,000.00	\$60,000.00	\$192,000.00
	Estimated 10/1/23 Available Balances		\$8,427,844.98	\$0.00	N/A	\$0.00	\$0.00	N/A	\$551,832.00	\$29,502,432.00	\$1,782,868.00	\$1,288,492.00	\$1,821,746.00



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a

Agenda Date 12/18/2018

Number

Type Report

Department Finance

Title

Monthly Financial Report - November 30, 2018

Explanation

General Fund

As of November 30, 2018, the General fund earned \$1,617,282 in revenues and incurred \$3,390,419 in expenditures.

The budgeted Ad Valorem tax revenue is \$14,322,575. Historically, about 50% of the budgeted Ad Valorem tax revenue is collected in January and 96% by February. In accordance with Generally Accepted Accounting Standards, revenues should be recorded in the year in which they were earned. In November, the city received \$372,175.52 in Sales tax revenue earned in September 2018. We ended fiscal year 2018 at \$3.9M in General Fund sales tax collections, which is 4% over the prior year and \$200K over the \$3.7M budget.

Utility Fund

As of November 30, 2018, the utility fund earned \$2,080,875 in revenues and incurred \$1,322,655 in expenditures. The base rate is revenue is in line with budget. The water volumetric rate revenue is significantly down compared to the same month last year due to the excessive rain fall we experienced.

	FY19 Budget	YTD Revenues
Water - Base Rate	\$1,692,467	\$ 295,525
Water - Volumetric Rate	9,794,756	949,664
Wastewater - Base Rate	1,281,578	208,551
Wastewater - Volumetric Rate	3,299,803	539,176

Debt Service Fund

As of November 30, 2018, the Debt service fund paid the annual fire engines' lease payments. The Ambulance lease payment is due in June. Debt payments usually

occur in August and February. Most of the Ad Valorem taxes collections takes place between December and February.

Drainage Fees Fund

As of November 30, 2018, the Drainage fees fund spent \$75,910 out of its \$771,136 expense budget and earned \$175,044 in revenues which is 18% of the budgeted revenue of \$972,448.

City of Colleyville
General Fund Monthly Financial Report
As of 11/30/2018 - End of 16.67% of the Fiscal Year

GENERAL FUND		ACTIVITY	
	FY 2019	FY 2019 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		11/30/2018	USED
Revenues	24,110,961	1,617,282	6.71%
Expenditures	24,044,488	3,390,419	14.10%
Revenues over expenditures	\$66,473	(\$1,773,136)	

GENERAL FUND	FY 2019	RECEIVED	PERCENT	AVERAGE ACTUAL	RECEIVED	PERCENT
REVENUE SOURCE	BUDGET	FY 2019 YTD	OF BUDGET	YTD BALANCE	FY 2018 YTD	CHANGE OVER
		AS OF	RECEIVED	AS A PERCENT OF	AS OF	PRIOR YEAR
		11/30/2018		YEAR END BAL	11/30/2017	
Current Taxes	14,242,575	1,004,708	7.05%	5.13%	1,062,591	-5.45%
Delinquent Taxes	25,000	16,900	67.60%	21.86%	16,918	-0.10%
Penalty & Interest	55,000	3,467	6.30%	4.09%	2,715	27.69%
TOTAL AD VALOREM TAXES	14,322,575	1,025,075	7.16%	5.18%	1,082,224	-5.28%
Oncor Electric	890,000	-	0.00%	0.00%	-	0.00%
Tri-County Electric	105,000	-	0.00%	0.00%	-	0.00%
Atmos Gas	350,000	-	0.00%	0.00%	-	0.00%
AT&T	60,000	12,725	21.21%	25.77%	14,647	-13.12%
Verizon/Others	65,000	17,954	27.62%	24.13%	18,629	-3.62%
Refuse/Recycling	160,000	16,388	10.24%	9.99%	15,639	4.79%
Cable TV	475,000	108,358	22.81%	24.78%	114,755	-5.58%
TOTAL FRANCHISE TAXES	2,105,000	155,424	7.38%	0.05%	163,670	-5.04%
Sales Tax	3,903,292	-	0.00%	0.00%	-	0.00%
Mixed Beverage Tax	105,000	-	0.00%	0.00%	-	0.00%
TOTAL SALES TAXES	4,008,292	-	0.00%	0.00%	-	0.00%
Building	625,000	110,955	17.75%	17.25%	168,454	-34.13%
Plumbing	57,600	9,819	17.05%	18.91%	12,713	-22.76%
Mechanical	48,000	6,118	12.75%	16.37%	8,883	-31.13%
Electrical Permits	57,600	10,025	17.40%	17.18%	14,597	-31.32%
City License	46,000	8,200	17.83%	11.43%	6,400	28.13%
Building Plan Review Fee	88,000	25,007	28.42%	16.96%	18,842	32.72%
New Business	7,200	1,100	15.28%	15.81%	1,300	-15.38%
Sign Permit	8,000	675	8.44%	17.19%	650	3.85%
Fence Permit	15,000	2,550	17.00%	16.25%	1,875	36.00%
Fire Permits	8,000	2,360	29.50%	16.17%	1,710	38.01%
Irrigation Permit	15,000	1,650	11.00%	16.67%	2,490	-33.73%
TOTAL LICENSES & PERMITS	975,400	178,459	18.30%	17.01%	237,915	-24.99%

GENERAL FUND - CONTINUED		RECEIVED		AVERAGE ACTUAL	RECEIVED	
REVENUE SOURCE	FY 2019 BUDGET	FY 2019 YTD AS OF 11/30/2018	PERCENT OF BUDGET RECEIVED	YTD BALANCE AS A PERCENT OF YEAR END BAL	FY 2018 YTD AS OF 11/30/2017	PERCENT CHANGE OVER PRIOR YEAR
Court Fines	750,000	84,279	11.24%	16.08%	\$105,199	-19.89%
Alarm Fees	55,000	4,358	7.92%	5.89%	3,755	16.07%
Library Fines	17,604	2,172	12.34%	13.95%	3,065	-29.14%
TOTAL FINES	822,604	90,810	11.04%	15.31%	112,019	-18.93%
Plat Fee/Site Plan/Landscaping Plan Fee	10,500	250	2.38%	21.54%	2,500	-90.00%
Re-zoning	11,000	1,507	13.70%	7.07%	770	95.71%
Board of Adjustment	2,000	175	8.75%	13.85%	525	-66.67%
Sale of Material	100	-	0.00%	1.14%	-	0.00%
Weed Mowing	6,000	510	8.50%	22.19%	-	510.00%
Ambulance	345,000	51,654	14.97%	13.72%	61,441	-15.93%
Recreation Program	195,000	17,100	8.77%	10.25%	37,134	-53.95%
Credit Card Fee Revenue	16,000	2,598	16.23%	0.00%	2,219	17.06%
Transfers from Other Funds	-	-	0.00%	0.00%	-	0.00%
Engineering & Inspection	15,000	-	0.00%	6.30%	-	0.00%
Material Testing	8,000	-	0.00%	12.44%	785	-100.00%
Lot Drainage Insp Fee	17,000	2,875	16.91%	19.94%	4,875	-41.03%
Field Use Charge	21,500	2,695	12.53%	47.12%	9,970	-72.97%
Colleyville Center Rental	230,000	26,474	11.51%	15.93%	32,161	-17.68%
Non-Resident Fee Parks	40,000	5,260	13.15%	47.43%	19,520	-73.05%
Transfer from Utility Fund	226,117	-	0.00%	0.00%	-	0.00%
Transfer from TIF	159,390	-	0.00%	0.00%	-	0.00%
TOTAL CHARGES FOR SERVICE	1,302,607	111,098	8.53%	11.79%	171,900	-35.37%
Keller Court	260,538	-	0.00%	0.00%	-	0.00%
SRO Officer Reimb	103,945	-	0.00%	0.00%	-	0.00%
TOTAL INTERGOVERNMENTAL	364,483	-	0.00%	0.00%	-	0.00%
Sale of Surplus Property	5,000	14,116	282.32%	50.08%	36,523	-61.35%
Interest Income	55,000	28,651	52.09%	4.22%	12,111	136.58%
Miscellaneous	60,000	5,603	9.34%	17.93%	35,186	-84.08%
Antenna Lease	90,000	8,046	8.94%	10.93%	12,341	-34.80%
TOTAL MISCELLANEOUS	210,000	56,416	26.86%	9.56%	96,161	-41.33%
TOTAL GENERAL FUND REVENUES	24,110,961	1,617,282	6.71%	7.73%	1,863,888	-13.23%

	FY 2019 BUDGET	THROUGH 11/30/2018	THROUGH 11/30/2017	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
RESIDENTIAL BLDG PERMITS	115	20	38	(18)	-47.37%
COMMERCIAL BLDG PERMITS	7	2	0	2	200%

GENERAL FUND EXPENDITURES		EXPENDED	PERCENT	PERCENT OF	BUDGET	EXPENDED
	FY 2019 BUDGET	THROUGH 11/30/2018	OF BUDGET EXPENDED	FISCAL YEAR COMPLETE	REMAINING	FY 2018 YTD AS OF 11/30/2017
Personnel services	15,336,809	2,272,186	14.82%	16.67%	13,064,623	2,098,233
Contractual Services	5,379,345	920,687	17.12%	16.67%	4,458,658	771,804
Supplies	1,299,628	197,546	15.20%	16.67%	1,102,082	61,209
Capital Outlay	14,000	-	0.00%	16.67%	14,000	-
Transfer to other fund	2,014,706	-	0.00%	16.67%	2,014,706	-
TOTAL EXPENDITURES	24,044,488	3,390,419	14.10%	16.67%	20,654,069	² 2,931,245

City of Colleyville
Utility Fund Monthly Financial Report
As of 11/30/2018 - End of 16.67% of the Fiscal Year

UTILITY FUND		ACTIVITY	
	FY 2019	FY 2017 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		11/30/2018	USED
Revenues	16,405,604	2,080,875	12.68%
Expenditures	16,405,604	1,322,655	8.06%
Revenues over expenditures	-	758,220	

UTILITY FUND		RECEIVED	PERCENT	AVERAGE ACTUAL	RECEIVED	EXPENDED
	FY 2019	AS OF	OF BUDGET	YTD BALANCE	AS OF	CHANGE OVER
REVENUE SOURCE	BUDGET	11/30/2018	RECEIVED	AS A PERCENT OF	11/30/2017	PRIOR YEAR
				YEAR END BAL		
Water - Base Rate	1,692,467	295,525	17.46%	16.67%	298,200	-0.90%
Sewer - Base Rate	1,281,578	208,551	16.27%	16.67%	214,500	-2.77%
Water - Volumetric Rate	9,794,756	949,664	9.70%	19.00%	1,762,479	-46.12%
Sewer - Volumetric Rate	3,299,803	539,176	16.34%	15.70%	431,832	24.86%
Water - TRA True-up	-	-	0.00%	0.00%	-	0.00%
Sewer - TRA True-up	-	-	0.00%	0.00%	-	0.00%
Sewer Installation	15,000	2,200	14.67%	20.33%	3,800	-42.11%
Water Installation	42,000	8,290	19.74%	19.63%	9,020	-8.09%
Engineering & Development Charges	5,000	-	0.00%	9.43%	3,926	-100.00%
Penalties	200,000	34,654	17.33%	23.97%	46,916	-26.14%
Sale of Material	-	932	0.00%	31.99%	-	0.00%
Miscellaneous	15,000	2,890	19.26%	18.07%	5,070	-43.00%
TOTAL OPERATING INCOME	16,345,604	2,041,883	12.49%	19.36%	2,775,743	-26.44%
Sale of Surplus Property	-	-	0.00%	0.00%	8,418	-100.00%
Interest Income	60,000	38,992	64.99%	4.22%	7,022	455.28%
TOTAL NON-OPERATING INCOME	60,000	38,992	64.99%	25.73%	15,440	152.54%
TOTAL INCOME	16,405,604	2,080,875	12.68%	19.07%	2,791,183	-25.45%

	THROUGH	THROUGH	TOTAL	PERCENT
	11/30/2018	11/30/2017	INCREASE	INCREASE
			(DECREASE)	(DECREASE)
GALLONS OF WATER SOLD	379,059,600	430,751,800	(51,692,200)	-12.00%
NUMBER OF WATER CUSTOMERS	10,364	10,021	343	3.42%

UTILITY FUND EXPENSES		EXPENDED	PERCENT	PERCENT OF	BUDGET	EXPENDED
	FY 2019	THROUGH	OF BUDGET	FISCAL YEAR	REMAINING	FY 2018 YTD
	BUDGET	11/30/2018	EXPENDED	COMPLETE		AS OF
						11/30/2017
Personnel Services	2,041,194	267,094	13.09%	16.67%	1,774,100	260,204
Contractual services *	13,667,521	1,030,842	7.54%	16.67%	12,636,679	1,759,632
Supplies	245,386	23,315	9.50%	16.67%	222,071	12,645
Debt Service	-	-	0.00%	16.67%	-	1,525
Capital Outlay	100,000	1,404	1.40%	16.67%	98,596	897
Transfers to other funds	351,503	-	0.00%	16.67%	351,503	-
TOTAL EXPENSES	16,405,604	1,322,655	8.06%	16.67%	15,082,949	2,034,903

City of Colleyville
Debt Service Fund Monthly Financial Report
As of 11/30/2018 - End of 16.67% of the Fiscal Year

DEBT SERVICE FUND		ACTIVITY	
	FY 2019	FY 2017 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		11/30/2018	USED
Revenues	1,859,940	57,624	3.10%
Expenditures	1,859,940	164,886	8.87%
Revenues over expenditures	-	(107,262)	

DEBT SERVICE FUND		RECEIVED	PERCENT	AVERAGE ACTUAL	RECEIVED	PERCENT
	FY 2019	FY 2019 YTD	OF BUDGET	YTD BALANCE	FY 2018 YTD	CHANGE OVER
REVENUE SOURCE	BUDGET	AS OF	RECEIVED	AS A PERCENT OF	AS OF	PRIOR YEAR
		11/30/2018		YEAR END BAL	11/30/2017	
Current taxes	682,115	56,347	8.26%	5.13%	59,969	-6.04%
Delinquent taxes	5,000	950	19.01%	18.00%	936	1.57%
Penalty & interest	5,000	199	3.99%	4.33%	156	27.58%
Interest Income	5,000	127	2.54%	11.45%	75	69.58%
TOTAL AD VALOREM TAX & INTEREST	697,115	57,624	8.27%	5.16%	61,136	-5.74%
Transfer from CCPD	509,100	-	0.00%	0.00%	-	0.00%
Transfer from TIF	653,725	-	0.00%	0.00%	-	0.00%
TOTAL TRANSFERS	1,162,825	-	0.00%	0.00%	-	0.00%
Use of Fund Balance	-	-	0.00%	0.00%	-	0.00%
Bond proceeds & Premium	-	-	0.00%	0.00%	-	0.00%
TOTAL REVENUE & USE OF FUND BAL	1,859,940	57,624	3.10%	4.04%	61,136	-5.74%

DEBT SERVICE FUND		EXPENDED	PERCENT	PERCENT OF	BUDGET	EXPENDED
	FY 2019	THROUGH	OF BUDGET	FISCAL YEAR	REMAINING	FY 2017 YTD
	BUDGET	11/30/2018	EXPENDED	COMPLETE		AS OF
						11/30/2017
Bond & Interest Payments	1,644,628	-	0.00%	16.67%	1,644,628	-
Leases (Fire Engine & Ambulance)	215,312	164,886	76.58%	16.67%	50,426	165,324
TOTAL EXPENSES	1,859,940	164,886	8.87%	16.67%	1,695,054	165,324

City of Colleyville
Drainage Fee Fund Monthly Financial Report
As of 11/30/2018 - End of 16.67% of the Fiscal Year

DRAINAGE FEE FUND		ACTIVITY	
	FY 2018	FY 2018 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		11/30/2018	USED
Revenues	972,448	175,044	18.00%
Expenditures	771,136	75,910	9.84%
Revenues over expenditures	201,312	99,133	

DRAINAGE FEE FUND		RECEIVED		AVERAGE ACTUAL	RECEIVED	
	FY 2019	FY 2019 YTD	PERCENT	YTD BALANCE	FY 2018 YTD	PERCENT
REVENUE SOURCE	BUDGET	AS OF	OF BUDGET	AS A PERCENT OF	AS OF	CHANGE OVER
		11/30/2018	RECEIVED	YEAR END BAL	11/30/2017	PRIOR YEAR
Drainage Revenues	956,760	165,698	17.32%	16.54%	162,854	1.75%
Other revenues (Interest, penalty,...)	15,688	9,346	59.57%	6.11%	3,908	139.15%
TOTAL REVENUES	972,448	175,044	18.00%	16.24%	166,762	4.97%

DRAINAGE FEE FUND		EXPENDED	PERCENT	PERCENT OF		EXPENDED
	FY 2019	THROUGH	OF BUDGET	FISCAL YEAR	BUDGET	FY 2017 YTD
	BUDGET	11/30/2018	EXPENDED	COMPLETE	REMAINING	AS OF
						11/30/2017
Personnel Services	462,669	63,501	13.72%	16.67%	399,168	59,673
Contractual Services	134,840	5,417	4.02%	16.67%	129,423	10,542
Supplies	47,957	4,353	9.08%	16.67%	43,604	4,403
Debt Service	125,670	2,639	2.10%	16.67%	123,031	2,747
TOTAL EXPENSES	771,136	75,910	9.84%	16.67%	695,226	77,366



Agenda Item - Items not for council action

Monthly Financial Report November 2018

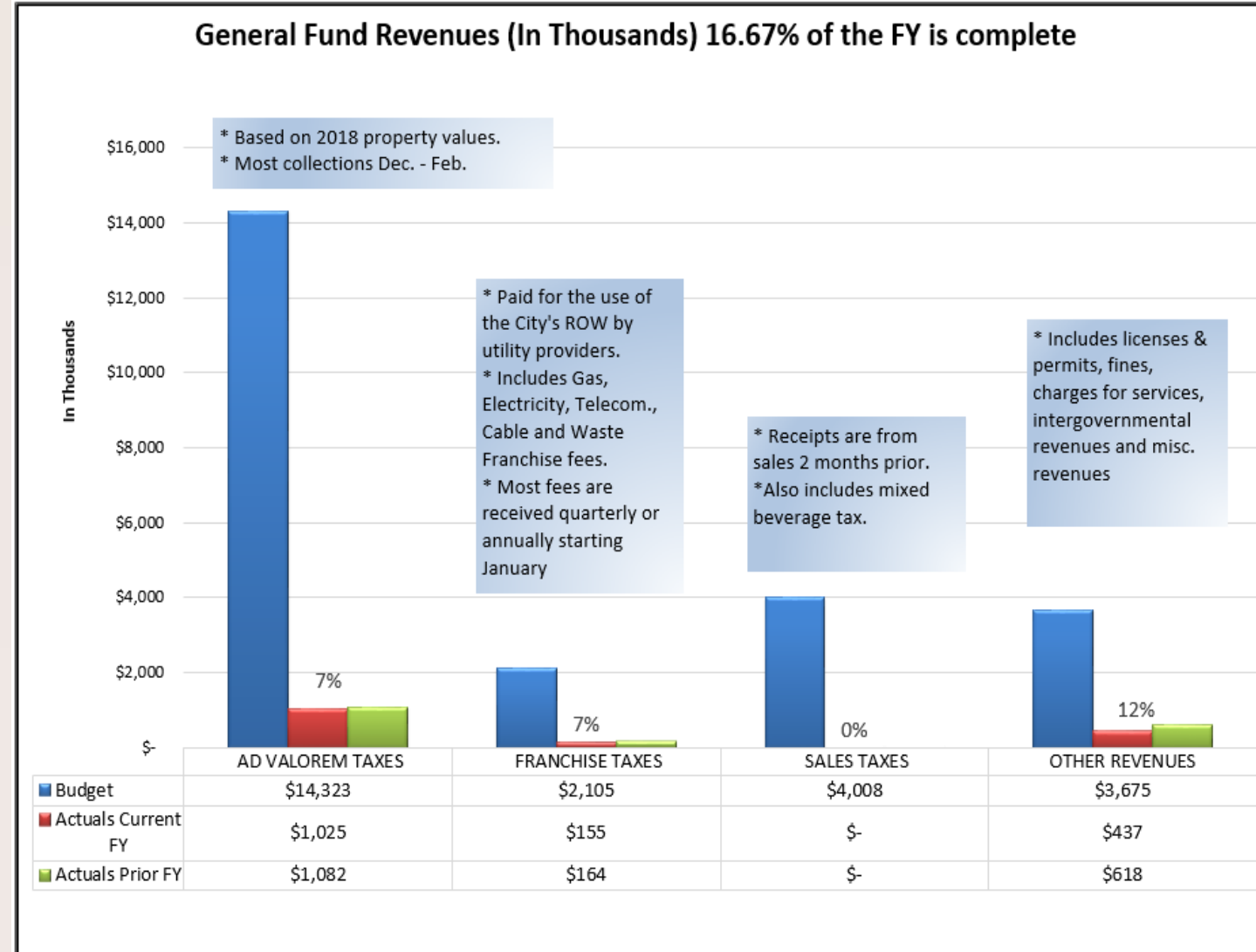
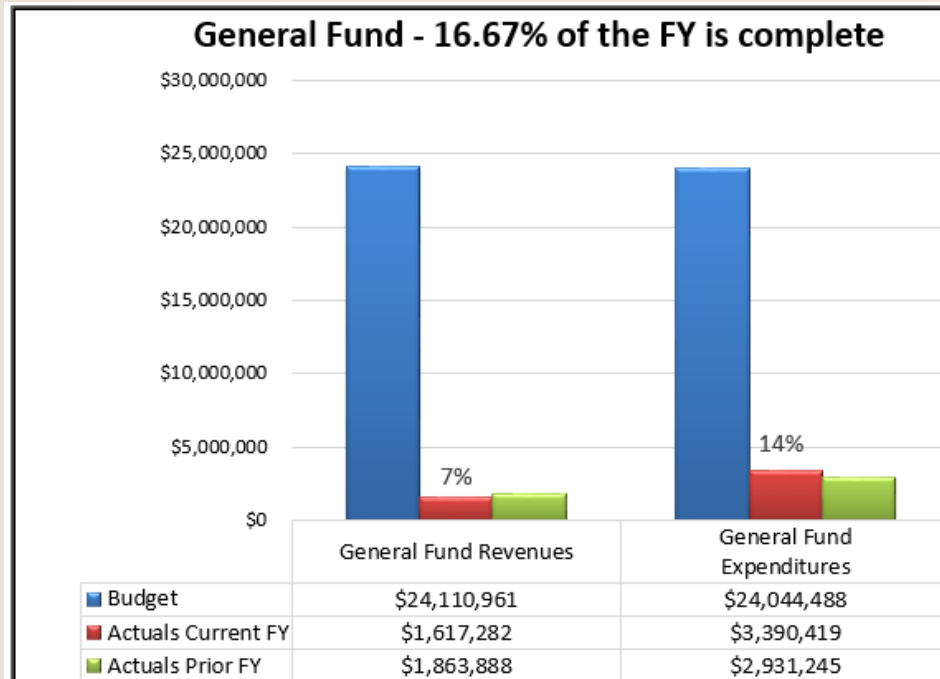
City Council Meeting
December 18, 2018

General Fund



Highlights:

- **1 cent sales tax:** October collections of \$370K was earned in September & recorded in FY18
- **Property Taxes:** Historically 50% of the budget is collected by December and 96% by February
- **Franchise Fees:** Major activity starts January through annual and quarterly payments.
- **Expenditures:** On track with budget

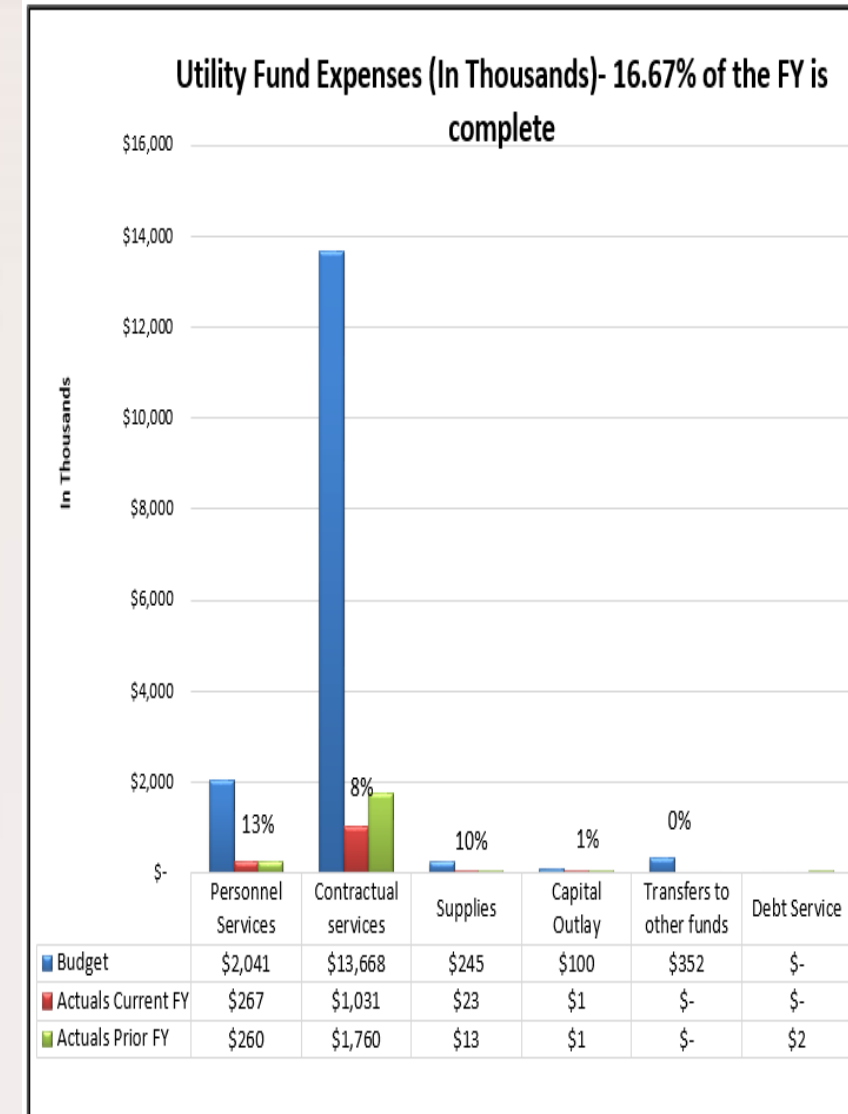
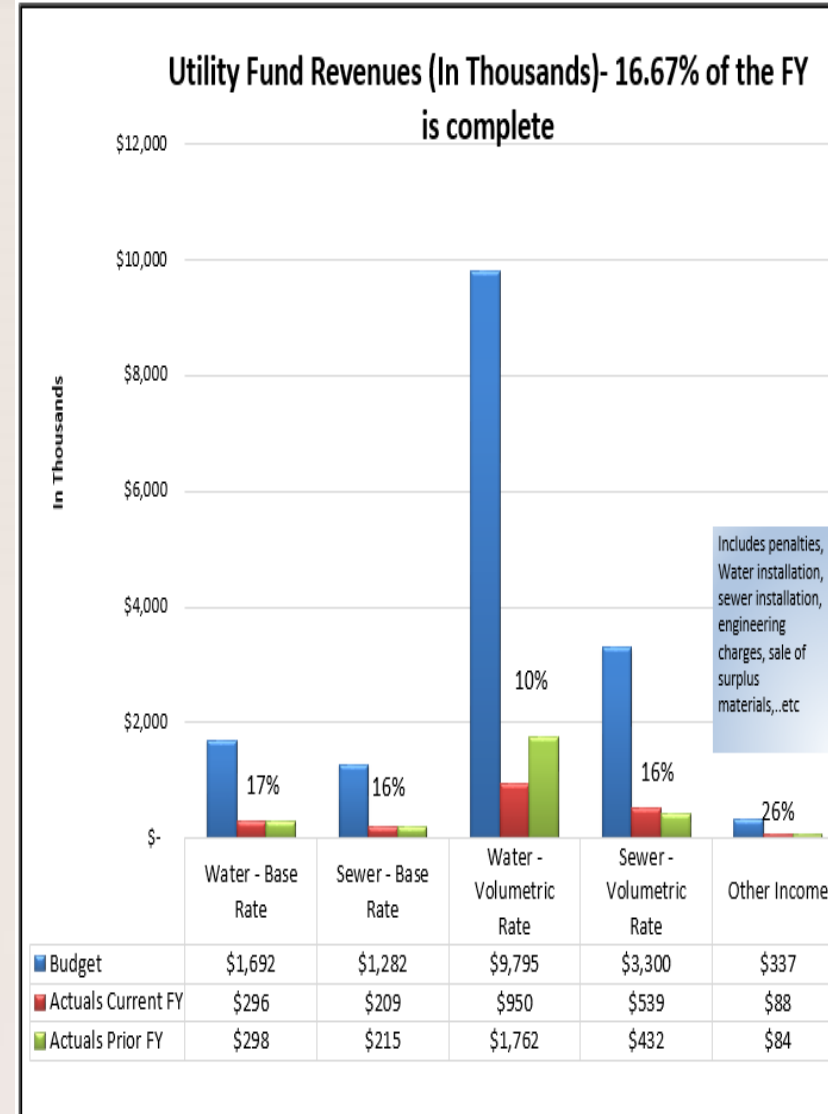
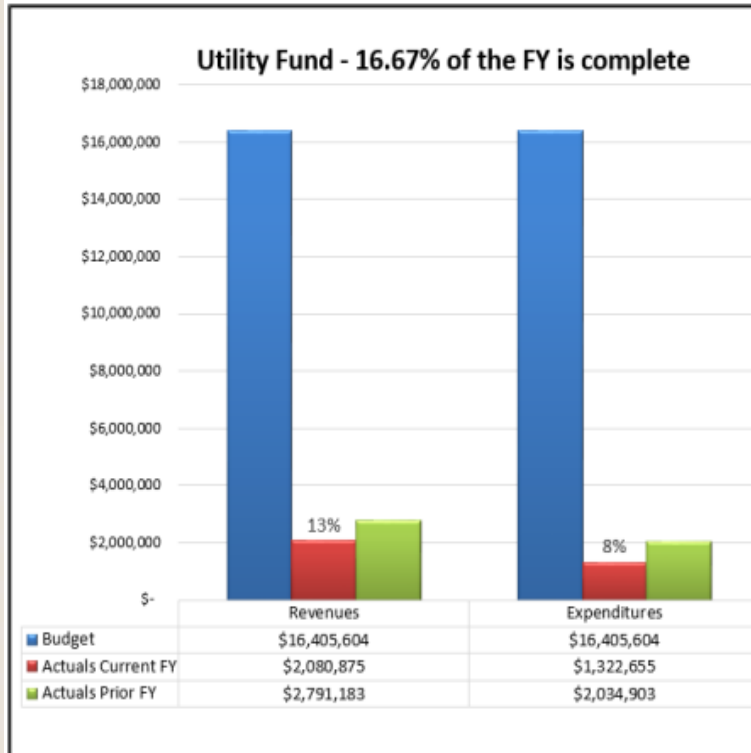


Utility Fund



Highlights:

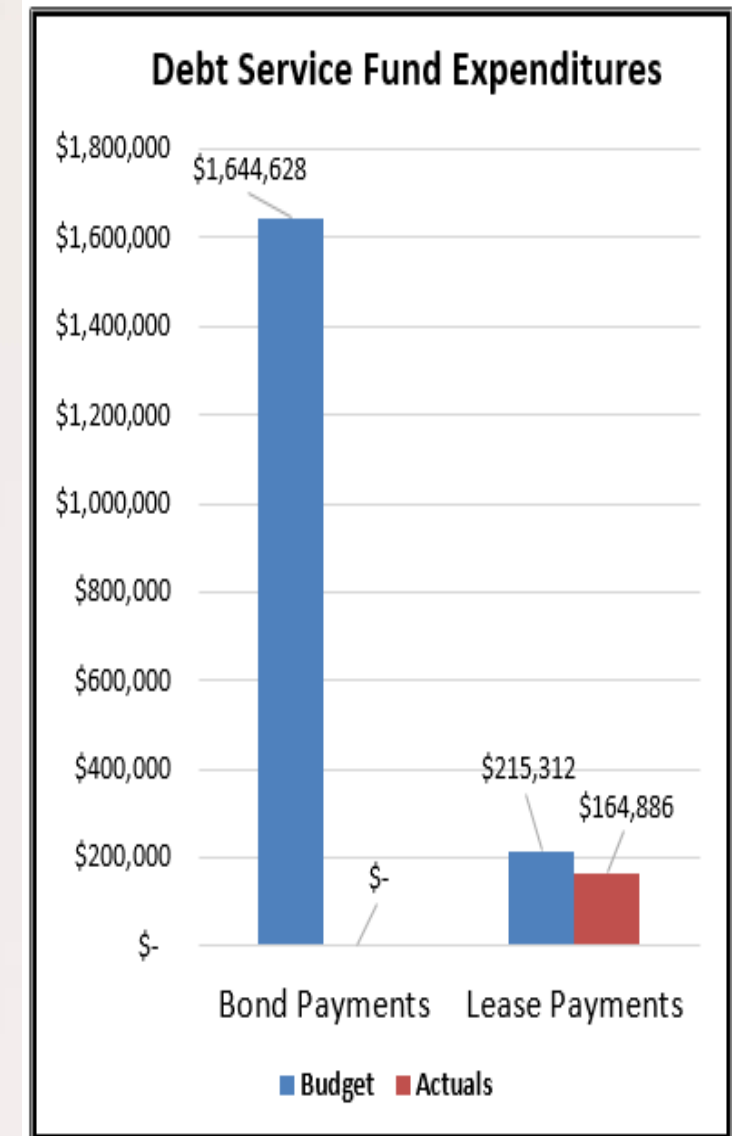
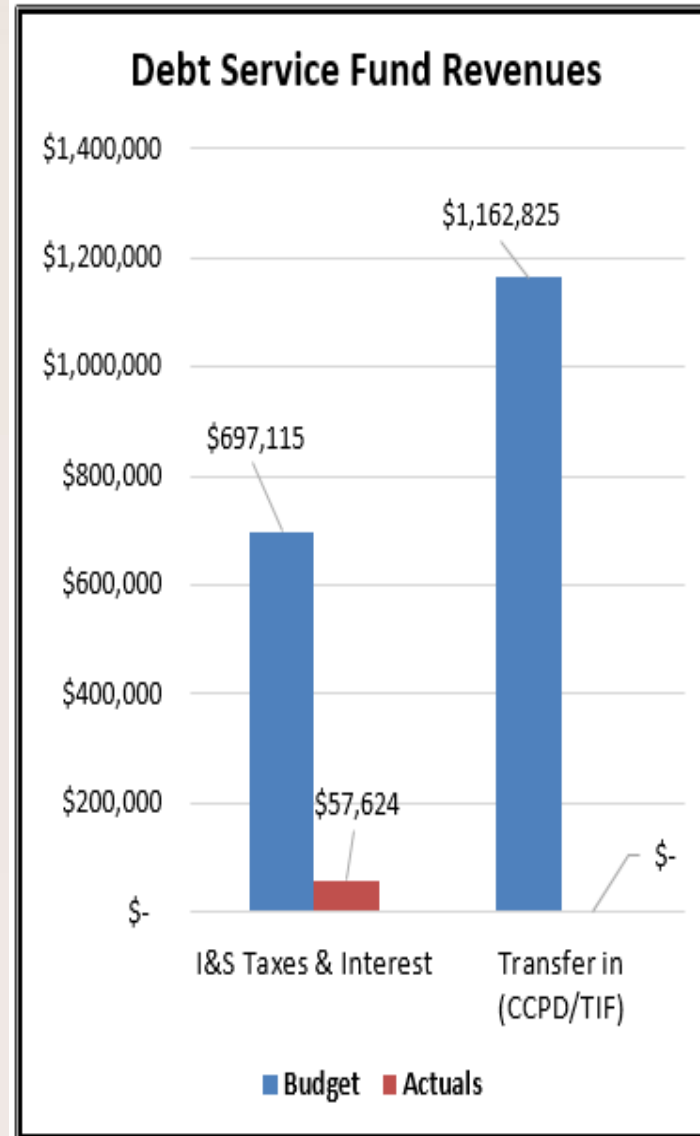
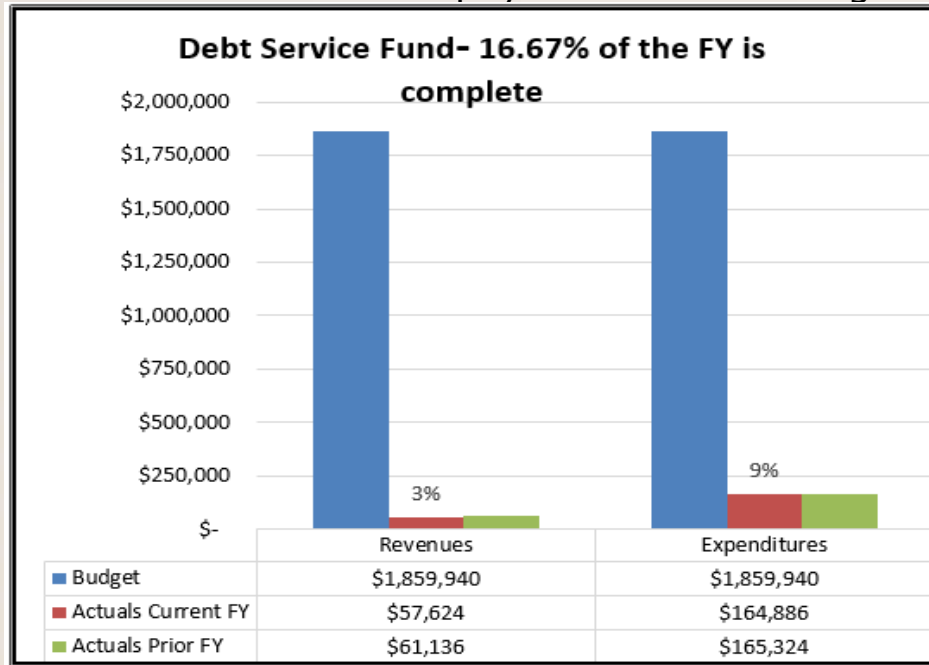
- Base rate: On track with budget
- Water volumetric rate: Down 46% due to the increase in rain fall and decline in consumption
- Residential sewer winter Average: December, January, and February



Debt Service Fund

Highlights:

- **Property Taxes:** Historically 50% of the budget is collected by December and 96% by February
- **Lease-purchase payments:**
 - Fire engine payments made
 - Ambulance payment - due in June
- **Bond payments:**
 - Principal & first interest payment - due in February
 - Second interest payment - due in August



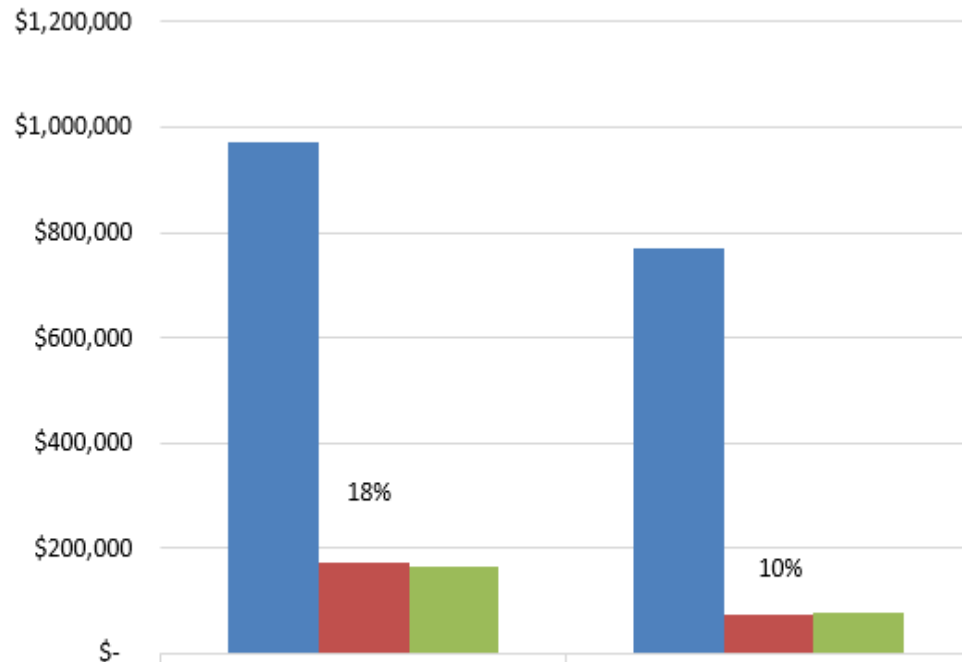
Drainage Fund



Highlights:

- **Drainage fee revenues:** Up 1.75%
- **Expenditures:** On track with budget

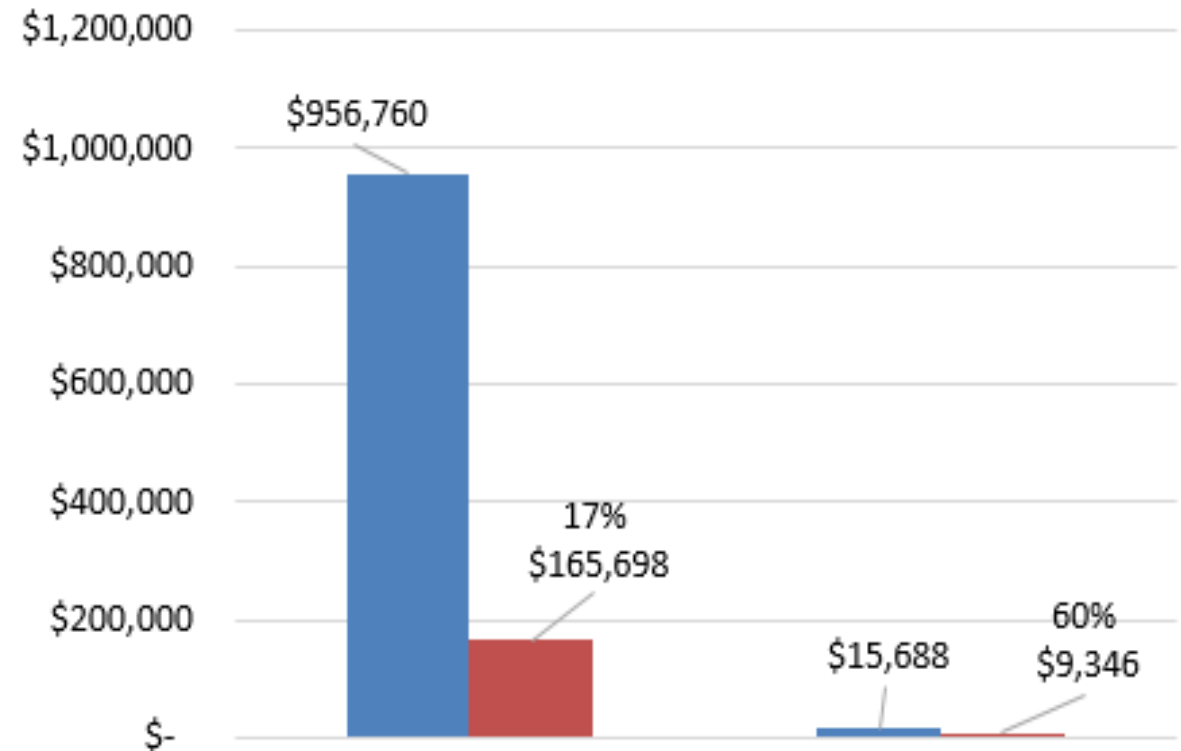
Drainage Fund - 16.67% of the FY is complete



■ Budget		
■ Actuals Current FY		
■ Actuals Prior FY		

	Revenues	Expenditures
Budget	\$972,448	\$771,136
Actuals Current FY	\$175,044	\$75,910
Actuals Prior FY	\$166,762	\$77,366

Drainage Fund Revenues



■ Budget ■ Actuals



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5b
Type Presentation
Department City Manager

Agenda Date 12/18/2018

Number

Title

Quarterly Investment Report for the quarter ended September 30, 2018

Strategic Plan

- 1.4 Communicate thoroughly and strategically
- 1.3 Assure convenient access to public information
- 2.4 Demonstrate stewardship of public resources

Explanation

Investment Summary for period ending September 30, 2018:

Cash & Cash Equivalents (Local Government Investment Pools) were \$66,064,485. The total funds held by the City equaled \$85,467,744 and were allocated as follows:

Cash	\$ 6,737,135	7.88%
Sweep	20,763,304	24.29%
Commercial Paper LocalGovernment	439,754	0.52%
Investment Pools		
GovernmentOnlyLocalGovernment	38,124,292	44.61%
Investment Pools		
Government Issues	15,583,011	18.23%
CDARS	3,076,248	3.60%
CD'S	744,000	0.87%

Investment Benchmark 2.04%

Bank Earned Income Credit	1.97%
Sweep	0.18%
Commercial Paper LocalGovernment	2.19%
Investment Pools	
Average GovernmentOnlyLocalGovernment	1.93%
Investment Pools	
Government Issues	1.49%
CDARS	0.63%
CD'S	2.53%

Interest earnings for the quarter were \$221,568 versus \$207,864 for the prior quarter, an increase of 7% over last quarter.

These percentages are within the guidelines of the City investment policy.

Attachments

1. Quarterly Investment Report - September 30 2018

QUARTERLY INVESTMENT REPORT

FOR QUARTER ENDING SEPTEMBER 30, 2018

THIS REPORT IS IN COMPLIANCE WITH THE PUBLIC FUNDS INVESTMENT ACT
AND ADOPTED INVESTMENT POLICY STRATEGY

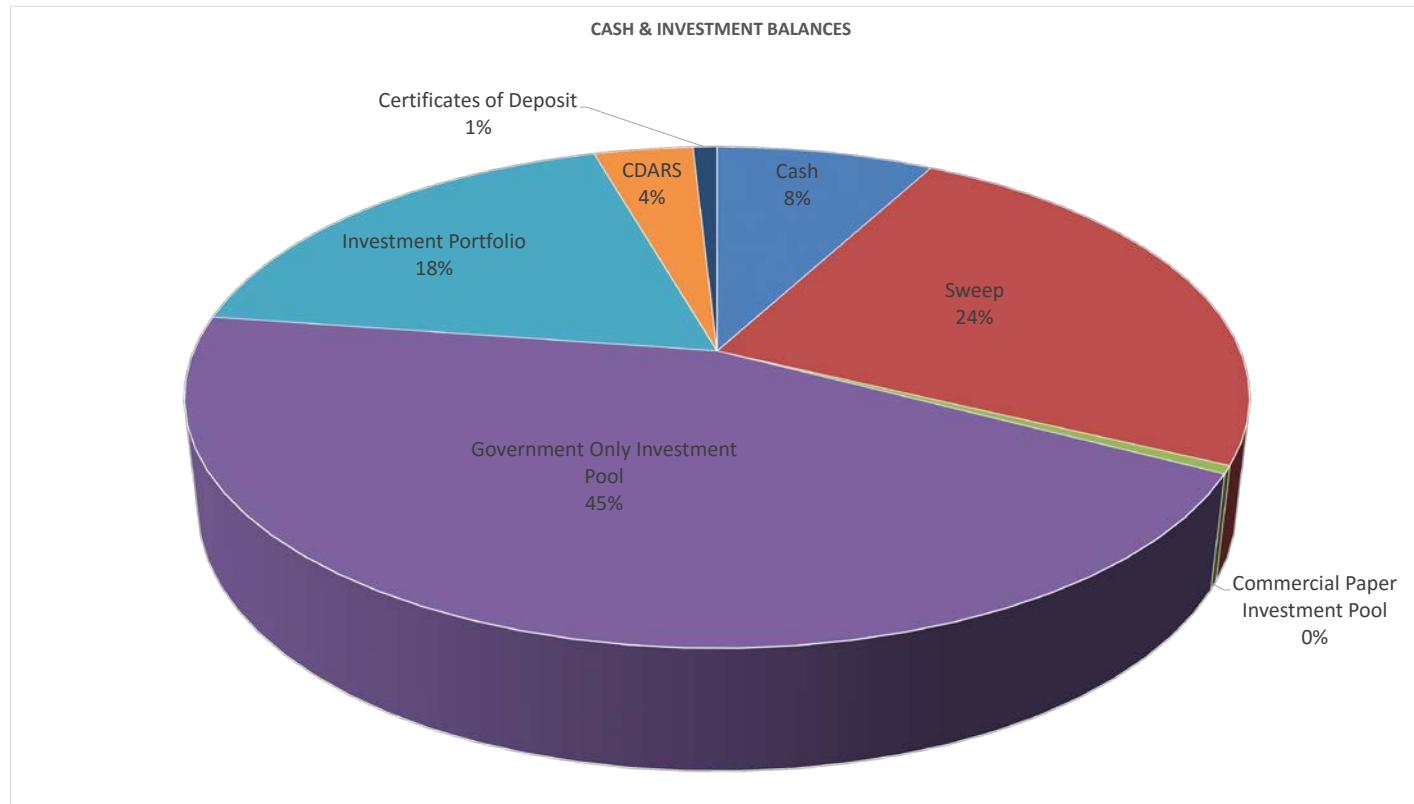


**Portfolio Investment Report
for the Quarter Ending September 30, 2018
CONSOLIDATED INVESTMENT REPORT**

	Current As of 9/30/2018	Last Quarter As of 6/30/2018
Cash and Investment Balances		
Cash	\$ 6,737,135	\$ 6,822,449
Sweep	\$ 20,763,304	\$ 34,513,549
Commercial Paper Investment Pool	\$ 439,754	\$ 26,412,554
Government Only Investment Pool	\$ 38,124,292	\$ -
Investment Portfolio	\$ 15,583,011	\$ 16,582,311
CDARS	\$ 3,076,248	\$ 3,065,355
Certificates of Deposit	\$ 744,000	\$ 744,000
Total Cash & Investments	\$ 85,467,744	\$ 88,140,218
Investment Yields, Maturities, and Interest		
	Current As of 9/30/2018	Current As of 6/30/2018
Bank Earned Income Credit	1.97%	1.79%
Bank Earnings Allowance	\$ 34,139	\$ 26,062
13 Week Treasury Benchmark	2.04%	1.84%
Commercial Paper Investment Pool Average Quarterly Yield	2.19%	2.02%
Commercial Paper Investment Pool Quarter's Average Weighted Maturity	33	29
Government Only Investment Pool Average Quarterly Yield	1.93%	
Government Only Investment Pool Quarter's Average Weighted Maturity	28	
Average Weighted Yield: Agency	1.49%	1.48%
Average Weighted Maturity in Days: Agency	319	406
Average Weighted Yield: CDARS	0.63%	0.47%
Average Weighted Maturity in Days: CDARS	285	166
Average Weighted Yield: CD'S	2.53%	2.53%
Average Weighted Maturity in Days: CD'S	581	644
Interest Earnings - Quarter	\$ 221,568	\$ 207,864



**Portfolio Investment Report
for the Quarter Ending September 30, 2018
CONSOLIDATED INVESTMENT REPORT**

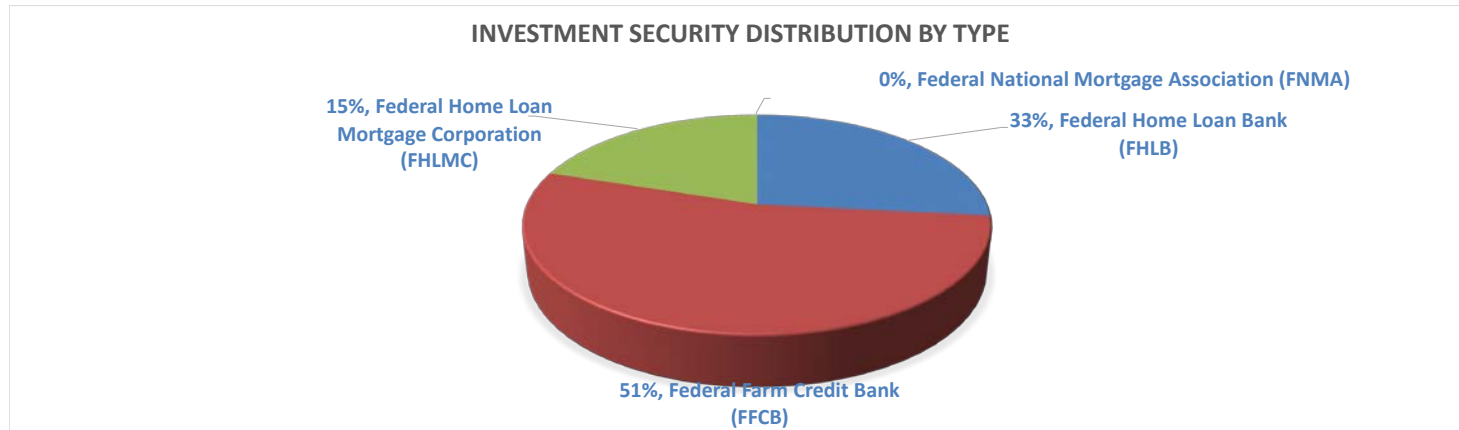




**Portfolio Investment Report
for the Quarter Ending September 30, 2018
CONSOLIDATED INVESTMENT REPORT**

Outstanding Security Portfolio		Purchase Price	Percent (Value)	Market Value
Distribution by Maturity	Number			
1 to 90 days	1	\$ 1,000,580	6.42%	\$ 999,873.00
91 to 180 days	2	\$ 1,999,812	12.83%	\$ 1,992,786.00
181 to 365 days	3	\$ 2,500,000	16.04%	\$ 2,476,562.00
Over 365 days	9	\$ 10,082,619	64.71%	\$ 9,989,436.19
Total	15	\$ 15,583,011	100%	\$ 15,458,657

Outstanding Security Portfolio		Purchase Price	Percent (Value)	Market Value
Distribution by Type of Investment	Number			
Federal Home Loan Bank (FHLB)	4	\$5,197,645	33%	\$5,151,155
Federal Farm Credit Bank (FFCB)	8	\$7,990,496	51%	\$7,939,048
Federal Home Loan Mortgage Corporation (FHLMC)	3	\$2,394,870	15%	\$2,368,454
Federal National Mortgage Association (FNMA)	0	\$0	0%	\$0
Total	15	\$ 15,583,011	100%	\$ 15,458,657



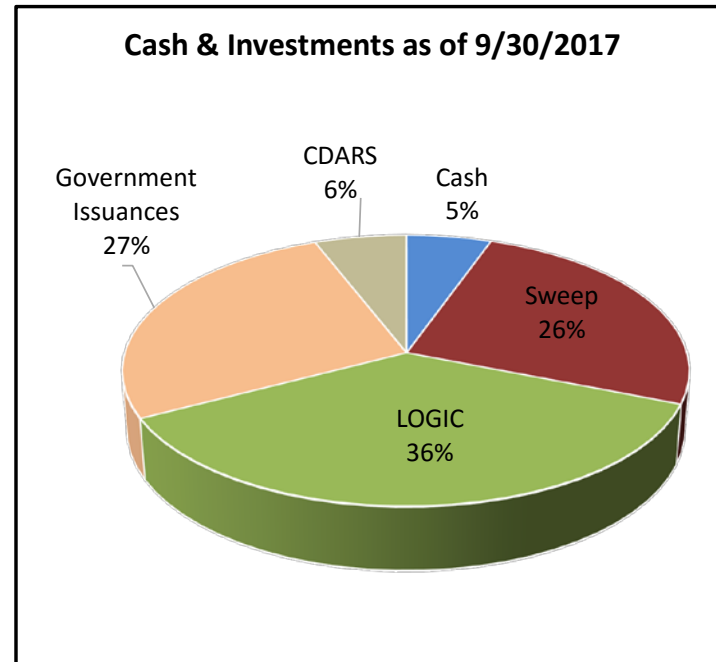
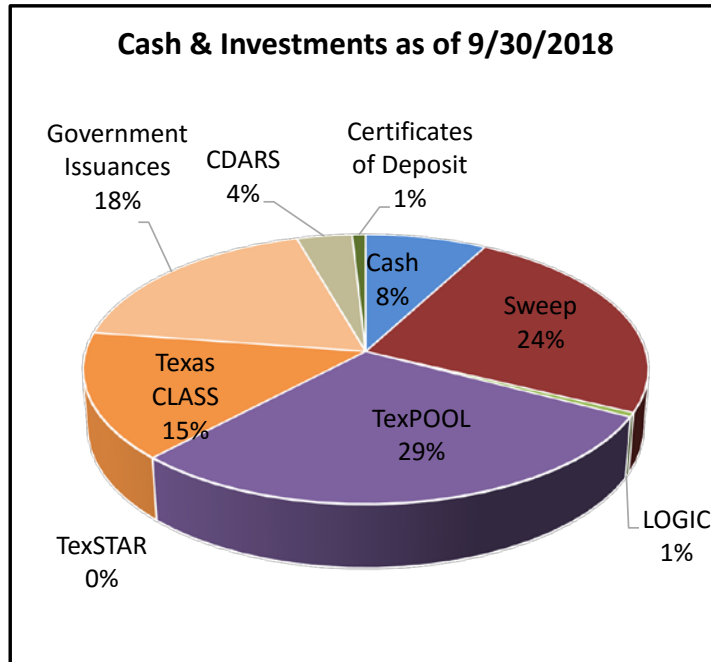
Federal Home Loan Bank
Federal Farm Credit Bank
Federal Home Loan Mortgage Corporation
Federal National Mortgage Association

AA+ = high quality, very low credit risk
Aaa = highest quality, lowest level of credit risk

S&P	Moody's
AA+	Aaa
AA+	Aaa
AA+	Aaa
AA+	Aaa

City of Colleyville
Comparative Cash & Investment Balances as of September 30

Cash and Investments	As of 9/30/2018		As of 9/30/2017		Increase (Decrease)	
	Balance	Average Rate	Balance	Average Rate	Balance	Average Rate
Cash	\$ 6,737,135		\$ 4,227,337		\$ 2,509,798	
Sweep*	20,763,304	0.18%	19,736,866	0.18%	1,026,438	0.00%
LOGIC	439,754	1.79%	28,086,079	1.04%	(27,646,325)	0.74%
TexPOOL	25,101,329	1.87%	-	-	25,101,329	1.87%
TexSTAR	10	1.94%	-	-	10	1.94%
Texas CLASS	13,022,952	1.99%	-	-	13,022,952	1.99%
Government Issuances	15,583,011	1.38%	20,665,048	0.87%	(5,082,037)	0.51%
CDARS	3,076,248	0.53%	4,591,089	0.49%	(1,514,841)	0.05%
Certificates of Deposit	744,000	2.53%	-	-	744,000	2.53%
Total Cash & Investments	\$ 85,467,744		\$ 77,306,418		\$ 8,161,325	
Interest Earned	\$ 607,519	1.50%	\$ 391,777	0.93%	\$ 215,742	0.57%



* Sweep interest rate in December was 2.08%

ALL FUNDS CASH & INVESTMENT REPORTS

CITY OF COLLEYVILLE
ALL FUNDS CASH & INVESTMENT REPORT - TOTAL BY FUND

		CASH	CP POOLS	GOV. POOLS	CASH & INVESTMENT INVESTMENTS	CDARS	CD'S	AS OF SEPT 30, 2018 Ran 11.16.18
GOVERNMENTAL FUNDS								
001	GENERAL FUND	\$ 2,511,269.13	\$ -	\$ 2,544,136.93	\$ 3,794,835.42	\$ 2,053,344.40	\$744,000.00	\$ 11,647,585.88
036	STRATEGIC INITIATIVE	23,945.09	-	500,016.56	-	-	-	523,961.65
004	DEBT SERVICE FUND	662,683.13	-	34,969.32	-	-	-	697,652.45
003	CAPITAL PROJECTS	8,620,989.47	279,200.86	4,007,060.72	2,289,215.54	509,612.62	-	15,706,079.21
012	PARK LAND DEDICATION	126,569.84	-	-	1,325,973.26	-	-	1,452,543.10
032	VEHICLE AND CAPITAL REPLACEMENT	977,071.68	-	84,536.86	364,300.00	-	-	1,425,908.54
034	COLLEYVILLE TOMORROW	707,392.96	-	1,722,413.87	25,091.76	-	-	2,454,898.59
035	PARKS TOMORROW	2,330.78	-	1,048,358.80	-	-	-	1,050,689.58
005	VOLUNTARY PARK FUND	362,814.98	-	-	750,000.00	-	-	1,112,814.98
007	DONATIONS FUND	58,081.92	-	-	-	-	-	58,081.92
011	VOLUNTARY LIBRARY FUND	98,859.05	-	-	359,642.52	-	-	458,501.57
015	POLICE ASSET FORFEITURE	23,292.29	-	-	-	-	-	23,292.29
016	GRANTS (ADVANCE PAYMENTS)	(4,802.87)	-	-	-	-	-	(4,802.87)
018	TREE PRESERVATION	316,667.87	-	-	-	-	-	316,667.87
019	LIBRARY DONATION	137,002.45	-	-	-	-	-	137,002.45
020	RECREATIONAL EVENT	14,153.27	-	-	-	-	-	14,153.27
023	LEOSE	1,554.47	-	-	-	-	-	1,554.47
027	CRIME DISTRICT	377,225.07	-	785,088.37	-	-	-	1,162,313.44
028	KIDSVILLE MAINTENANCE	5,812.94	-	-	-	-	-	5,812.94
029	COURT TECHNOLOGY	-	-	-	-	-	-	-
030	COURT SECURITY	45,275.84	-	-	-	-	-	45,275.84
033	PUBLIC ART	7,904.05	-	-	-	-	-	7,904.05
037	JUVENILE CASE MANAGER	13,147.18	-	-	-	-	-	13,147.18
038	HOTEL / MOTEL FUND	363,613.69	-	-	-	-	-	363,613.69
ENTERPRISE FUNDS								
002	UTILITY FUND	2,388,323.10	-	2,727,366.78	2,704,115.74	513,290.59	-	8,333,096.21
039	UTILITY CAPITAL PROJECTS FUND	4,494,084.95	1,259.99	5,993,130.44	56,792.76	-	-	10,545,268.14
017	DRAINAGE FEE	(140,874.02)	131,317.16	1,394,043.24	200,000.00	-	-	1,584,486.38
041	UTILITY CAPITAL PROJECTS FUND	750,000.00	-	-	-	-	-	750,000.00
FIDUCIARY FUNDS								
006	SESQUICENTINIAL FUND	21,034.45	-	-	-	-	-	21,034.45
008	EMPLOYEE ACTIVITY	3,962.50	-	-	-	-	-	3,962.50
040	INSURANCE TRUST FUND (ADV PMNT)	(610.97)	-	-	-	-	-	(610.97)
COMPONENT UNIT								
026	TIF FUND	1,575,548.56	0.00	17,283.170	2,213,044.19	-	-	21,071,762.69
		24,544,322.85	\$411,778.01	\$ 38,124,291.83	\$ 14,083,011.19	\$ 3,076,247.61	\$744,000.00	\$ 80,983,651.49
COLLEYVILLE ECON DEV CORP								
024	CEDC	2,956,116.49	27,976.45	-	1,500,000.00	-	-	4,484,092.94
GRAND TOTAL		27,500,439.34	\$439,754.46	\$ 38,124,291.83	\$ 15,583,011.19	\$ 3,076,247.61	\$744,000.00	\$ 85,467,744.43

COLOR CODE
DEBT SERVICE FUNDS
CAPITAL PROJECT FUNDS
SPECIAL REVENUE FUNDS
ENTERPRISE FUNDS
FIDUCIARY FUNDS

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This is a management report prepared not in accordance with GASB

CITY OF COLLEYVILLE
ALL FUNDS CASH & INVESTMENT REPORT - RESTRICTIONS BY FUND

		CASH & INVESTMENTS				AS OF SEPT 30, 2018 Ran 11.16.18
		Available Unrestricted	Available for Restricted Purpose	Approved Projects	Restricted Unavailable	
GOVERNMENTAL FUNDS						
001	GENERAL FUND	11,530,125	32,548	-	84,913	11,647,586
036	STRATEGIC INITIATIVE	523,962	-	-	-	523,962
004	DEBT SERVICE FUND	-	697,652	-	-	697,652
003	CAPITAL PROJECTS	6,373,217	6,940,578	2,241,661	150,623	15,706,079
012	PARK LAND DEDICATION	-	1,452,543	-	-	1,452,543
032	VEHICLE AND CAPITAL REPLACEMENT	-	1,425,909	-	-	1,425,909
034	COLLEYVILLE TOMORROW	2,454,899	-	-	-	2,454,899
035	PARKS TOMORROW	1,050,690	-	-	-	1,050,690
005	VOLUNTARY PARK FUND	-	1,112,815	-	-	1,112,815
007	DONATIONS FUND	-	58,082	-	-	58,082
011	VOLUNTARY LIBRARY FUND	-	458,502	-	-	458,502
015	POLICE ASSET FORFEITURE	-	23,292	-	-	23,292
016	GRANTS	-	(4,803)	-	-	(4,803)
018	TREE PRESERVATION	-	316,668	-	-	316,668
019	LIBRARY DONATION	-	137,002	-	-	137,002
020	RECREATIONAL EVENT	-	14,153	-	-	14,153
023	LEOSE	-	1,554	-	-	1,554
027	CRIME DISTRICT	-	1,162,313	-	-	1,162,313
028	KIDSVILLE MAINTENANCE	-	5,813	-	-	5,813
029	COURT TECHNOLOGY	-	-	-	-	-
030	COURT SECURITY	-	45,276	-	-	45,276
033	PUBLIC ART	-	7,904	-	-	7,904
037	JUVENILE CASE MANAGER	-	13,147	-	-	13,147
038	HOTEL / MOTEL FUND	-	363,614	-	-	363,614
ENTERPRISE FUNDS						
002	UTILITY FUND	7,851,426	-	-	481,670	8,333,096
039	UTILITY CAPITAL PROJECTS FUND	4,517,179	4,339,904	1,631,411	56,775	10,545,268
017	DRAINAGE FEE	1,453,169	-	-	131,317	1,584,486
041	DRAINAGE CAPITAL PROJECTS FUND	750,000	-	-	-	750,000
FIDUCIARY FUNDS						
006	SESQUICENTINIAL FUND	-	21,034	-	-	21,034
008	EMPLOYEE ACTIVITY	-	-	-	3,963	3,963
040	INSURANCE TRUST FUND	-	-	-	(611)	(611)
COMPONENT UNIT						
026	TIF FUND	20,274,720	-	797,043	-	21,071,763
		56,779,385	18,625,502	4,670,115	908,650	80,983,651
COLLEYVILLE ECON DEV CORP						
024	CEDC	\$ 4,484,093	\$ -	\$ -	\$ -	\$ 4,484,093
GRAND TOTAL		61,263,478	18,625,502	4,670,115	908,650	85,467,744

COLOR CODE
DEBT SERVICE FUNDS
CAPITAL PROJECT FUNDS
SPECIAL REVENUE FUNDS
ENTERPRISE FUNDS
FIDUCIARY FUNDS

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CITY OF COLLEYVILLE
ALL FUNDS CASH & INVESTMENT REPORT - TOTAL BY FUND

		CASH & INVESTMENT AS OF SEPT 30, 2018	CASH & INVESTMENT AS OF SEPT 30, 2017	CHANGE
		Ran 10.30.18		
GOVERNMENTAL FUNDS				
001	GENERAL FUND	\$ 11,647,585.88	\$ 9,090,685.99	\$ 2,556,899.89
036	STRATEGIC INITIATIVE	523,961.65	539,656.63	(15,694.98)
004	DEBT SERVICE FUND	697,652.45	691,401.06	6,251.39
003	CAPITAL PROJECTS	15,706,079.21	\$ 16,755,994.20	\$ (1,049,914.99)
012	PARK LAND DEDICATION	1,452,543.10	1,426,546.34	25,996.76
032	VEHICLE AND CAPITAL REPLACEMENT	1,425,908.54	1,100,110.58	325,797.96
034	COLLEYVILLE TOMORROW	2,454,898.59	2,359,524.87	95,373.72
035	PARKS TOMORROW	1,050,689.58	1,033,636.72	17,052.86
005	VOLUNTARY PARK FUND	1,112,814.98	876,248.15	236,566.83
007	DONATIONS FUND	58,081.92	61,586.54	(3,504.62)
011	VOLUNTARY LIBRARY FUND	458,501.57	430,417.25	28,084.32
015	POLICE ASSET FORFEITURE	23,292.29	9,076.88	14,215.41
016	GRANTS (ADVANCE PAYMENTS)	(4,802.87)	8,132.93	(12,935.80)
018	TREE PRESERVATION	316,667.87	311,696.31	4,971.56
019	LIBRARY DONATION	137,002.45	138,572.50	(1,570.05)
020	RECREATIONAL EVENT	14,153.27	10,700.67	3,452.60
023	LEOSE	1,554.47	3,396.95	(1,842.48)
027	CRIME DISTRICT	1,162,313.44	1,274,682.91	(112,369.47)
028	KIDSVILLE MAINTENANCE	5,812.94	8,408.03	(2,595.09)
029	COURT TECHNOLOGY	-	75,178.30	(75,178.30)
030	COURT SECURITY	45,275.84	60,113.42	(14,837.58)
033	PUBLIC ART	7,904.05	7,904.05	-
037	JUVENILE CASE MANAGER	13,147.18	24,537.58	(11,390.40)
038	HOTEL / MOTEL FUND	363,613.69	88,896.39	274,717.30
ENTERPRISE FUNDS				
002	UTILITY FUND	8,333,096.21	5,890,145.58	2,442,950.63
039	UTILITY CAPITAL PROJECTS FUND	10,545,268.14	9,777,358.19	767,909.95
017	DRAINAGE FEE	1,584,486.38	2,283,580.19	(699,093.81)
041	DRAINAGE CAPITAL PROJECTS FUND	750,000.00	-	750,000.00
FIDUCIARY FUNDS				
006	SESQUICENTINIAL FUND	21,034.45	20,545.56	488.89
008	EMPLOYEE ACTIVITY	3,962.50	4,700.16	(737.66)
040	INSURANCE TRUST FUND (ADV PMNT)	(610.97)	-	(610.97)
COMPONENT UNIT				
026	TIF FUND	21,071,762.69	\$ 18,972,344.32	\$ 2,099,418.37
		\$ 80,983,651.49	\$ 73,335,779.25	\$ 7,647,872.24
COLLEYVILLE ECON DEV CORP				
024	CEDC	4,484,092.94	3,904,845.12	579,247.82
025	CEDC - CAPITAL	-	65,793.93	(65,793.93)
GRAND TOTAL		\$ 85,467,744.43	\$ 77,306,418.30	\$ 8,161,326.13

COLOR CODE
DEBT SERVICE FUNDS
CAPITAL PROJECT FUNDS
SPECIAL REVENUE FUNDS
ENTERPRISE FUNDS
FIDUCIARY FUNDS

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CITY FUNDS - BACKGROUND

GOVERNMENTAL FUNDS	REVENUE SOURCE	PURPOSE/RESTRICTION
001 GENERAL FUND	M&O portion of tax rate, sales tax, charges for service, etc.	General government purposes
036 STRATEGIC INITIATIVES	Transfers from the General Fund	Programs/projects linked to the strategic plan; primarily used on eco. dev. incentives
004 DEBT SERVICE	Debt (I&S) portion of the tax rate	Payments on debt issued
003 CAPITAL PROJECTS	Transfers from the General Fund, street impact fees, escrows	Capital projects; some funding sources have restricted uses
012 PARK LAND DEDICATION	Fees on new residential & commercial development	Acquisition of land for new park sites or improvements/expansions of existing parks (no M&O)
032 VEHICLE AND CAPITAL REPLACEMENT	Transfers from the General Fund	Committed to server, equipment, and vehicle replacements
034 COLLEYVILLE TOMORROW	Gas leases on City property	Capital purchases/at Council discretion
035 PARKS TOMORROW	Gas leases on City park property	Parks capital projects
005 VOLUNTARY PARK FUND	Donations through utility bills	New or existing park capital costs (no M&O)
007 DONATIONS FUND	Donations	Only restricted if specified by donor
011 VOLUNTARY LIBRARY FUND	Donations through utility bills	Library activities- primarily purchase of books and materials (no M&O)
015 POLICE ASSET FORFEITURE	Seizures	Police operations as restricted by law
016 TDPA GRANT (EECBG GRANT)	U.S. Dept. of Energy	Energy efficiency projects
018 TREE PRESERVATION	Tree mitigation fees	Tree replanting on city-owned property
019 LIBRARY DONATION	Donations	Library needs or as specified by donor
020 RECREATIONAL EVENT	Event revenue (like sale of tables)	Special events expenses
023 LEOSE	State of Texas	Police training
027 CRIME DISTRICT (CCCPD)	0.5 cent sales tax	Public safety and crime control activities
028 KIDSVILLE MAINTENANCE	Remaining donations	Kidsville maintenance
029 COURT TECHNOLOGY	Municipal court technology fee	Court technology repairs, replacements, and upgrades
030 COURT SECURITY	Municipal court building security fee	Security-related expenses for the court (Bailiff)
033 PUBLIC ART	2008-9 Transfers from General, Utility, Drainage, CEDC Funds	Public Art
037 JUVENILE CASE MANAGER	Juvenile case manager fee	Staff who handle juvenile defendants and their training
038 HOTEL/MOTEL FUND	Hotel/Motel tax	Attract "heads in beds"; specific uses outlined in state law
ENTERPRISE FUNDS		
002 UTILITY OPERATING FUND	Water and wastewater base rates and volumetric rates	Utility operations and payments to TRA
017 DRAINAGE FEE FUND	Monthly drainage fee	Operations and capital projects related to drainage maintenance and improvement
039 UTILITY CAPITAL PROJECTS FUND	Transfers from Utility Operating Fund, impact fees, CIP base rate	Utility capital projects; water and wastewater impact fees have restricted uses
041 DRAINAGE- CAPITAL PROJECTS FUND	Transfers from Drainage Operating Fund	Drainage capital projects
FIDUCIARY FUNDS		
006 SESQUICENTINIAL FUND	Currently, sale of the Colleyville History book	Created for fund raising for festivities related to 150th anniversary of Texas' independence from Mexico (1986)
008 EMPLOYEE ACTIVITY	Employee contributions	Employee luncheons and other employee activities; governed by by-laws
040 INSURANCE TRUST FUND	Payroll deductions and city's contributions	Pass through trust fund used to account for employee insurance costs. Created cost savings for the city.
COMPONENT UNIT		
026 TIF FUND	Incremental A/V revenue in the TIF District	Projects in the Project Plan approved by all TIF partners
COLLEYVILLE ECON DEV CORP		
024 CEDC	0.5 cent sales tax	For Library, Parks, and Colleyville Center; max. 10% on promotional expenses and special events
025 CEDC - CAPITAL	Bond proceeds	Bond projects: Library, City Park, McPherson Park, Colleyville Center capital projects

COLOR CODE
DEBT SERVICE FUNDS
CAPITAL PROJECT FUNDS
SPECIAL REVENUE FUNDS
ENTERPRISE FUNDS
FIDUCIARY FUNDS

LISTING OF INVESTMENTS

BY TYPE

CDARS CERTIFICATES OF DEPOSIT

FUND ALLOCATION	AMOUNT	PURCHASE DATE	MATURITY DATE	INTEREST RATE	INTEREST EARNED DURING QUARTER
UTILITY FUND*	\$513,291	7/27/2017	7/25/2019	0.40%	\$518
GENERAL FUND	\$510,048	9/22/2016		0.50%	\$643
CAPITAL PROJECTS*	\$509,613	9/21/2017	9/19/2019	0.58%	\$745
PURCHASED DURING THIS QUARTER					
GENERAL FUND	\$1,543,297	9/19/2018	9/19/2019	2.08%	\$967
OUTSTANDING CDARS AT THE END OF THE QUARTER	\$3,076,248				\$2,872
MATURED DURING THIS QUARTER					
GENERAL FUND	\$1,534,117	9/21/2017	9/20/2018	0.60%	\$2,062
CDARS MATURED DURING THE QUARTER	\$1,534,117				\$2,062
GRAND TOTAL	4,610,365				4,934

*Interest added to principal in December 2017 for reinvestment

CD'S - CERTIFICATES OF DEPOSIT

FUND ALLOCATION	AMOUNT	PURCHASE DATE	MATURITY/ SOLD DATE	Market Value	INTEREST RATE	INTEREST EARNED DURING QUARTER
GENERAL FUND - CITIBANK	\$248,000	3/29/2018	3/30/2020	247,227.48	2.50%	\$1,563
GENERAL FUND - GOLDMAN SACHS BANK	\$248,000	4/11/2018	4/13/2020	247,338.83	2.55%	\$1,594
PURCHASED DURING THIS QUARTER						
GENERAL FUND - HOPE STANLEY BANK	\$248,000	9/14/2018	3/16/2020	247,473.74	2.55%	\$277
OUTSTANDING CD'S AT THE END OF THE QUARTER	\$744,000					\$3,434
MATURED/SOLD DURING THIS QUARTER						
GENERAL FUND - MORGAN STANLEY BANK	\$248,000	3/29/2018	8/29/2018		2.55%	\$1,040
CD'S MATURED DURING THE QUARTER	248,000					1,040
GRAND TOTAL	992,000					4,474

CITY OF COLLEYVILLE INVESTMENT SECURITIES HELD JUNE 30 - SEPTEMBER 30, 2018

CUSIP	SECURITY	PURCHASE DATE	MATURITY DATE	PURCHASE PRICE	PAR VALUE	MARKET VALUE 6/30/2018	LESS MATURITY PROCEEDS	PLUS PERIOD PURCHASES	MARKET VALUE 9/30/2018	YIELD ON INVESTMENT	INTEREST	INTEREST TO MATURITY
3133EFX69	FFCB NOTE	10/17/2016	10/5/2018	\$1,000,580	\$1,000,000	\$997,102			\$999,873	0.930%	\$2,344	\$18,294
3133EG5Q4	FFCB NOTE	2/1/2017	2/1/2019	\$1,000,000	\$1,000,000	\$994,737			\$996,422	1.300%	\$3,277	\$26,000
3133EHHN6	FFCB NOTE	5/3/2017	5/2/2019	\$1,000,000	\$1,000,000	\$992,031			\$992,031	1.350%	\$3,403	\$26,963
3130AAS41	FHLB NOTE	3/24/2017	2/8/2019	\$999,812	\$1,000,000	\$994,232			\$996,364	1.280%	\$3,226	\$24,057
3133EHP98	FFCB NOTE	11/6/2017	11/6/2019	\$1,000,000	\$1,000,000	\$988,254			\$988,799	1.600%	\$4,033	\$32,000
3137EAEH8	FHLMC NOTE	7/31/2017	8/15/2019	\$500,000	\$500,000	\$494,145			\$494,788	1.475%	\$1,859	\$15,053
313380FB8	FHLB NOTE	8/29/2017	9/13/2019	\$1,000,000	\$1,000,000	\$988,026			\$988,346	1.375%	\$3,466	\$28,065
3137EADM8	FHLMC NOTE	9/14/2017	10/2/2019	\$998,788	\$1,000,000	\$907,435			\$908,664	1.250%	\$3,151	\$25,616
3137EADM8	FHLMC NOTE	10/13/2017	10/2/2019	\$896,082	\$900,000	\$963,696			\$965,002	1.475%	\$3,346	\$26,150
3130ACLS1	FHLB NOTE	10/26/2017	10/11/2019	\$2,200,000	\$2,200,000	\$2,175,149			\$2,174,808	1.550%	\$8,594	\$66,794
3133EHV75	FFCB NOTE	12/8/2017	11/21/2019	\$749,711	\$750,000	\$742,176			\$742,239	1.730%	\$3,270	\$25,346
3133EGJ30	FFCB NOTE	12/29/2017	11/18/2019	\$1,238,775	\$1,255,000	\$1,255,000			\$1,233,386	1.100%	\$3,480	\$26,059
3133EJCN7	FFCB NOTE	2/14/2018	2/14/2020	\$1,000,000	\$1,000,000	\$992,624			\$990,933	2.070%	\$5,218	\$41,400
3130ADN32	FHLB NOTE	3/7/2018	2/11/2020	\$997,834	\$1,000,000	\$993,892			\$991,637	2.240%	\$5,646	\$43,327
3133EJHL6	FFCB NOTE	4/9/2018	3/27/2020	\$1,001,430	\$1,000,000	\$996,916			\$993,968	2.375%	\$5,986	\$46,719
PURCHASED DURING THIS QUARTER												
											\$0	\$0
OUTSTANDING SECURITIES AT THE END OF THE QUARTER				15,583,011	15,605,000	15,475,415	-	-	15,457,260		60,298	471,844
MATURED DURING THIS QUARTER												
3133EGML6	FFCB NOTE	7/18/2016	7/18/2018	\$999,300	\$1,000,000	\$996,722			\$999,503	0.785%	\$387	\$15,700
SECURITIES MATURED DURING THE QUARTER				999,300	1,000,000	996,722	-		999,503		387	15,700
GRAND TOTAL				16,582,311	16,605,000	16,472,137	-	-	16,456,763		60,686	487,544

ACCOUNT	ALLOCATION OF INVESTMENT	INVESTMENT- G/L TOTAL
001-1172	GENERAL FUND OPERATING	\$3,794,835.42
		\$0.00
002-1166	UTILITY DEBT SERVICE RESERVE	\$0.00
002-1172	UTILITY FUND OPERATING	\$2,231,432.70
002-1178	CUSTOMER DEPOSITS	\$472,683.04
039-1186	UTILITY LINE RENEWAL	\$0.00
039-1557	THE RESERVE LIFT STATION	\$56,792.76
		\$0.00
003-1121	INV-PERIMETER FEES	\$1,965,370.14
		\$0.00
003-1307	INV-ROAD RECONSTRUCTION	\$323,845.40
		\$0.00
003-1340	CASTLETON MANOR	\$0.00
		\$0.00
005-1172	VOLUNTARY PARK FUND	\$750,000.00
011-1172	LIBRARY DONATIONS FUND	\$359,642.52
012-1172	PARK LAND DEDICATION FUND	\$1,325,973.26
017-1172	DRAINAGE FUND OPERATING	\$200,000.00
024-1172	CEDC OPERATING	\$1,500,000.00
026-1172	TIF OPERATING	\$2,213,044.19
032-1519	CAPITAL EQUIPMENT RESERVE	\$364,300.00
034-1172	COLLEYVILLE TOMORROW	\$25,091.76
PER GENERAL LEDGER		\$15,583,011.19

LOCAL GOVERNMENT INVESTMENT COOPERATIVE / "LOGIC"
ACCOUNT ALLOCATION AT SEPTEMBER 2018

DESCRIPTION	BALANCE
<u>UTILITY FUND - CAPITAL PROJECTS</u>	
LOGIC-RES CASH-UTILITY LINE RE	\$1,260
<u>CAPITAL PROJECTS FUND</u>	
LOGIC POOL-ROADS SA I CASH	\$23,273
LOGIC-CAPITAL PROJ/STREET RESU	\$255,928
<u>DRAINAGE FUND</u>	
LOGIC POOL- OPERATING CASH	\$0
LOGIC- I&S FUND/DRAINAGE	\$131,317
LOGIC-2001 DRAINAGE BONDS	\$0
Subtotal - LOGIC balances excluding CEDC	\$411,778
<u>CEDC Logic Balance</u>	
LOGIC POOL- OPERATING CASH	\$27,976
Total LOGIC Balance	\$439,754
INTEREST EARNED	\$27,200

TEXPOOL
ACCOUNT ALLOCATION AT SEPTEMBER 2018

DESCRIPTION	BALANCE
<u>GENERAL FUND</u>	
TEXPOOL - OPERATING CASH	\$540,592
<u>UTILITY FUND</u>	
TEXPOOL - OPERATING CASH	\$2,727,367
<u>UTILITY FUND - CAPITAL PROJECTS</u>	
TEXPOOL - WW IMPACT FEES	\$682,881
TEXPOOL - WATER IMPACT FEE	\$2,304,954
<u>DEBT SERVICE FUND</u>	
TEXPOOL - OPERATING CASH	\$34,969
<u>DRAINAGE FUND</u>	
TEXPOOL - OPERATING CASH	\$1,394,043
<u>TIF FUND</u>	
TEXPOOL - OPERATING CASH	\$13,276,109
<u>CCCPD FUND</u>	
TEXPOOL - OPERATING CASH	\$785,088
<u>CAPITAL EQUIPMENT REPLACEMENT FUND</u>	
TEXPOOL - OPERATING CASH	\$84,537
<u>COLLEYVILLE TOMORROW FUND</u>	
TEXPOOL - OPERATING CASH	\$1,722,414
<u>PARKS TOMORROW FUND</u>	
TEXPOOL - OPERATING CASH	\$1,048,359
<u>STRATEGIC INITIATIVES FUND</u>	
TEXPOOL - OPERATING CASH	\$500,017
Total TexPool Balance	<u><u>\$25,101,329</u></u>
<u>INTEREST EARNED</u>	<u>\$101,327</u>

TEXAS CLASS
ACCOUNT ALLOCATION AT SEPTEMBER 2018

DESCRIPTION	BALANCE
<u>GENERAL FUND</u>	
TEXAS CLASS	\$2,003,535
<u>CAPITAL PROJECTS FUND</u>	
TEXAS CLASS	\$4,007,061
<u>UTILITY FUND - CAPITAL PROJECTS</u>	
TEXAS CLASS	\$3,005,296
<u>TIF FUND</u>	
TEXAS CLASS	\$4,007,061
Total Texas CLASS Balance	<u>\$13,022,952</u>
INTEREST EARNED	\$22,947

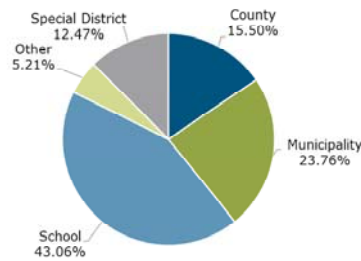
TEXSTAR
ACCOUNT ALLOCATION AT SEPTEMBER 2018

DESCRIPTION	BALANCE
<u>GENERAL FUND</u>	
TEXSTAR - OPERATING CASH	\$10
Total TexSTAR Balance	<u>\$10</u>
INTEREST EARNED	\$0

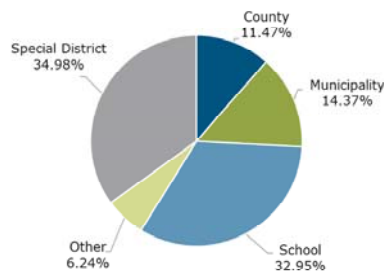
Texas CLASS Portfolio Characteristics

The following information is provided in accordance with Texas State Statute 2256.0016.

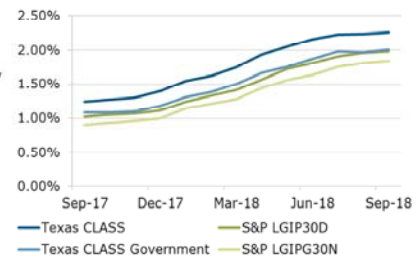
As of September 30, 2018:



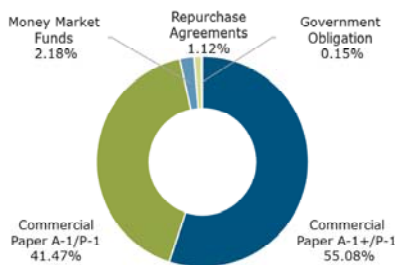
**Participant Breakdown
by Balance**



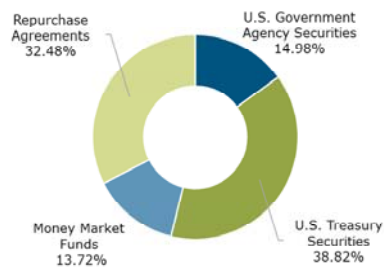
**Participant Breakdown
by Entity Type**



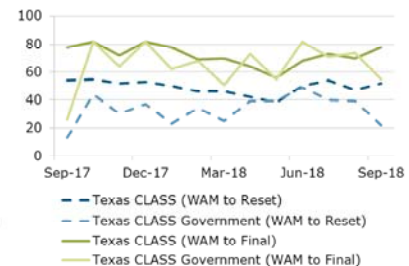
**Performance vs.
Benchmark
S&P AAA/AA GIP*
(Average Monthly Yields)**



**Texas CLASS
Portfolio Breakdown**



**Texas CLASS
Government
Portfolio Breakdown**



**Weighted Average
Maturity
(In Days)**

Texas CLASS Prior Month Comparison

Month End	Jul-18
Average Yield**	2.23%
Month Ending Assets	\$7,196,963,396
Share Balance	\$7,195,111,541
Market Value	\$7,195,500,320
Amortized Cost	\$7,193,648,465
NAV	1.00
WAM (Reset)***	54
WAM (Final)***	73

Month End	Aug-18
Average Yield**	2.24%
Month Ending Assets	\$6,620,351,264
Share Balance	\$6,619,956,122
Market Value	\$6,619,018,421
Amortized Cost	\$6,618,623,279
NAV	1.00
WAM (Reset)***	47
WAM (Final)***	70

Month End	Sep-18
Average Yield**	2.26%
Month Ending Assets	\$6,571,078,769
Share Balance	\$6,571,228,312
Market Value	\$6,619,224,519
Amortized Cost	\$6,619,374,062
NAV	1.00
WAM (Reset)***	52
WAM (Final)***	78

Average monthly yield *As of the end of the last day of the month

Texas CLASS Government Prior Month Comparison

Month End	Jul-18
Average Yield**	1.98%
Month Ending Assets	\$197,364,508
Share Balance	\$197,371,580
Market Value	\$197,272,033
Amortized Cost	\$197,264,961
NAV	1.00
WAM (Reset)***	40
WAM (Final)***	71
Month End	Aug-18
Average Yield**	1.97%
Month Ending Assets	\$237,328,905
Share Balance	\$237,361,153
Market Value	\$237,246,374
Amortized Cost	\$237,214,126
NAV	1.00
WAM (Reset)***	39
WAM (Final)***	74

Month End	Sep-18
Average Yield**	2.01%
Month Ending Assets	\$380,527,493
Share Balance	\$380,571,294
Market Value	\$380,284,992
Amortized Cost	\$380,328,792
NAV	1.00
WAM (Reset)***	22
WAM (Final)***	55

Average monthly yield *As of the end of the last day of the month

Fund Highlights as of September 30, 2018 (Unaudited)

For the month of September 2018, the Program Administrator accrued fees of \$533,467.04 and had average shares outstanding of \$6,545,017,426.27 for Texas CLASS. For Texas CLASS Government, the Program Administrator accrued fees of \$0.00 and had average shares outstanding of \$314,862,664.89. The fees for both Texas CLASS and Texas CLASS Government are accrued on a daily basis by multiplying the investment property value by the applicable fee rate and divided by 365 or 366 days in the event of a leap year. The investment property value shall be based on the current day's shares outstanding. For weekend days and holidays, the shares outstanding for the previous business day will be utilized for the calculation of fees. The applicable fee rate is located in Exhibit F of the Seventh Amended and Restated Trust Agreement. The Program Administrator reserves the right to abate fees listed in the Seventh Amended and Restated Trust Agreement. The monthly fee is the sum of all daily fee accruals for the month of September. The fees are paid monthly upon notification to the custodian bank. As of September 30, 2018, the fee for Texas CLASS was 10 basis points and the fee for Texas CLASS Government was 0.0 basis points.

- Both funds are rated 'AAAm' by S&P Global Ratings.
- Net Asset Value for both funds from September 1 to September 30, 2018 is equal to \$1.00.
- The final maturity dates of all securities were less than one year.
- The custodian bank for Texas CLASS is Wells Fargo Bank, N.A.
- Total number of Participants is 689.
- There are currently no investments that have a stated maturity greater than one year.
- The portfolio managers for Texas CLASS are Randy Palomba, CFA and Neil Waud, CFA.
- All sources of payment are the underlying assets of the local government investment pool at market value.

- The Seventh Amended and Restated Trust Agreement was adopted by the Board of Trustees on August 5, 2016. You can access your copy of the Seventh Amended and Restated Trust Agreement by clicking [here](https://texasclass.com/wp-content/uploads/2017/06/2016-08-05-Seventh-Amended-and-Restated-Trust-Agreement.pdf) (<https://texasclass.com/wp-content/uploads/2017/06/2016-08-05-Seventh-Amended-and-Restated-Trust-Agreement.pdf>).
-

Data unaudited. Charts may not equal 100% due to rounding. Performance results are shown net of all fees and expenses and reflect the reinvestment of dividends and other earnings. Many factors affect performance including changes in market conditions and interest rates and in response to other economic, political, or financial developments. Investment involves risk including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. All comments and discussion presented are purely based on opinion and assumptions, not fact. These assumptions may or may not be correct based on foreseen and unforeseen events. The information presented should not be used in making any investment decisions. This material is not a recommendation to buy, sell, implement, or change any securities or investment strategy, function, or process. Any financial and/or investment decision should be made only after considerable research, consideration, and involvement with an experienced professional engaged for the specific purpose. Past performance is not an indication of future performance. Any financial and/or investment decision may incur losses. A 'AAAm' rating by S&P Global Ratings is obtained after S&P evaluates a number of factors including credit quality, market price exposure, and management. Ratings are subject to change and do not remove credit risk.

*The benchmark, the S&P US AAA & AA Rated GIP All 30 Day Net Yield (LGIP30D) is a performance indicator of rated GIPs that maintain a stable net asset value of \$1.00 per share and is an unmanaged market index representative of the LGIP universe. The S&P benchmark utilized in this comparison is a composite of all rated stable net asset value pools. GIPs in the index include only those rated based on S&P's money market criteria. Pools rated 'AAAm' provide excellent safety and a superior capacity to maintain principal value while those rated 'AAm' offer very good safety and a strong capacity to maintain principal value (Source: S&P Global Ratings' website). The comparison between this index and the portfolio may differ in holdings, duration, fees, and percentage composition of each holding. Such differences may account for variances in yield.

The benchmark, the S&P AAA & AA Rated GIP Govt 30 Day Net Yield (LGIPG30N) is a performance indicator of rated GIPs that maintain a stable net asset value of \$1.00 per share and is an unmanaged market index representative of the LGIP universe. The S&P benchmark utilized in this comparison is comprised of pools that invest in U.S. Government securities, U.S. Treasury securities, Repurchase agreements collateralized by U.S. government and treasury securities or any combination of the above. GIPs in the index include only those rated based on S&P's money market criteria. Pools rated 'AAAm' provide excellent safety and a superior capacity to maintain principal value while those rated 'AAm' offer very good safety and a strong capacity to maintain principal value (Source: S&P Global Ratings' website). The comparison between this index and the portfolio may differ in holdings, duration, fees, and percentage composition of each holding. Such differences may account for variances in yield.



LOGIC Newsletter

September 2018

Performance

As of September 30, 2018

Current Invested Balance	\$6,222,015,405.64
Weighted Average Maturity (1)*	42 Days
Weighted Average Maturity (2)*	83 Days
Net Asset Value	1.000013
Total Number of Participants	576
Management Fee on Invested Balance	0.0975%
Interest Distributed	\$12,026,939.29
Management Fee Collected	\$507,991.89
% of Portfolio Invested Beyond 1 Year	0.00%
Standard & Poor's Current Rating	AAAm

September Averages:

Average Invested Balance	\$6,338,723,080.94
Average Monthly Yield, on a simple basis	2.2112%
Average Weighted Average Maturity (1)*	34 Days
Average Weighted Average Maturity (2)*	69 Days

*Definition of Weighted Average Maturity (1) & (2)

- (1) This weighted average maturity calculation uses the SEC Rule 2a-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This Rule specifies that a variable rate instrument to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.
- (2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.

Rates reflect historical information and are not an indication of future performance.

News

New Participants

We would like to welcome the following entities who joined the LOGIC program in September:

- ★Harlandale ISD
- ★City of Krugerville

Holiday Reminder

In observance of **Columbus Day**, **LOGIC will be closed on Monday, October 8, 2018**. All ACH transactions initiated on Friday, October 5th, will settle on Tuesday, October 9th. Please plan accordingly for your liquidity needs.

Conferences

LOGIC Representatives look forward to visiting with those of you attending these upcoming events:

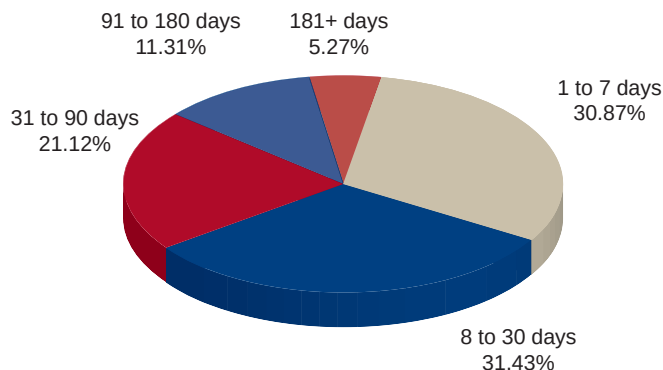
- ★Texas Municipal League Conference Oct 10-12, Fort Worth
- ★GFOAT Fall Conference Oct 24-26, Galveston

Economic Commentary

The Federal Reserve (Fed) raised short-term interest rates for a third time this year and signaled it will progress with plans to gradually tighten policy even as central bankers face White House pressure for low borrowing costs and concerns over the trade war with China. As anticipated, the Fed boosted the federal funds rate target range by 25bps to 2.00%-2.25% at its September Federal Open Market Committee (FOMC) meeting. The FOMC statement maintained existing language reflecting the solid economic backdrop in the U.S., roughly balanced risks to the outlook and the appropriateness of further gradual rate hikes. The most interesting change was the reference to the stance of monetary policy, which was previously described as remaining accommodative, but has been subsequently removed. This change further distances the Fed from the extraordinarily easy policy and explicit forward guidance used at the zero lower bound. The median interest rate forecast "dot plot" was largely unchanged, telegraphing one more rate hike in 2018, three in 2019 and one in 2020. The description of the economy was upbeat and growth projections were modestly upgraded. Both the inflation and unemployment forecasts were mostly unchanged from the June meeting.

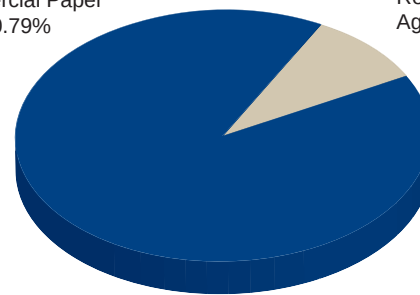
Our base case scenario remains above trend growth although escalating trade battles could depress business confidence and tighten financial conditions. The probability of recession is still low. Fiscal stimulus in the U.S., a well-capitalized global banking system, strong U.S. consumer balance sheets and central banks that are overly cautious in restoring normality to the system are on the growing laundry list of reasons not to expect a recession any time soon. While the U.S. yield curve has flattened, which has historically been a reasonable indicator of approaching recession, we believe the monetary distortions present in this cycle are a meaningful difference accentuating curve flattening. We will see how the next couple quarters play out for the curve as quantitative easing (QE) gives way to quantitative tightening (QT) and the tax reform incentive for U.S. plans to contribute to their pension funds ends. This is the quarter we have all been waiting for: QE becomes QT, U.S. fiscal stimulus accelerates, Treasury supply mushrooms, Brexit is a reality, and trade wars loom. There will be increased volatility. There will be markets that become overbought or oversold and the opportunity to take advantage of these shifts in investor sentiment as they arise.

Portfolio by Type of Investment As of September 30, 2018

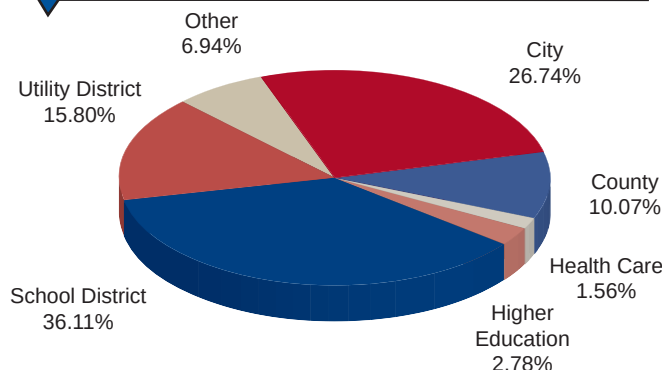


Distribution of Participants by Type As of September 30, 2018

Commercial Paper 90.79%



Portfolio by Maturity As of September 30, 2018



Historical Program Information

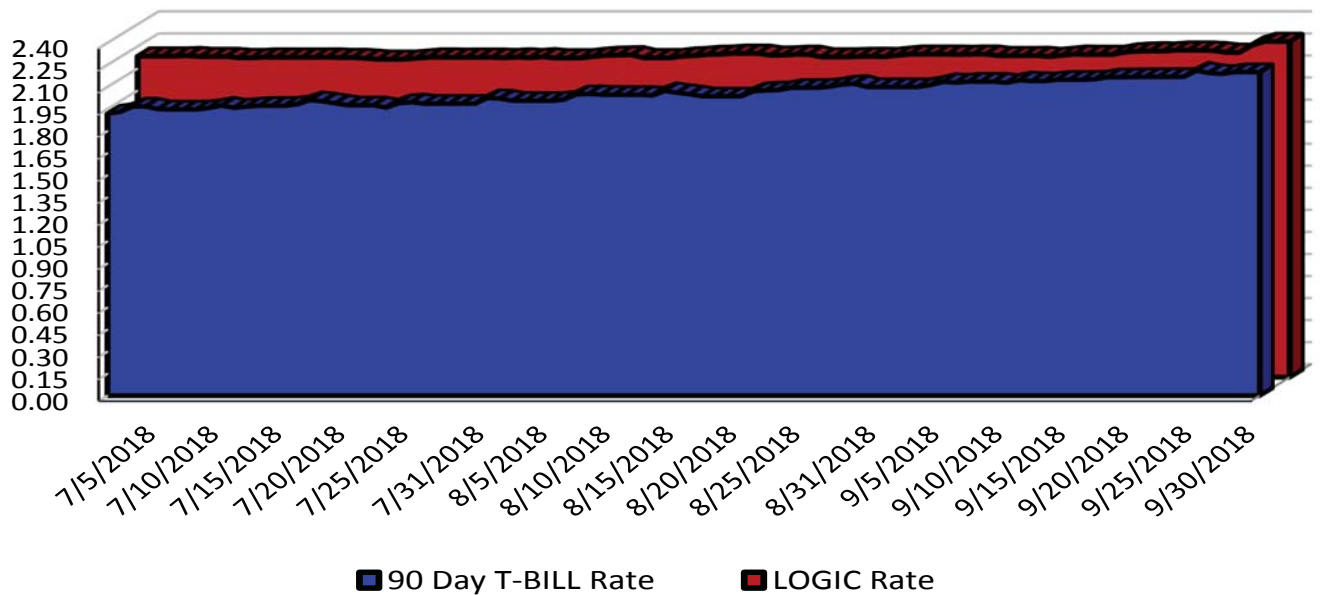
Month	Average Rate	Book Value	Market Value	Net Asset Value	WAM (1)*	WAM (2)*	Number of Participants
Sep 18	2.2112%	\$6,222,015,405.64	\$6,222,101,273.25	1.000013	34	69	576
Aug 18	2.1843%	6,457,668,295.78	6,458,782,262.06	1.000073	34	66	574
Jul 18	2.1750%	6,693,358,601.72	6,694,255,228.51	1.000133	30	59	573
Jun 18	2.1078%	6,880,746,236.77	6,881,359,093.55	1.000058	28	64	571
May 18	2.0273%	6,972,924,126.20	6,973,895,573.35	1.000139	30	66	568
Apr 18	1.9293%	6,434,872,331.82	6,434,646,379.96	0.999964	28	66	565
Mar 18	1.7228%	6,902,175,938.22	6,900,336,026.44	0.999705	28	71	563
Feb 18	1.5898%	7,170,298,263.14	7,170,001,932.73	0.999958	29	78	563
Jan 18	1.5224%	7,365,857,458.60	7,365,850,519.17	0.999999	29	80	561
Dec 17	1.3784%	6,465,455,192.00	6,464,452,719.35	0.999820	29	76	559
Nov 17	1.2913%	6,037,285,391.70	6,037,616,463.25	1.000054	35	75	557
Oct 17	1.2845%	6,047,571,709.48	6,047,976,206.51	1.000066	42	75	556

Portfolio Asset Summary as of September 30, 2018

	Book Value	Market Value
Uninvested Balance	\$ 991,372.29	\$ 991,372.29
Accrual of Interest Income	3,117,924.75	3,117,924.75
Interest and Management Fees Payable	(12,151,412.24)	(12,151,412.24)
Payable for Investment Purchased	(172,718,190.82)	(172,718,190.82)
Receivable for Investment Sold	0.00	0.00
Repurchase Agreements	589,558,999.89	589,558,999.89
Commercial Paper	5,813,216,711.77	5,813,302,579.38
Government Securities	0.00	0.00
Total	\$ 6,222,015,405.64	\$ 6,222,101,273.25

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by J.P. Morgan Chase & Co. and the assets are safekept in a separate custodial account at the Federal Reserve Bank in the name of LOGIC. The only source of payment to the Participants are the assets of LOGIC. There is no secondary source of payment for the pool such as insurance or guarantee. Should you require a copy of the portfolio, please contact LOGIC Participant Services.

LOGIC versus 90-Day Treasury Bill



This material is for information purposes only. This information does not represent an offer to buy or sell a security. The above rate information is obtained from sources that are believed to be reliable; however, its accuracy or completeness may be subject to change. The LOGIC management fee may be waived in full or in part at the discretion of the LOGIC co-administrators and the LOGIC rate for the period shown reflects waiver of fees. This table represents historical investment performance/return to the customer, net of fees, and is not an indication of future performance. An investment in the security is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the issuer seeks to preserve the value of an investment at \$1.00 per share, it is possible to lose money by investing in the security. Information about these and other program details are in the fund's Information Statement which should be read carefully before investing. The yield on the 90-Day Treasury Bill ("T-Bill Yield") is shown for comparative purposes only. When comparing the investment returns of the LOGIC pool to the T-Bill Yield, you should know that the LOGIC pool consist of allocations of specific diversified securities as detailed in the respective Information Statements. The T-Bill Yield is taken from Bloomberg Finance L.P. and represents the daily closing yield on the then current 90-day T-Bill. The LOGIC yield is calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940 as promulgated from time to time by the federal Securities and Exchange Commission.

Daily Summary for September 2018

Date	Mny Mkt Fund Equiv. [SEC Std.]	Daily Allocation Factor	LOGIC Invested Balance	Market Value Per Share	WAM Days (1)*	WAM Days (2)*
9/1/2018	2.1957%	0.000060155	\$6,457,668,295.78	1.000073	33	64
9/2/2018	2.1957%	0.000060155	\$6,457,668,295.78	1.000073	33	64
9/3/2018	2.1957%	0.000060155	\$6,457,668,295.78	1.000073	33	64
9/4/2018	2.1938%	0.000060103	\$6,440,816,436.84	1.000171	34	66
9/5/2018	2.1960%	0.000060165	\$6,421,611,911.15	1.000170	35	65
9/6/2018	2.1962%	0.000060169	\$6,407,271,025.51	1.000168	34	65
9/7/2018	2.1860%	0.000059890	\$6,445,597,928.98	1.000095	32	63
9/8/2018	2.1860%	0.000059890	\$6,445,597,928.98	1.000095	32	63
9/9/2018	2.1860%	0.000059890	\$6,445,597,928.98	1.000095	32	63
9/10/2018	2.1872%	0.000059922	\$6,416,073,390.13	1.000157	34	66
9/11/2018	2.1799%	0.000059722	\$6,414,755,593.61	1.000157	31	65
9/12/2018	2.1878%	0.000059941	\$6,405,600,670.79	1.000144	33	64
9/13/2018	2.1960%	0.000060165	\$6,343,659,207.79	1.000164	32	69
9/14/2018	2.1940%	0.000060110	\$6,280,649,970.28	1.000101	31	67
9/15/2018	2.1940%	0.000060110	\$6,280,649,970.28	1.000101	31	67
9/16/2018	2.1940%	0.000060110	\$6,280,649,970.28	1.000101	31	67
9/17/2018	2.2104%	0.000060559	\$6,303,208,227.59	1.000156	33	70
9/18/2018	2.2161%	0.000060715	\$6,304,093,181.94	1.000146	34	72
9/19/2018	2.2182%	0.000060772	\$6,267,226,586.84	1.000143	33	71
9/20/2018	2.2170%	0.000060739	\$6,253,749,225.70	1.000149	34	73
9/21/2018	2.2230%	0.000060905	\$6,247,094,358.70	1.000054	32	69
9/22/2018	2.2230%	0.000060905	\$6,247,094,358.70	1.000054	32	69
9/23/2018	2.2230%	0.000060905	\$6,247,094,358.70	1.000054	32	69
9/24/2018	2.2196%	0.000060811	\$6,229,768,376.17	1.000119	33	70
9/25/2018	2.2092%	0.000060527	\$6,337,384,555.49	1.000109	31	70
9/26/2018	2.2082%	0.000060498	\$6,339,166,097.74	1.000104	34	75
9/27/2018	2.2570%	0.000061835	\$6,318,230,062.88	1.000095	37	78
9/28/2018	2.2829%	0.000062545	\$6,222,015,405.64	1.000013	42	83
9/29/2018	2.2829%	0.000062545	\$6,222,015,405.64	1.000013	42	83
9/30/2018	2.2829%	0.000062545	\$6,222,015,405.64	1.000013	42	83
Average	2.2112%	0.000060582	\$6,338,723,080.94		34	69



LOGIC Board

LOGIC Board Members

<i>Philip G. Roberson</i>	<i>Arlington ISD</i>	<i>Board President</i>
<i>Fred L. Werner</i>	<i>Qualified Non-Participant</i>	<i>Board Vice President</i>
<i>Sandra Newby</i>	<i>Tarrant Regional Water District</i>	<i>Board Member</i>
<i>Greg Jordan</i>	<i>City of Grapevine</i>	<i>Board Member</i>
<i>Erik Felthous</i>	<i>North Texas Municipal Water District</i>	<i>Board Member</i>

Contacts

For more information contact LOGIC Participant Services ★ 1-800-895-6442 ★ www.logic.org
1201 Elm Street, Suite 3500, Dallas, TX 75270



J.P.Morgan
Asset Management



Monthly Newsletter: September 2018

ANNOUNCEMENTS

We welcome the following entities who joined TexPool in August 2018:

TexPool

Brazoria County MUD 32
Shelby County
Comal County ESD 3
South Post Oak Redevelopment Authority
Valley Ranch Town Center Management District
Harrison County Housing Finance Corporation
Bartlett ISD
MHMR Services for the Concho Valley
Arlington Classics Academy

TexPool Prime

Lufkin ISD
Comal County ESD 3
City of Sulphur Springs
Wheeler County
Harrison County Housing Finance Corporation
Bartlett ISD
MHMR Services for the Concho Valley
Arlington Classics Academy

Upcoming Events

Sep 28, 2018 – Sep 30, 2018
Austin Convention Center, Austin
2018 TASA/TASB Annual Convention

Oct 10, 2018 – Oct 12, 2018
Fort Worth Convention Center, Ft. Worth
2018 Texas Municipal League Conference

Oct 16, 2018 – Oct 18, 2018,
Holiday Inn – San Antonio Riverwalk, San Antonio
73rd Annual TACA Fall Conference

Oct 24, 2018 – Oct 26, 2018,
Moody Gardens Hotel, Galveston
GFOAT Fall Conference

TexPool Advisory Board Members

Jose Elizondo, Jr.	Vivian Wood
Belinda Weaver	Jerry Dale
Patrick Krishock	Sharon Matthews
Michele Tuttle	David Landeros

Overseen by the State of Texas Comptroller of Public Accounts Glenn Hegar.

Operated under the supervision of the Texas Treasury Safekeeping Trust Company

Economic and Market Commentary: Numbers game at the Fed

September 1, 2018

Even the Federal Reserve's "gradual" path of rate normalization beats the excruciatingly sluggish pace of the current confirmation process of new governors. At the end of August, Congress finally confirmed Richard Clarida as vice chair. About time, especially for this important position. But that leaves only four of seven board members in place. The governors are still outnumbered on the policymaking Federal Open Market Committee (FOMC) by the regional bank presidents, who have five seats filled on 1-year rotating basis.

If you wonder why I bring up the Fed's roster frequently, it is because there are significant differences between the two groups. While the regional presidents are policy experts, they speak for their districts, and Atlanta has different issues than Minneapolis, which has different issues than San Francisco, and so forth. Each district reflects its own demographics. The regional banks also have different reports for which they are responsible, taking up time and resources.

In contrast, Fed board governors consider the impact of monetary policy from a national and global perspective. They take into consideration large-scale factors such as federal fiscal policy. They are able to think about and research monetary policy full-time. With the exception of

(continued page 6)

Performance as of August 31, 2018

	TexPool	TexPool Prime
Current Invested Balance	\$17,069,457,093.00	\$4,972,013,692.00
Weighted Average Maturity**	28	27
Weighted Average Life**	104	54
Net Asset Value	1.00002	1.00017
Total Number of Participants	2,499	337
Management Fee on Invested Balance	0.0473%	0.0638%
Interest Distributed	\$29,072,495.75	\$8,978,281.50
Management Fee Collected	\$666,499.80	\$237,010.84
Standard & Poor's Current Rating	AAAm	AAAm

Month Averages

Average Invested Balance	\$17,892,740,387.38	\$4,849,243,236.50
Average Monthly Rate*	1.92%	2.18%
Average Weighted Average Maturity**	28	32
Average Weighted Average Life**	101	60

*This average monthly rate for TexPool Prime for each date may reflect a waiver of some portion or all of each of the management fees.

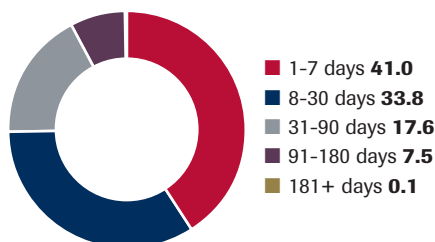
**See page 2 for definitions.

Past performance is no guarantee of future results.



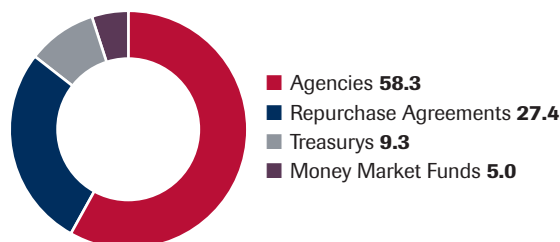
Portfolio by Maturity (%)

As of August 31, 2018



Portfolio by Type of Investment (%)

As of August 31, 2018



Portfolio Asset Summary as of August 31, 2018

	Book Value	Market Value
Uninvested Balance	\$20,052.85	\$20,052.85
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	9,417,647.76	9,417,647.76
Interest and Management Fees Payable	-29,076,141.21	-29,076,141.21
Payable for Investments Purchased	-138,772,500.00	-138,772,500.00
Accrued Expenses & Taxes	-20,509.82	-20,509.82
Repurchase Agreements	4,725,254,000.00	4,725,254,000.00
Mutual Fund Investments	867,113,103.88	867,113,103.88
Government Securities	10,034,170,063.25	10,034,230,905.43
U.S. Treasury Inflation Protected Securities	79,993,982.11	80,011,686.40
US Treasury Bills	1,521,357,394.17	1,521,559,232.40
US Treasury Notes	0.00	0.00
Total	\$17,069,457,092.99	\$17,069,737,477.69

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool. The only source of payment to the Participants is the assets of TexPool. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

Participant Summary

	Number of Participants	Balance
School District	589	\$4,895,757,958.21
Higher Education	57	\$729,887,968.04
Healthcare	83	\$559,267,496.17
Utility District	792	\$2,475,486,561.44
City	460	\$4,135,513,268.23
County	186	\$1,768,721,438.19
Other	332	\$2,504,755,113.40

**Definition of Weighted Average Maturity and Weighted Average Life

WAM is the mean average of the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid, (b) would be repaid upon a demand by TexPool, or (c) are scheduled to have their interest rate readjusted to reflect current market rates. Securities with adjustable rates payable upon demand are treated as maturing on the earlier of the two dates set forth in (b) and (c) if their scheduled maturity is 397 days or less; and the later of the two dates set forth in (b) and (c) if their scheduled maturity is more than 397 days. The mean is weighted based on the percentage of the amortized cost of the portfolio invested in each period.

WAL is calculated in the same manner as WAM, but is based solely on the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid or (b) would be repaid upon a demand by TexPool, without reference to when interest rates of securities within TexPool are scheduled to be readjusted.



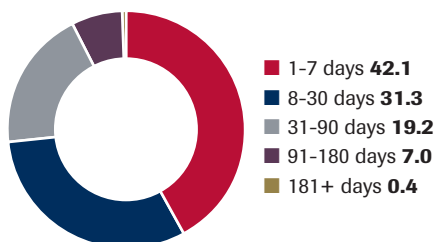
Daily Summary						
Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool Invested Balance	NAV	WAM Days	WAL Days
8/1	1.8962%	0.000051952	\$18,195,246,159.44	0.99997	26	100
8/2	1.9093%	0.000052309	\$18,149,993,606.06	0.99997	26	99
8/3	1.8944%	0.000051902	\$18,079,354,782.43	0.99997	27	102
8/4	1.8944%	0.000051902	\$18,079,354,782.43	0.99997	27	102
8/5	1.8944%	0.000051902	\$18,079,354,782.43	0.99997	27	102
8/6	1.8910%	0.000051807	\$18,017,456,548.88	0.99997	28	102
8/7	1.8996%	0.000052044	\$18,152,548,878.11	0.99996	28	99
8/8	1.9060%	0.000052220	\$18,327,243,346.88	0.99996	28	99
8/9	1.9168%	0.000052515	\$18,404,224,763.81	0.99996	28	100
8/10	1.9228%	0.000052679	\$18,493,548,157.47	0.99997	29	101
8/11	1.9228%	0.000052679	\$18,493,548,157.47	0.99997	29	101
8/12	1.9228%	0.000052679	\$18,493,548,157.47	0.99997	29	101
8/13	1.8841%	0.000051619	\$18,182,560,106.81	0.99997	28	100
8/14	1.9233%	0.000052693	\$17,889,403,457.76	0.99997	28	99
8/15	1.9398%	0.000053144	\$17,778,879,993.81	0.99997	28	101
8/16	1.9422%	0.000053211	\$17,790,980,370.53	0.99996	28	101
8/17	1.9127%	0.000052402	\$17,711,523,499.95	0.99996	28	103
8/18	1.9127%	0.000052402	\$17,711,523,499.95	0.99996	28	103
8/19	1.9127%	0.000052402	\$17,711,523,499.95	0.99996	28	103
8/20	1.9135%	0.000052424	\$17,632,703,371.27	0.99997	27	103
8/21	1.9178%	0.000052543	\$17,599,793,017.34	0.99997	27	102
8/22	1.9194%	0.000052587	\$17,535,533,264.37	0.99997	27	103
8/23	1.9292%	0.000052855	\$17,461,425,010.91	0.99997	28	102
8/24	1.9382%	0.000053100	\$17,821,188,296.33	0.99997	28	100
8/25	1.9382%	0.000053100	\$17,821,188,296.33	0.99997	28	100
8/26	1.9382%	0.000053100	\$17,821,188,296.33	0.99997	28	100
8/27	1.9448%	0.000053282	\$17,770,521,397.25	0.99997	27	99
8/28	1.9464%	0.000053326	\$17,701,584,906.87	0.99997	26	100
8/29	1.9423%	0.000053215	\$17,468,952,756.58	0.99996	26	100
8/30	1.9447%	0.000053279	\$17,229,599,750.50	0.99996	27	100
8/31	1.9641%	0.000053811	\$17,069,457,092.99	1.00002	28	104
Average:	1.9205%	0.000052616	\$17,892,740,387.38	.99997	28	101



TEXPOOL PRIME

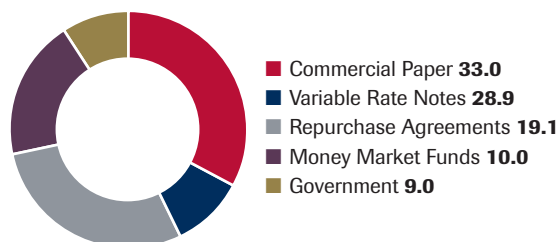
Portfolio by Maturity (%)

As of August 31, 2018



Portfolio by Type of Investment (%)

As of August 31, 2018



Portfolio Asset Summary as of August 31, 2018

	Book Value	Market Value
Uninvested Balance	-\$1,176.17	-\$1,176.17
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	3,605,365.23	3,605,365.23
Interest and Management Fees Payable	-8,978,283.1	-8,978,283.12
Payable for Investments Purchased	0.00	0.00
Accrued Expenses & Taxes	-7,798.13	-7,798.13
Repurchase Agreements	949,746,000.00	949,746,000.00
Commercial Paper	1,642,563,632.07	1,642,786,800.30
Bank Instruments	0.00	0.00
Mutual Fund Investments	497,099,999.35	497,052,003.75
Government Securities	448,975,881.93	449,048,179.50
Variable Rate Notes	1,439,010,071.20	1,439,609,990.00
Total	\$4,972,013,692.36	\$4,972,861,081.36

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool Prime. The assets of TexPool Prime are the only source of payments to the Participants. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services

Participant Summary

	Number of Participants	Balance
School District	116	\$1,597,822,476.89
Higher Education	15	\$657,373,644.81
Healthcare	13	\$253,403,872.70
Utility District	29	\$310,040,850.69
City	65	\$966,601,967.39
County	38	\$453,220,545.54
Other	61	\$733,552,799.84



TEXPOOL *PRIME*

Daily Summary

Date	Money Mkt. Fund Equiv. (SEC Std.)	Dividend Factor	TexPool <i>Prime</i> Invested Balance	NAV	WAM Days	WAL Days
8/1	2.1779%	0.000059669	\$4,958,292,559.61	1.00013	34	58
8/2	2.1724%	0.000059518	\$4,969,832,916.56	1.00013	35	58
8/3	2.1625%	0.000059247	\$4,956,251,407.19	1.00007	35	60
8/4	2.1625%	0.000059247	\$4,956,251,407.19	1.00007	35	60
8/5	2.1625%	0.000059247	\$4,956,251,407.19	1.00007	35	60
8/6	2.1595%	0.000059164	\$4,929,155,006.52	1.00014	34	59
8/7	2.1633%	0.000059269	\$4,939,120,762.71	1.00013	34	59
8/8	2.1680%	0.000059396	\$4,917,902,360.01	1.00013	34	60
8/9	2.1780%	0.000059670	\$4,901,272,845.79	1.00013	34	61
8/10	2.1744%	0.000059573	\$4,975,367,059.63	1.00008	34	61
8/11	2.1744%	0.000059573	\$4,975,367,059.63	1.00008	34	61
8/12	2.1744%	0.000059573	\$4,975,367,059.63	1.00008	34	61
8/13	2.1813%	0.000059761	\$4,908,495,770.52	1.00014	34	60
8/14	2.1846%	0.000059851	\$4,817,772,450.05	1.00015	34	61
8/15	2.1995%	0.000060259	\$4,786,998,360.37	1.00014	33	63
8/16	2.2061%	0.000060441	\$4,797,196,154.75	1.00016	33	63
8/17	2.1905%	0.000060014	\$4,806,005,516.96	1.00010	33	62
8/18	2.1905%	0.000060014	\$4,806,005,516.96	1.00010	33	62
8/19	2.1905%	0.000060014	\$4,806,005,516.96	1.00010	33	62
8/20	2.1856%	0.000059880	\$4,797,462,731.95	1.00015	30	60
8/21	2.1895%	0.000059987	\$4,771,399,432.54	1.00015	31	60
8/22	2.1865%	0.000059903	\$4,715,321,845.92	1.00015	31	60
8/23	2.1913%	0.000060036	\$4,709,293,748.42	1.00015	32	62
8/24	2.1917%	0.000060046	\$4,679,406,904.14	1.00010	32	62
8/25	2.1917%	0.000060046	\$4,679,406,904.14	1.00010	32	62
8/26	2.1917%	0.000060046	\$4,679,406,904.14	1.00010	32	62
8/27	2.1930%	0.000060082	\$4,698,816,692.46	1.00015	29	59
8/28	2.1871%	0.000059920	\$4,714,463,516.95	1.00015	29	58
8/29	2.1782%	0.000059678	\$4,769,293,502.02	1.00015	29	57
8/30	2.1653%	0.000059324	\$5,001,343,318.33	1.00015	27	53
8/31	2.1718%	0.000059502	\$4,972,013,692.36	1.00017	27	54
Average:	2.1805%	0.000059740	\$4,849,243,236.50	1.00012	32	60

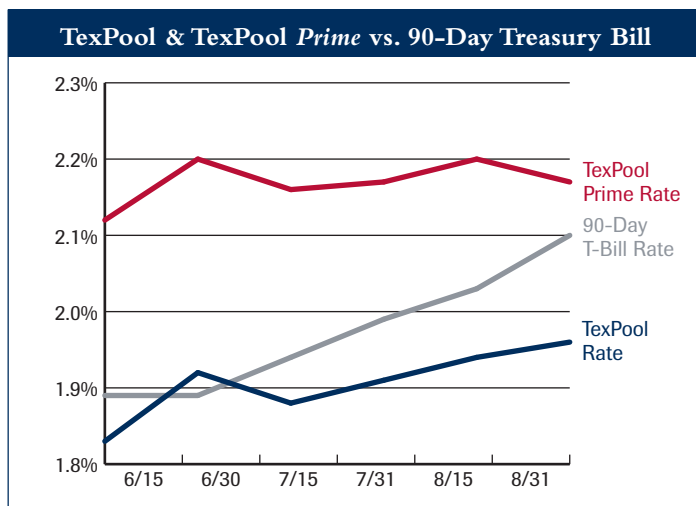


Participant Services
1001 Texas Ave. 14th Floor
Houston, TX 77002

the New York Fed president, who operates more like a governor due to the importance of that bank, regional Fed presidents don't interact with the international community or regularly meet with other central bankers. Board governors represent the U.S. in world affairs, and we need a full complement.

The more pressing Fed issue is this month's FOMC meeting. The markets think there is more than a 90% chance of a 25-basis-point hike, with a little over 60% likelihood of another in December. So, the market is expecting continued increases which, at 2.25-50% at the end of this year, would take us close to the Fed's neutral target of 2.9%. The markets still don't know what will happen with the balance sheet. There has been no guidance yet on that, which is frustrating. I expected some two meetings ago.

Libor was essentially unchanged over the month, with 1-month at 2.08%, 3-month at 2.32% and 6-month at 2.53%.



90-Day Treasury Bill is a short-term debt instrument backed by the national government. These are used to collect immediate cash to meet outstanding obligations.

Any private investor can invest in a Treasury bill. The 90-Day Treasury Bill is a weighted average rate of the weekly auctions of 90-Day Treasury Bills.

Past performance is no guarantee of future results.



Monthly Newsletter - September 2018

Performance

As of September 30, 2018

Current Invested Balance	\$6,458,418,968.50
Weighted Average Maturity (1)	43 Days
Weighted Average Maturity (2)	107 Days
Net Asset Value	0.999935
Total Number of Participants	883
Management Fee on Invested Balance	0.06%*
Interest Distributed	\$11,223,374.86
Management Fee Collected	\$327,074.35
% of Portfolio Invested Beyond 1 Year	7.21%
Standard & Poor's Current Rating	AAAm

Rates reflect historical information and are not an indication of future performance.

September Averages

Average Invested Balance	\$6,632,102,602.16
Average Monthly Yield, on a simple basis	1.9995%
Average Weighted Average Maturity (1)*	30 Days
Average Weighted Average Maturity (2)*	96 Days

Definition of Weighted Average Maturity (1) & (2)

- (1) This weighted average maturity calculation uses the SEC Rule 2a-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This Rule specifies that a variable rate instrument to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.
- (2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.
- * The maximum management fee authorized for the TexSTAR Cash Reserve Fund is 12 basis points. This fee may be waived in full or in part in the discretion of the TexSTAR co-administrators at any time as provided for in the TexSTAR Information Statement.

New Participants

We would like to welcome the following entities who joined the TexSTAR program in September:

- ★ City of Krugerville
- ★ Krugerville Economic Development Corp
- ★ Krugerville Community Development Corp
- ★ Lago Mar Development Authority

Holiday Reminder

In observance of **Columbus Day**, TexSTAR will be closed on **Monday, October 8, 2018**. All ACH transactions initiated on Friday, October 5th, will settle on Tuesday, October 9th. Please plan accordingly for your liquidity needs.

Economic Commentary

The Federal Reserve (Fed) raised short-term interest rates for a third time this year and signaled it will progress with plans to gradually tighten policy even as central bankers face White House pressure for low borrowing costs and concerns over the trade war with China. As anticipated, the Fed boosted the federal funds rate target range by 25bps to 2.00%-2.25% at its September Federal Open Market Committee (FOMC) meeting. The FOMC statement maintained existing language reflecting the solid economic backdrop in the U.S., roughly balanced risks to the outlook and the appropriateness of further gradual rate hikes. The most interesting change was the reference to the stance of monetary policy, which was previously described as remaining accommodative, but has been subsequently removed. This change further distances the Fed from the extraordinarily easy policy and explicit forward guidance used at the zero lower bound. The median interest rate forecast "dot plot" was largely unchanged, telegraphing one more rate hike in 2018, three in 2019 and one in 2020. The description of the economy was upbeat and growth projections were modestly upgraded. Both the inflation and unemployment forecasts were mostly unchanged from the June meeting.

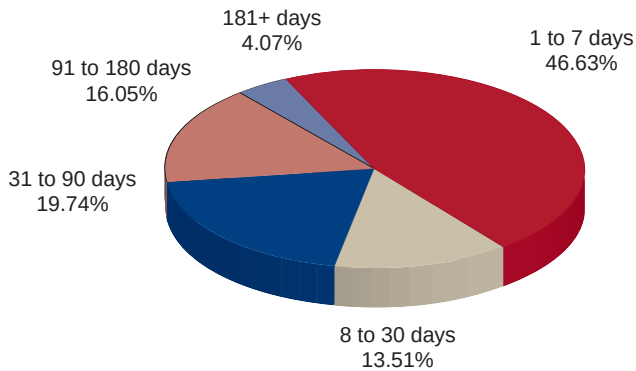
Our base case scenario remains above trend growth although escalating trade battles could depress business confidence and tighten financial conditions. The probability of recession is still low. Fiscal stimulus in the U.S., a well-capitalized global banking system, strong U.S. consumer balance sheets and central banks that are overly cautious in restoring normality to the system are on the growing laundry list of reasons not to expect a recession any time soon. While the U.S. yield curve has flattened, which has historically been a reasonable indicator of approaching recession, we believe the monetary distortions present in this cycle are a meaningful difference accentuating curve flattening. We will see how the next couple quarters play out for the curve as quantitative easing (QE) gives way to quantitative tightening (QT) and the tax reform incentive for U.S. plans to contribute to their pension funds ends. This is the quarter we have all been waiting for: QE becomes QT, U.S. fiscal stimulus accelerates, Treasury supply mushrooms, Brexit is a reality, and trade wars loom. There will be increased volatility. There will be markets that become overbought or oversold and the opportunity to take advantage of these shifts in investor sentiment as they arise.

This information is an excerpt from an economic report dated September 2018 provided to TexSTAR by JP Morgan Asset Management, Inc., the investment manager of the TexSTAR pool.

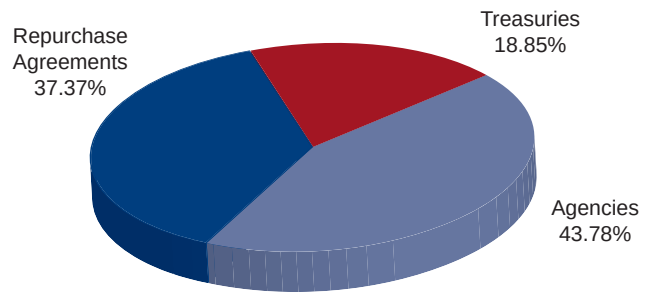
For more information about TexSTAR, please visit our web site at www.texstar.org.

Information at a Glance

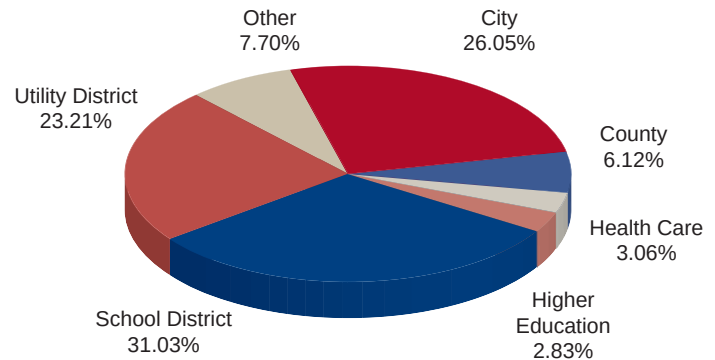
Portfolio by Type of Investment As of September 30, 2018



Distribution of Participants by Type As of September 30, 2018



Portfolio by Maturity As of September 30, 2018



Historical Program Information

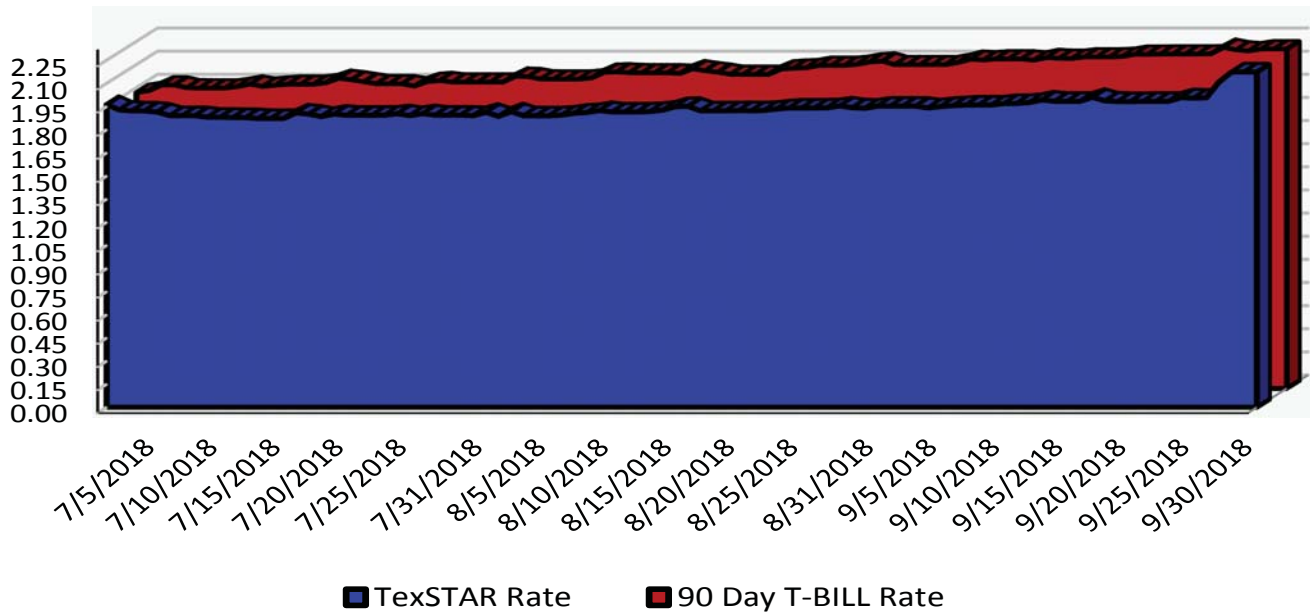
Month	Average Rate	Book Value	Market Value	Net Asset Value	WAM (1)*	WAM (2)*	Number of Participants
Sep 18	1.9995%	\$6,458,418,968.50	\$6,458,002,746.78	0.999935	30	96	883
Aug 18	1.9225%	6,701,017,159.16	6,701,228,119.73	0.999971	24	91	879
Jul 18	1.8965%	6,837,425,331.68	6,837,427,966.67	1.000000	19	84	877
Jun 18	1.8300%	6,250,002,595.51	6,250,027,195.61	0.999991	26	99	874
May 18	1.7258%	6,489,773,533.02	6,489,474,005.73	0.999953	29	106	868
Apr 18	1.6304%	6,358,425,417.53	6,358,101,312.82	0.999949	18	99	861
Mar 18	1.4995%	6,461,363,510.56	6,460,804,379.93	0.999892	28	105	857
Feb 18	1.3518%	7,130,310,070.00	7,129,718,573.04	0.999917	28	97	854
Jan 18	1.2900%	7,090,345,755.93	7,090,199,741.00	0.999979	31	83	853
Dec 17	1.1762%	6,518,450,917.63	6,518,448,483.33	0.999984	36	82	853
Nov 17	1.0695%	6,157,485,042.89	6,157,068,439.39	0.999932	38	90	853
Oct 17	1.0482%	5,848,642,382.89	5,848,708,234.12	1.000011	38	96	852

Portfolio Asset Summary as of September 30, 2018

	Book Value	Market Value
Uninvested Balance	\$ 435.41	\$ 435.41
Accrual of Interest Income	4,382,010.46	4,382,010.46
Interest and Management Fees Payable	(11,238,824.85)	(11,238,824.85)
Payable for Investment Purchased	0.00	0.00
Repurchase Agreement	2,415,928,999.71	2,415,928,999.71
Government Securities	4,049,346,347.77	4,048,930,126.05
Total	\$ 6,458,418,968.50	\$ 6,458,002,746.78

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by J.P. Morgan Chase & Co. and the assets are safekept in a separate custodial account at the Federal Reserve Bank in the name of TexSTAR. The only source of payment to the Participants are the assets of TexSTAR. There is no secondary source of payment for the pool such as insurance or guarantee. Should you require a copy of the portfolio, please contact TexSTAR Participant Services.

TexSTAR versus 90-Day Treasury Bill



This material is for information purposes only. This information does not represent an offer to buy or sell a security. The above rate information is obtained from sources that are believed to be reliable; however, its accuracy or completeness may be subject to change. The TexSTAR management fee may be waived in full or in part at the discretion of the TexSTAR co-administrators and the TexSTAR rate for the period shown reflects waiver of fees. This table represents historical investment performance/return to the customer, net of fees, and is not an indication of future performance. An investment in the security is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the issuer seeks to preserve the value of an investment at \$1.00 per share, it is possible to lose money by investing in the security. Information about these and other program details are in the fund's Information Statement which should be read carefully before investing. The yield on the 90-Day Treasury Bill ("T-Bill Yield") is shown for comparative purposes only. When comparing the investment returns of the TexSTAR pool to the T-Bill Yield, you should know that the TexSTAR pool consist of allocations of specific diversified securities as detailed in the respective Information Statements. The T-Bill Yield is taken from Bloomberg Finance L.P. and represents the daily closing yield on the then current 90-day T-Bill. The TexSTAR yield is calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940 as promulgated from time to time by the federal Securities and Exchange Commission.

Daily Summary for September 2018

Date	Mny Mkt Fund Equiv. [SEC Std.]	Daily Allocation Factor	TexSTAR Invested Balance	Market Value Per Share	WAM Days (1)*	WAM Days (2)*
9/1/2018	1.9518%	0.000053473	\$6,701,017,159.16	0.999971	19	87
9/2/2018	1.9518%	0.000053473	\$6,701,017,159.16	0.999971	19	87
9/3/2018	1.9518%	0.000053473	\$6,701,017,159.16	0.999971	19	87
9/4/2018	1.9402%	0.000053157	\$6,665,047,970.37	0.999967	24	90
9/5/2018	1.9494%	0.000053407	\$6,547,923,835.44	0.999959	27	94
9/6/2018	1.9549%	0.000053558	\$6,563,754,526.50	0.999963	27	97
9/7/2018	1.9593%	0.000053680	\$6,544,637,641.90	0.999955	26	95
9/8/2018	1.9593%	0.000053680	\$6,544,637,641.90	0.999955	26	95
9/9/2018	1.9593%	0.000053680	\$6,544,637,641.90	0.999955	26	95
9/10/2018	1.9686%	0.000053934	\$6,534,005,098.49	0.999942	29	97
9/11/2018	1.9692%	0.000053950	\$6,587,820,254.83	0.999946	30	94
9/12/2018	1.9752%	0.000054114	\$6,667,204,607.42	0.999950	31	95
9/13/2018	1.9920%	0.000054576	\$6,713,789,818.43	0.999949	34	99
9/14/2018	1.9829%	0.000054325	\$6,737,988,513.29	0.999946	32	97
9/15/2018	1.9829%	0.000054325	\$6,737,988,513.29	0.999946	32	97
9/16/2018	1.9829%	0.000054325	\$6,737,988,513.29	0.999946	32	97
9/17/2018	2.0091%	0.000055045	\$6,762,492,185.16	0.999942	32	96
9/18/2018	1.9858%	0.000054406	\$6,821,445,871.11	0.999938	31	95
9/19/2018	1.9820%	0.000054302	\$6,716,906,933.52	0.999932	31	96
9/20/2018	1.9813%	0.000054282	\$6,697,624,013.26	0.999924	31	95
9/21/2018	1.9829%	0.000054327	\$6,665,160,728.16	0.999915	30	94
9/22/2018	1.9829%	0.000054327	\$6,665,160,728.16	0.999915	30	94
9/23/2018	1.9829%	0.000054327	\$6,665,160,728.16	0.999915	30	94
9/24/2018	2.0069%	0.000054983	\$6,631,036,905.28	0.999913	30	94
9/25/2018	2.0039%	0.000054901	\$6,587,166,063.01	0.999920	32	97
9/26/2018	2.0057%	0.000054951	\$6,604,208,386.78	0.999926	32	96
9/27/2018	2.1084%	0.000057765	\$6,540,982,562.07	0.999730	42	104
9/28/2018	2.1735%	0.000059547	\$6,458,418,968.50	0.999935	43	107
9/29/2018	2.1735%	0.000059547	\$6,458,418,968.50	0.999935	43	107
9/30/2018	2.1735%	0.000059547	\$6,458,418,968.50	0.999935	43	107
Average	1.9995%	0.000054780	\$6,632,102,602.16		30	96



TexSTAR Board Members

<i>William Chapman</i>	<i>Central Texas Regional Mobility Authority</i>	<i>Governing Board President</i>
<i>Nell Lange</i>	<i>City of Frisco</i>	<i>Governing Board Vice President</i>
<i>Eric Cannon</i>	<i>City of Allen</i>	<i>Governing Board Treasurer</i>
<i>David Medanich</i>	<i>Hilltop Securities</i>	<i>Governing Board Secretary</i>
<i>Jennifer Novak</i>	<i>J.P. Morgan Asset Management</i>	<i>Governing Board Asst. Sec./Treas.</i>
<i>Monte Mercer</i>	<i>North Central TX Council of Government</i>	<i>Advisory Board</i>
<i>Becky Brooks</i>	<i>City of Grand Prairie</i>	<i>Advisory Board</i>
<i>Nicole Conley</i>	<i>Austin ISD</i>	<i>Advisory Board</i>
<i>David Pate</i>	<i>Richardson ISD</i>	<i>Advisory Board</i>
<i>James Mauldin</i>	<i>University of North Texas System</i>	<i>Advisory Board</i>
<i>Ron Whitehead</i>	<i>Qualified Non-Participant</i>	<i>Advisory Board</i>

For more information contact TexSTAR Participant Services ★ 1-800-839-7827 ★ www.texstar.org

1201 Elm Street, Suite 3500, Dallas, TX 75270



Insights for Investors



October 2018 Economic Review

Texas CLASS Trading Desk (<https://www.texasclass.com/author/texas-class-trading-desk/>) October 12, 2018

A High-Flying U.S. Economy and a Soft Landing

Due to a combination of factors, the United States economy is currently the envy of the world; however, for the Federal Reserve Governors, such strength also gives pause. The Governors are currently wrestling with how long and how much growth can or should continue and how much support is appropriate. The economy is operating near full capacity, jobless claims are near historic lows, and the combined benefits of the tax cut and resolution of trade agreements will support continued growth. Unfortunately, the good times cannot last forever.

As developing economies follow Turkey and Argentina into recession and China and Western Europe experience comparatively slower growth, global investors are seeking strong and safe returns. The recently signed US-Mexico-Canada Agreement (that replaced NAFTA) could also lead to increased investment or demand for U.S. dollars, thereby widening the gap between the currencies of trading partners. Ultimately, this could expand the trade deficit and, because oil is priced in dollars, increase the price of oil. In a worst-case scenario, inflation would be up, and economic growth would eventually be down.

The Fed is seeking to head off such a scenario by moderating growth and bringing the economy in for a soft landing. The Fed's current consensus calls for one more rate hike in December of 2018 with an additional three expected in 2019. Additionally, the benefit of the tax cut is expected to be fully absorbed by the second half of 2019. Policies that have weighed on international economies should moderate, and global economic convergence should occur.

Due to the Fed's reliance on economic indicator data, the market will have some visibility in advance of any potential actions.

Treasury Yields

<u>Maturity</u>	<u>10/9/18</u>	<u>9/10/18</u>	<u>Change</u>
3-Month	2.213%	2.125%	0.088%
6-Month	2.421%	2.304%	0.117%
1-Year	2.617%	2.512%	0.105%
2-Year	2.885%	2.711%	0.174%

3-Year	2.979%	2.778%	0.202%
5-Year	3.056%	2.823%	0.233%
10-Year	3.206%	2.931%	0.275%
30-Year	3.369%	3.081%	0.288%

Agency Yields

<u>Maturity</u>	<u>10/9/18</u>	<u>9/10/18</u>	<u>Change</u>
3-Month	2.244%	2.166%	0.078%
6-Month	2.367%	2.258%	0.109%
1-Year	2.537%	2.433%	0.104%
2-Year	2.936%	2.763%	0.173%
3-Year	3.022%	2.831%	0.191%
5-Year	3.157%	2.934%	0.223%

Commercial Paper Yields (A-1/P-1)

<u>Maturity</u>	<u>10/9/18</u>	<u>9/10/18</u>	<u>Change</u>
1-Month	2.250%	2.080%	0.170%
3-Month	2.390%	2.260%	0.130%
6-Month	2.580%	2.470%	0.110%
9-Month	2.730%	2.610%	0.120%

Current Economic Releases

<u>Data</u>	<u>Period</u>	<u>Value</u>
GDP QoQ	Q2 '18	4.20%
U.S. Unemployment	Sept '18	3.70%
ISM Manufacturing	Sept '18	59.80
PPI YoY	Sept '18	3.00%
CPI YoY	Sept '18	2.30%
Fed Funds Target	October 2018	2.00% – 2.25%

Source: Bloomberg

Data unaudited. Information is obtained from third party sources that may or may not be verified. Many factors affect performance including changes in market conditions and interest rates and in response to other economic, political, or financial developments. All comments and discussions presented are purely based on opinion and assumptions, not fact. These assumptions may or may not be correct based on foreseen and unforeseen events. The information presented should not be used in making any investment decisions. This material is not a recommendation to buy, sell, implement, or change any securities or investment strategy, function, or process. Any financial and/or investment decision should be made only after considerable research, consideration, and involvement with an experienced professional engaged for the specific purpose. Past performance is not an indication of future performance. Any financial and/or investment decision may incur losses.

ORDINANCE O-18-2056

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 43.54 ACRES ON LOTS 1R1 AND 1R2, BLOCK 1, BEAR CREEK PLANTATION ADDITION, LOCATED AT 1312 JOHN MCCAIN ROAD AND 7309 HOLLY LANE FROM THE AG AGRICULTURAL AND R-40 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS TO THE PUD-R PLANNED UNIT DEVELOPMENT - RESIDENTIAL ZONING 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 a rezoning under Case No. ZC18-019; 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; 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, among other things, to 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; and

WHEREAS, The City Council acknowledges the existence of a binding letter of intent between the developer and the Tanglewood HOA dated June 27, 2018 (LOI) containing certain mutual covenants between these two parties related to the development of the property described herein and that said parties intend on performing the covenants contained therein, provided said performance does not expressly conflict with applicable law or this ordinance.

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 43.54 acres on Lots 1R1 and 1R2, Block 1, Bear Creek Plantation Addition, located at 1312 John McCain Road and 7309 Holly Lane from the AG Agricultural and R-40 Single Family Residential zoning districts to the PUD-R Planned Unit Development – Residential zoning district, as depicted in the attached Exhibit “A” and Exhibit “C”, and as described in Exhibit “B”.
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of no more than 35 single-family detached dwelling units.

- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.
- c. Temporary fencing shall be installed during development construction.
- d. All permanent perimeter wall/fencing shall be installed prior to home construction within the development and maintained in perpetuity by the Oak Alley HOA.
- e. No development-related access shall come from Holly Lane and all construction related activity shall be prohibited within the public ROW along Holly Lane, including without limitation, the operation, parking, and storing of construction equipment or vehicles.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Preliminary Plat and Development Plan, labeled as Exhibit "C" & "D" respectively. The actual street and lot arrangement presented as a Final Plat may differ from that shown on Exhibit "C" to accommodate topographic, drainage, engineering design limitations, or other conditions. However, the Final Plat shall not differ in the number of lots allowed or any of the specific conditions provided herein.
- b. The developer shall submit and receive approval from the City a Preliminary Plat and Final Plat in accordance with the requirements of the Land Development Code prior to development of this PUD-R.
- c. Preliminary Plat shall include measurement of buildable area and lot size for each lot within the development.
- d. Pedestrian access easements shall be provided to Holly Lane and John McCain and depicted on the Final Plat.

3. PERMITTED USES

- a. Single-family residences, detached, and accessory uses/structures per regulations of the R-30 zoning district, except where amended herein.
- b. Common open space areas
- c. The existing structure commonly known as the foreman's house (7309 Holly Lane) shall be demolished and removed within twenty-four (24) months of final plat approval.

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions:

- a. Minimum Lot Size: 26,000 square feet minimum lot size for lots 1 and 3; 23,000 square feet minimum lot size for lots 32, 33, 34 and 35 (pond is to be conveyed to HOA and not calculated in lot size).

30,000 square feet for no more than 29 residential lots.
- b. Minimum Lot Width: One Hundred feet (100') measured at the building setback line, except pie-shaped cul-de-sac lots 1 and 2, in which case the minimum shall be sixty seven feet (67') at the building setback line
- c. Front Yard Setback: 30 feet
- d. Side Yard Setback: 10 feet
- e. Street Side Setback: 20 feet, except for "key" lots which shall match the front setback of adjacent lots, as shown on the Development Plan
- f. Rear Yard Setback: 25 feet, except where noted below and/or on the Development Plan
- g. Minimum House Size: 4,300 square feet
- h. Maximum Lot Coverage: 25 percent
- i. Lot 29 shall be limited to a single-story structure, and the rear setback shall be no less than 10' from Open Space Lot 10 (setback shall apply to all primary and accessory structures)

- j. Lots 31, 32, 33, 34, & 35 shall provide for a rear building setback from either Open Space Lot 10, or the the “wall and landscape easement” of no less than 15 feet (setback shall apply to all primary and accessory structures)
- k. Lots 4, 5, 6, 7, 8, 9, 10 & 11 shall provide for a rear building setback from the western boundary of the “landscape and wall easement” of no less than 50 feet (setback shall apply to all primary and accessory structures).
- l. Lots 12, 13 & 14 shall have no accessory structures in the rear yard, behind the primary house and/or garage.

5. OPEN SPACE

- a. This development shall provide not less than approximately 20% common open space, which shall generally be configured as shown in Exhibit “D”. All open space areas shall be landscaped and maintained by the Homeowner’s Association as described in Exhibit “B”.
- b. All amenities within the open space areas shall be maintained by the Homeowner’s Association. A landscape and pond maintenance plan shall be provided in conformance with the Declaration of Covenants, Conditions, and Restrictions as required by this PUD-R and the Perimeter Fencing Exhibits as attached in Exhibit “D”.
- c. Landcaping easements along the east border of the development (Tanglewood) to be deeded to the Tanglewood Maintenance Association shall be conveyed and improved within 30 days of the Final Plat being recorded at the county. All green space improvements shall be installed immediately following wall/fence construction and shall be adequately irrigated and maintained to assure compliance with landscape plan.

6. SCREENING

- a. Perimeter fencing and screening shall be in compliance with the Wall/Fence Diagram included and shown on the Conceptual Site Plan and associated exhibits, labeled as Exhibit “D”.
- b. Wood, plastic or chain-link fencing is not permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. Double fencing shall be prohibited.

- c. All lots backing to the Common Open Space lots shall be open style fencing of decorative metal, and/or masonry.

7. ARCHITECTURAL FEATURES

- a. Masonry Requirement – 80% masonry (brick, stone, or stucco over CMU) shall be required on all structures. No EIFS or artificial stucco material (Dryvit systems or Styrofoam products) shall be permitted in the subdivision.
- b. Garage Standard – Minimum of a three car garage with wood or wood-clad architecturally enhanced doors.
- d. Minimum Roof Pitch – Minimum of a 10:12 roof pitch unless architecturally required to vary, based on home style and with approval of the HOA's Architectural Review Committee.
- e. Windows – No aluminum windows allowed in the subdivision, only windows of higher quality and efficiency will be allowed. All windows will be insulated glass with a “low-e” specification.
- f. Wood, plastic, PVC, or chain-link type fences shall be prohibited.

8. OTHER

- a. A minimum of two (2) three-inch caliper trees shall be planted within the front yard of each lot by the homebuilder upon construction of a new home, unless quality existing trees are present and saved.
- b. Within 60 days of the final inspection/certificate of occupancy being issued for the primary residential structure, all lots must be fully landscaped and irrigated, both front and rear yards.
- c. The streets within Oak Alley are proposed to be private streets with restricted access (gated).
- d. Street Design Standards:
 - o Right-Of-Way: Fifty feet (50')
 - o Travel Lane Width: Thirty-one feet (31'), back of curb to back of curb
 - o Turning Radii: Fifteen feet (15')

- e. Street "A" (southbound and northbound), is a divided road, intended to preserve the double row of Live Oaks in the median, with paving in each direction of 25' b/b, in separate 32.5' Private Street ROW's.
- f. All residences within the subdivision shall contain automatic fire-sprinkler systems.
- g. An enhanced entry feature, as depicted in Exhibit "D" and hereto attached, shall be erected along the John McCain Road frontage and shall serve as the entryway to the development.
- h. The construction entrance(s) shall be on John McCain Road only. Access from Holly Lane shall be prohibited including the property commonly known as the foreman's house (7309 Holly Lane).
- i. Appropriate construction methods shall be utilized to ensure that the ponds are able to hold the volumes of water contemplated in the final design plans and retain the water in the manner in which the ponds are designed. The north pond shall maintain at least 2 feet of storage capacity over the low water elevation design. All ponds shall be owned and maintained in an appropriate manner by the Oak Alley HOA.
- j. A water main loop shall be connected to the existing water main on Holly Lane between Lot 23 and Lot 29. Said pipe installation, sizing, and material shall be approved by the City Engineer.
- k. Pedestrian access to the north pond walking trail shall be provided via public easement from Holly Lane.
- l. Storm sewer installation and connection shall be made to drain the area west of Lot 33 (west of Holly Lane) into the new detention pond traversing Lots 32, 33, and 34. Said pipe installation, sizing, and material shall be approved by the City Engineer.
- m. Street lights, and the cost of electricity for the lights, shall be the responsibility of the HOA. Diverters/shields shall be installed on all street lights adjacent to perimeter homes.
- n. The proposed pond along Holly Lane shall be constructed at an adequate depth to assure a high level of water

quality, shall have a deep well available for make-up water, and shall be maintained in an appropriate manner by the Oak Alley HOA.

- o. The City reserves the right to revisit this PUD ordinance if the property is not final platted within 48 months of the date of Council approval.

9. HOA DOCUMENTS

- a. At a minimum, the agreements, covenants and restrictions establishing and creating the homeowners' association required herein (CCRs) shall contain and/or provide for the following:
 - 1) The initial term of the agreement, covenants and restrictions establishing and creating the homeowners' association shall be for a period of not less than 25 years and, if not established to be perpetual, shall automatically renew for successive periods of not less than 10 years thereafter;
 - 2) The homeowners' association may not be dissolved without the prior written consent of the City Council;
 - 3) Provisions acceptable to the City to ensure the continuous and perpetual use, operation, maintenance and/or supervision of all facilities, structures, improvements, systems, open space or common areas that are the responsibility of the homeowners' association and to establish a reserve fund for such purposes;
 - 4) Provisions prohibiting the amendment of any portion of the homeowners' association's agreements, covenants or restrictions pertaining to the use, operation, maintenance and/or supervision of any facilities, structures, improvements, systems, area or grounds that are the responsibility of the homeowners' association without the prior written consent of the City Council;
 - 5) The right and ability of the City or its lawful agents, after due notice to the homeowners' association, to remove any landscape systems, features or elements that cease to be maintained by the homeowners' association; to

perform the responsibilities of the homeowners' association and its board of directors if the homeowners' association fails to do so in compliance with any provisions of the agreements, covenants or restrictions of the homeowners' association, or of any applicable City ordinances or regulations; to assess the homeowners' association for all costs incurred by the City in performing said responsibilities if the homeowners' association fails to do so; and/or to avail itself of any other enforcement actions available to the City pursuant to state law or City ordinances or regulations; and

- 6) Provisions indemnifying and holding the City harmless from any and all costs, expenses, suits, demands, liabilities or damages including attorney's fees and costs of suit, incurred or resulting from the City's removal of any landscape systems, features or elements that cease to be maintained by the homeowners' association or from the City's performance of the aforementioned operation, maintenance or supervision responsibilities of the homeowners' association due to the homeowners' association's failure to perform said responsibilities.
- 7) No boat, marine craft, hovercraft, recreational vehicle, pick-up camper, travel trailer, motor home, camper body or similar vehicle or equipment may be parked in public view for more than 24 consecutive hours within the development.
- 8) The HOA should make every effort to prevent unsightly structures or uses that can be visible from the neighbors outside the development.
- 9) Clothes lines or outside washing or drying of clothes shall be prohibited.
- 10) Garage doors should be of a side-load design or screened from street view and lots in adjacent neighborhoods.
- 11) Whenever possible, storage/shed buildings should be limited in height to avoid viewing by neighbors and subject to all building setback requirements.
- 12) Architectural design guidelines that include building rendering/evaluation illustrations.

- Sec. 5. 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. 6. 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. 7. 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. 8. 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. 9. 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 7th day of August 2018.

The second reading and public hearing being conducted on the 4th day of December 2018.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 4th day of December 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST: **CITY OF COLLEYVILLE**

Christine Loven, TRMC	Richard Newton
City Secretary	Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map

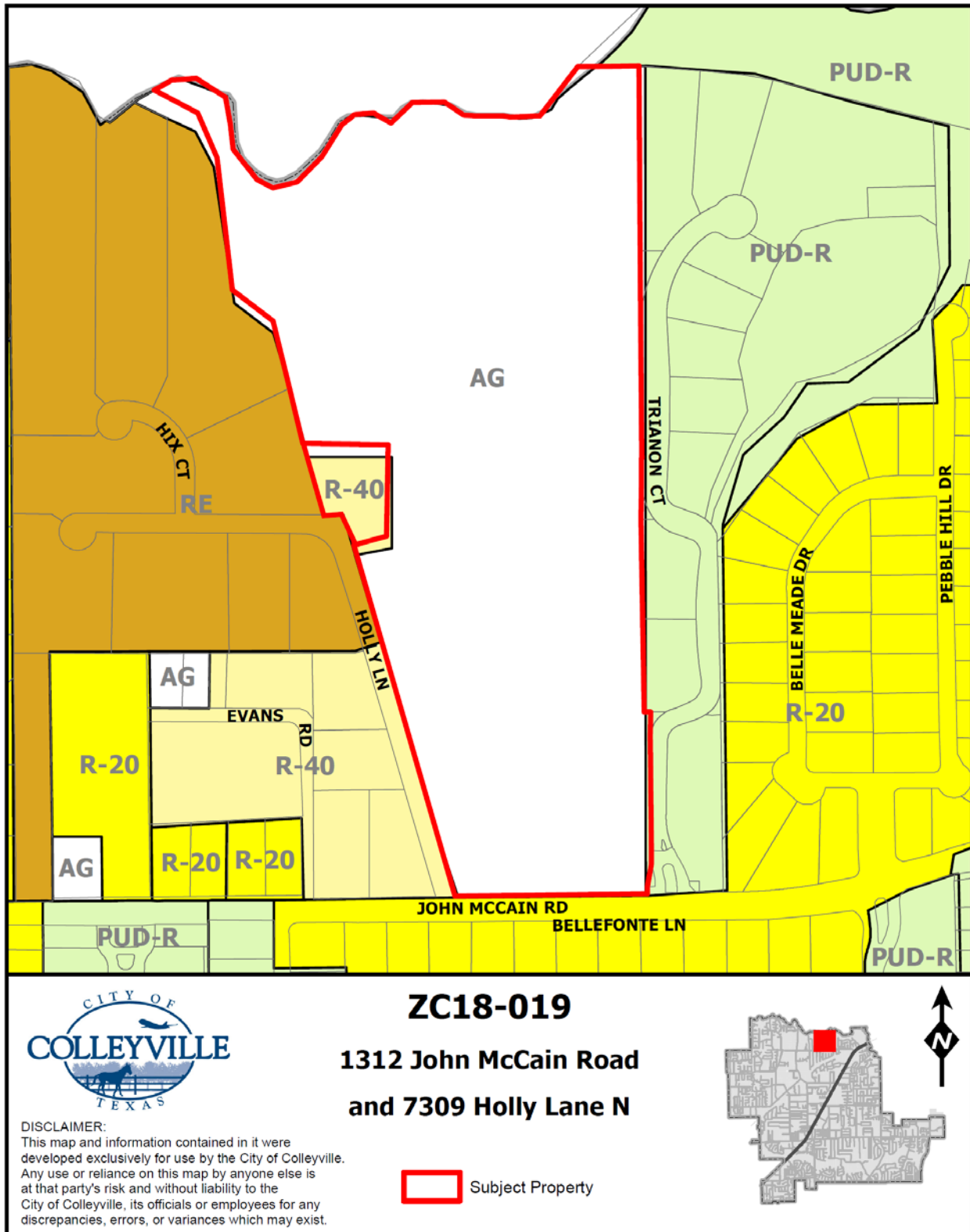


Exhibit “B” – Statement of Planning Objectives

Oak Alley

Colleyville, Texas

Zoning Narrative –8 Oct. 2018

Burk Collins & Co. LTD, Developer

Sage Group, Inc., Land Planner

Statement of Planning Objectives

Oak Alley is a proposed residential neighborhood to be developed by Burk Collins & Co, LTD, under the PUD-R Residential District regulations for residential development in the City of Colleyville. The 43.54 acre property is located on the north side of John McCain Road, just east of Holly Lane (adjacent to the Hidden Acres Addition) and west of, and adjacent to, the Tanglewood Estates gated neighborhood. The property is currently zoned R-40 and AG. The intent here is to rezone the entire property to PUD-R, unifying the property into one cohesive, master planned residential development of the highest quality.

There are currently two occupied single-family homes on the two platted properties that make up this proposal. The main home will be worked into the plan; most of the remaining structures will be removed.

The surrounding area is, for the most part, fully developed with a combination of PUD-R lots ranging from 15,000 s.f. lots, 30,000 s.f. lots, as well as acre plus sized lots. There are existing subdivisions bordering the subject tract on the entire western, eastern and southern boundaries. The northern boundary is Bear Creek, and is the city limit line. Across the creek is the Timarron Golf Course, and the City of Southlake.

The proposed plan, primarily consisting of 30,000 s.f. lots (average of about 38,000 s.f.), and has a range of lot sizes from 26,000 sf minimum, up to several acre plus lots (and one 3.3 acre lot for the existing large home) and open space, would fit in well with the neighborhood, as well as be consistent with the city’s Future Land Use Plan.

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville is essential, and we have designed this proposal with those goals in mind.

The residences planned for Oak Alley will be very upscale, with selling prices estimated to start at around \$2.0 million. The development will center upon, and feature, the existing double row of Live Oaks, installed some years ago by the property owner along either side of the drive, the defining feature of the property. This will continue to enhance the vista toward the “plantation house” at the far end by placing a boulevard (divided) road along either side of it. An expanded greenbelt setback will be dedicated along the John McCain frontage, and will be fully landscaped, as will the other open space areas within the project. Open Space will make up over 19% of the project area.

Oak Alley will be proposed as a gated community with private streets. A double road, divided entry from John McCain Road, positioned to line up with and take advantage of the central double row of Live Oaks, will provide a distinctive and quality main entry. This

divided road will serve as a loop road through the development, with the two entries from John McCain meeting the minimum 100' centerline spacing for two points of emergency access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 50' R.O.W., throughout the project, except for the main divided central entry road.

There will be a requirement of at least two street trees for every residential lot to be installed by the home builders, adjacent to the street rights of way, unless there are already existing trees there that are saved. We have worked extensively, in conjunction with our neighbors to the east and west, to provide landscape buffers between the existing homes and the future home sites within Oak Alley. All perimeter boundaries will have 25', fully landscaped buffer easements, as shown on the Development Plan.

The existing and fully developed storm drainage has been carefully analyzed, and will be designed to meet all city regulations and not adversely affect any neighboring properties. There will be a pond constructed along the Holly Lane frontage- in a landscaped setting, which will double as a storm detention facility, to the extent it is necessary.

To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, and a connection will be made to the large greenbelt area along Bear Creek, and an amenity for the residents.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality designed homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Schedule

Oak Alley will most likely be developed in one phase, with development commencing upon the successful completion of the zoning and platting and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure.

Economic Development Information

Oak Alley will have a total of thirty five (35) homes, each with an estimated average value upon completion of \$2,570,000, resulting in an overall tax base of over \$90,000,000. At the current tax rate of 2.339023%, the total taxes generated from the development are projected to be \$2,105,120, with over \$300,000 generated directly for the City at buildout.

Development Standards

Permitted Land Use:	Single Family Residential Detached
Minimum House Size:	4,300 square feet.
Minimum Lot Area:	26,000 s.f. (Average about 38,000 s.f.)
Minimum Lot Width:	One Hundred feet (100') measured at the building setback line, except pie-shaped cul-de-sac lots 1 and 2, in which case the minimum shall be sixty seven feet (67') at the building setback line.
Front Yard Setbacks:	Thirty feet (30') back of the property line
Rear Yard Setbacks:	Twenty Five feet (25')
Side Yard Setbacks:	Ten feet (10').
Street-facing Side Yard:	Side yard setbacks on the street side of a corner lot, fronting on another street, shall be 20', except for "key" lots which shall match the front setback of adjacent lots, as shown on the Development Plan.
Street Standards:	The streets within Oak Alley are proposed to be private streets with restricted access (gated). All undivided sections will be built to the standard street section of 31' b/b paving, in a 50' Private Street ROW. Street "A" (southbound and northbound), is a divided road, intended to preserve the double row of Live Oaks in the median, with paving in each direction of 24' b/b, in separate 32.5' Private Street ROW's.
Minimum Roof Pitch:	Minimum of a 10:12 roof pitch, unless architecturally required to vary, based on home style.
Garage Standard:	Minimum of a three car garage with wood-like, architecturally enhanced doors.
Masonry Requirement:	The dominant exterior vertical wall area of each structure, exclusive of doors and windows, shall be masonry (brick, stone, or stucco over CMU block) or other material solely determined by the Committee. No more than 20% of the exterior vertical wall to be authentic lath and stucco application over wood framing. Dryvit systems or Styrofoam products are not acceptable. The exterior of chimney flues shall be of masonry material acceptable to the Committee. Installation of all types of exterior items and

surfaces such as address numbers or external ornamentation, lights, mail chutes, mailboxes, roofing materials and exterior paint or stain, shall be subject to the approval of the Committee as to size, design, materials color, manufacturer and location.

Additional Elevation Requirements: All plans will be reviewed by the Oak Alley Architectural Review Committee, and will comply with a set of Design Guidelines which will be developed to assure structures and site features of the highest quality. Elevations will have a hierarchy of plate dominance featuring custom front doors and entrances; balanced architectural features and interests with natural tones for paint and exterior finishes. The elevations on all “four sides” shall be addressed in the design to present a finished appearance. Roofing will match the architectural style. Slate, tile or standing seam metal are examples. Each elevation should add interest to the entire streetscape.

Windows: No aluminum windows allowed in the subdivision, only windows of higher quality and energy efficiency will be allowed. All windows will be insulated glass with a “low-e” specification.

Fencing: Wood fencing between lots is not permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lots backing to the Common Open Space shall be open style fencing of decorative metal, and/or Masonry.

Where lots back to existing residential lots with fences, the existing fence shall be kept, maintained or improved in coordination with each owner, as shown in the diagram on the Development Plan and associated detailed diagrams. Where open space lots border adjacent properties, either the existing fence will be maintained or improved, or a decorative masonry or metal fence will be installed, all in cooperation with the adjacent property owner, according to the detailed plans submitted with zoning. All perimeter walls and fences shall be installed prior to any vertical home construction.

Streetscape Standards: Minimum of two (2) three-inch (3”) caliper trees per front yard, unless quality existing trees are present and saved. Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.

Open Space Maintenance: The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Oak Alley Homeowners Association through dues collected from the individual

homeowners. Membership in the Homeowner's Association is mandatory.

Street Design Standards:

Right of Way:	Fifty feet (50') (Undivided), Thirty Two, one half feet (32.5') (each side of divided entry road)
Travel Lane Width:	Thirty-one feet (31'), back of curb to back of curb (undivided) Twenty-four feet (24'), back of curb to back of curb (divided)
Turning Radii:	Fifteen feet (15')

Open Space Standards:	Except for the natural tree preservation areas, the Common Open Space shall be fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned, operated and maintained by Oak Alley Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.
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Signage:	A monument sign identifying the subdivision shall be built at the gated entry from John McCain Road.
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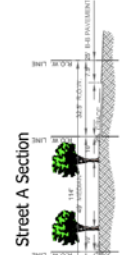
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Oak Alley

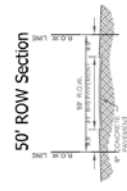
Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1



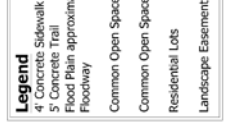
Case #ZC18-019



Street A Section



50' ROW Section



Site Data - Development Plan		
Site Area	35	10
Site Area - Residential LSI	27	8
Common Areas	35	10
Residential LSI	63.96%	27.85 ac.
Open Space	13.68%	5.69 ac.
Open Space - Woodway	11.46%	4.53 ac.
R.O.W.	16.40%	6.23 ac.
Gross Acreage	100.00%	43.54 ac.
Density Data		
Gross Residential Acreage	43.54	
Residential Density (R.D.)	0.92	
Residential Density (R.D.)	(0.92 ac. - 4.67 ac.)	
Summary		
Residential LSI	35	
Minimum Building Lot Area	23,051 s.f.	
Minimum Building Lot Area	10,128 s.f.	
Existing Zoning	AG & P-40	
Proposed Zoning	PUD-R	

Owner:
Buck & Charles Collins Trust

OWNER:
Bunk & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

Surveyor:
Miller Surveying, Inc.
430 Mid Cities Blvd.

Hurst, TX 76054
Tel: 817-577-1052
Engineer:

Deotte, Inc.
420 Johnson Rd., Suite 303
Keller, TX 76248
Tel: 817.337.0800

Applicant:
Contact: Clayton Redinger
Tel. 617-537-0039
Green Cross, Inc.

Sage Group, Inc.
1130 N. Carroll Ave., Suite 2
Southlake, TX 76092
Tel: 817-424-2626

Planner:  **Contacts:** Curtis Young

SAGE GROUP, INC.
Master Planning
Johnston, Georgia

Urban Design
Architecture
Landscape Architecture
1130 N. Canal Ave., Ste. 200
Southwest, Texas 76092
817-483-3674

2007

1

29 NOV 18 1° = 100'

29 NOV 18 1° = 100'



THE ENTRY

OAK ALLEY



A DECORATIVE SCREEN WALL



B ENTRY GATE MEDIAN ORNAMENTAL METAL FENCING
 GATE & MEDIAN FENCING DESIGN T.B.D.



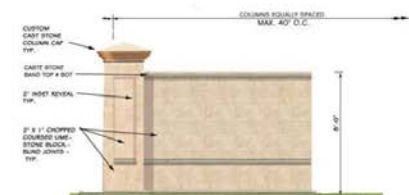
C ORNAMENTAL METAL FENCE
 WITH COLUMN TERMINUS



D LOW STONE WALL WITH
 ORNAMENTAL METAL FENCE



E ORNAMENTAL
 METAL FENCE



F DECORATIVE SCREEN WALL



SCREENING WALLS & ORNAMENTAL FENCING EXHIBIT

OAK ALLEY

STONE



PAVERS



INSPIRATION



SAGE GROUP, INC.
Master Planning
Site Design
Landscape Architecture
1120 N. Capital Ave., Ste 200
Birmingham, AL 35203
TEL: 205-429-2626

THE ENTRY

OAK ALLEY



SAGE GROUP, INC.
Master Planning
Site Design
Landscape Architecture
1120 N. Capital Ave., Ste 200
Birmingham, AL 35203
TEL: 205-429-2626

ELEVATION OF THE ENTRY

OAK ALLEY



Planner: SAGE GROUP, INC.
 0000
 21 SEPT 18 1" = 60'



TYPE C - 6' Ornamental Metal Fence WITH Masonry Columns
 TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
 TYPE F - 8' Masonry Wall
 Retain Existing Wall / Fence

Eastern Boundry Detail (Sheet 1 of 3)

Case #ZC18-002

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



Planner: SAGE GROUP, INC.
 0000
 21 SEPT 18 1" = 60'



TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'
 TYPE F - 8' Masonry Wall

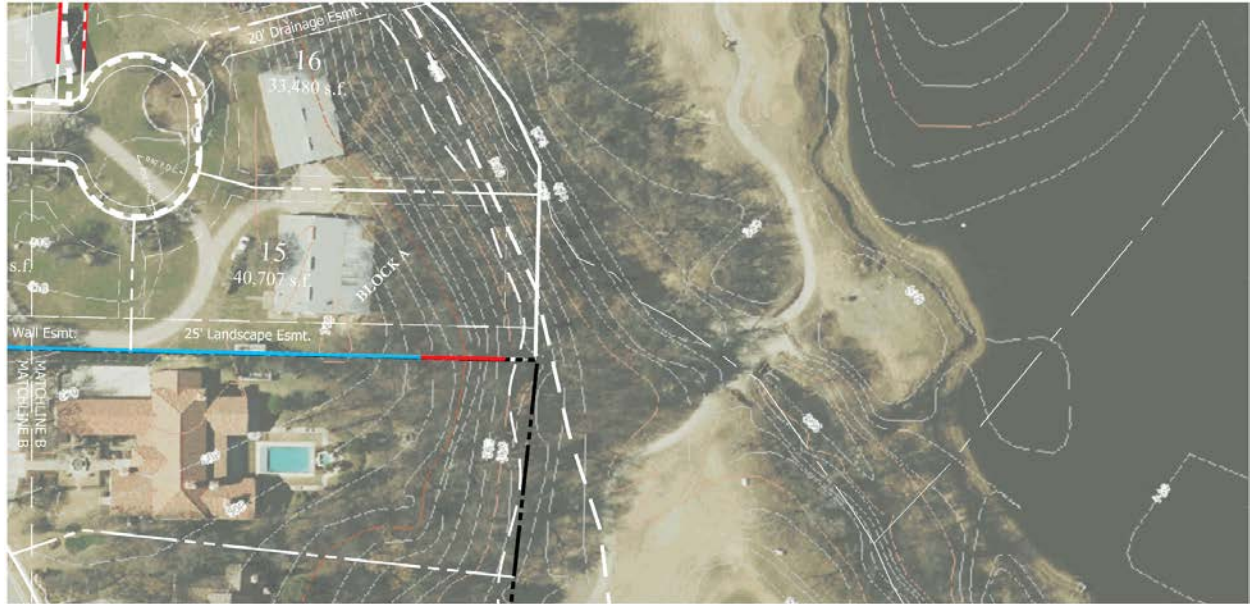
Eastern Boundry Detail (Sheet 2 of 3)

Case #ZC18-002

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

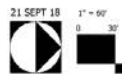
Colleyville, Tarrant County, Texas



Planner: SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
11215 Central Exp., Ste. 200
Dallas, Texas 75242
817-424-3026

TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'
TYPE E - 6' Ornamental Metal Fence

Case #ZC18-002



Eastern Boundary Detail (Sheet 3 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleville, Tarrant County, Texas



Planner: SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
11215 Central Exp., Ste. 200
Dallas, Texas 75242
817-424-3026

TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
TYPE C - 6' Ornamental Metal Fence with Masonry Columns

Case #ZC18-002

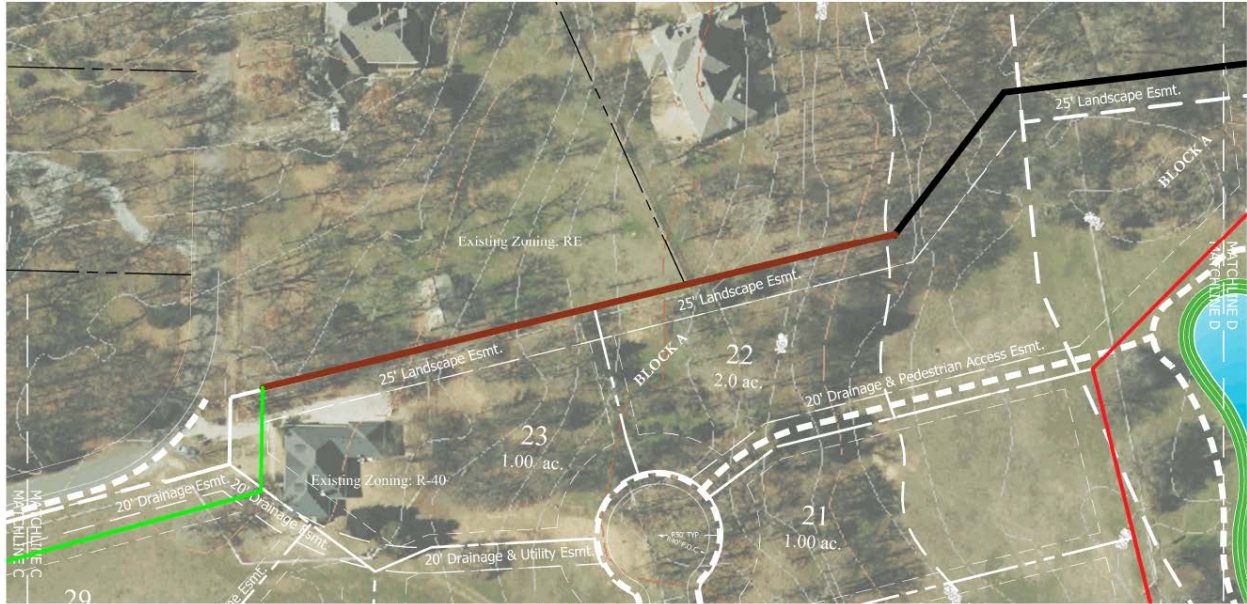


Western Boundary Detail (Sheet 1 of 3)

Oak Alley

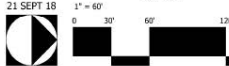
Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleville, Tarrant County, Texas



Planner:  SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1200 W. Central Exp., Ste. 200
Ft. Worth, Texas 76102
627-424-5025

21 SEPT 18 1" = 60'



TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
 TYPE A - 7' Total: Masonry Wall 5' / Ornamental Metal Fence 2'
 Replace Pipe Rail Fence
 6' Iron Fence

Case #ZC18-002

Western Boundary Detail (Sheet 2 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



Planner:  SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1200 W. Central Exp., Ste. 200
Ft. Worth, Texas 76102
627-424-5025

21 SEPT 18 1" = 60'



Replace Pipe Rail Fence

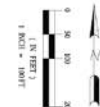
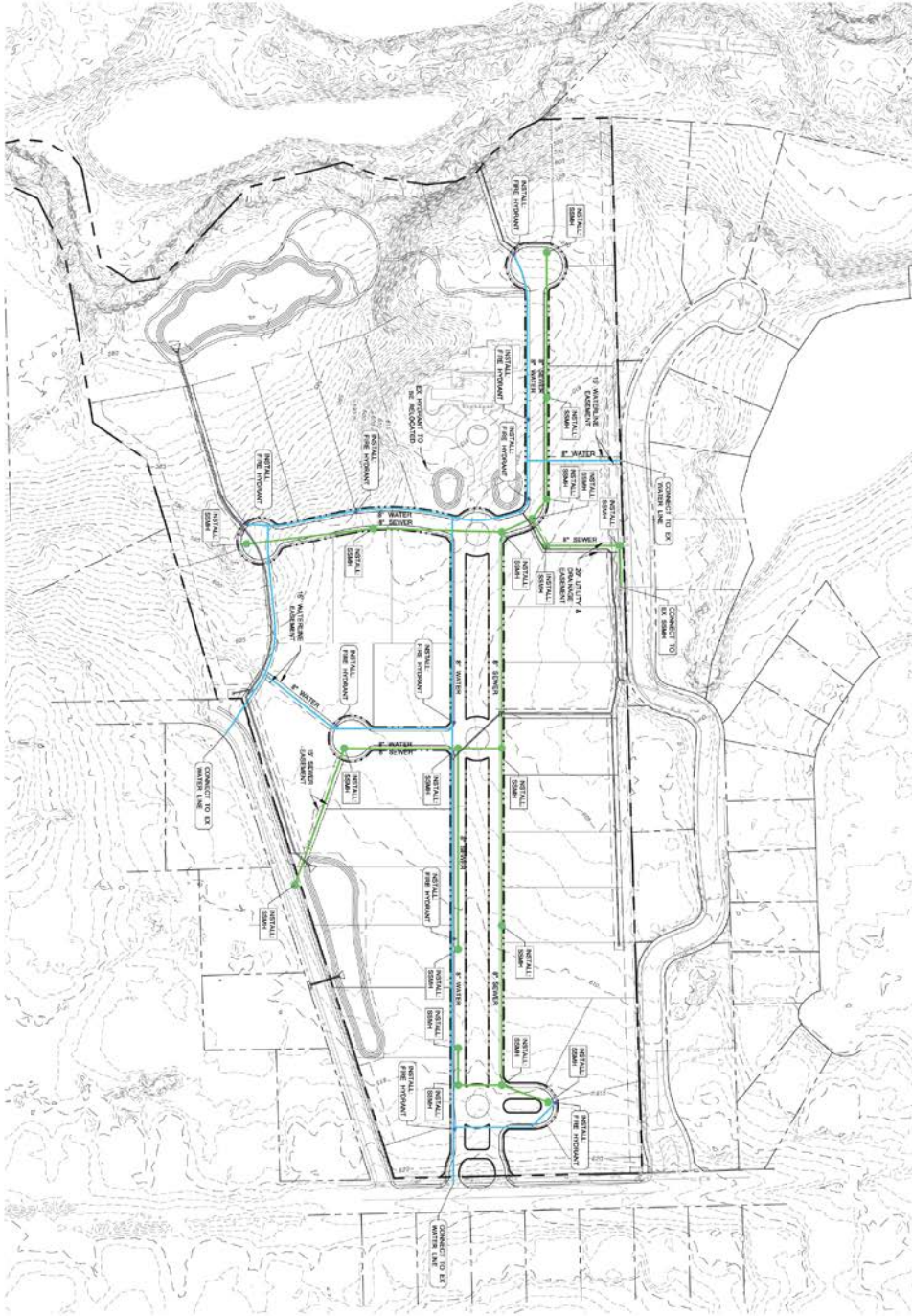
Case #ZC18-002

Western Boundary Detail (Sheet 3 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



- LEGEND**
- 6" WATER LINE
 - 8" WATER LINE
 - 12" WATER LINE
 - 16" WATER LINE
 - 20" WATER LINE
 - 24" WATER LINE
 - 30" WATER LINE
 - 36" WATER LINE
 - 42" WATER LINE
 - 48" WATER LINE
 - 54" WATER LINE
 - 60" WATER LINE
 - 66" WATER LINE
 - 72" WATER LINE
 - 78" WATER LINE
 - 84" WATER LINE
 - 90" WATER LINE
 - 96" WATER LINE
 - 102" WATER LINE
 - 108" WATER LINE
 - 114" WATER LINE
 - 120" WATER LINE
 - 126" WATER LINE
 - 132" WATER LINE
 - 138" WATER LINE
 - 144" WATER LINE
 - 150" WATER LINE
 - 156" WATER LINE
 - 162" WATER LINE
 - 168" WATER LINE
 - 174" WATER LINE
 - 180" WATER LINE
 - 186" WATER LINE
 - 192" WATER LINE
 - 198" WATER LINE
 - 204" WATER LINE
 - 210" WATER LINE
 - 216" WATER LINE
 - 222" WATER LINE
 - 228" WATER LINE
 - 234" WATER LINE
 - 240" WATER LINE
 - 246" WATER LINE
 - 252" WATER LINE
 - 258" WATER LINE
 - 264" WATER LINE
 - 270" WATER LINE
 - 276" WATER LINE
 - 282" WATER LINE
 - 288" WATER LINE
 - 294" WATER LINE
 - 300" WATER LINE



3

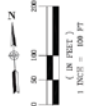
DATE: 10/15/2018
BY: [Signature]

THIS DOCUMENT IS FOR INTERIM REVIEW
AND IS NOT INTENDED FOR CONSTRUCTION.
BEFORE OR AFTER CONSTRUCTION.
BY: Clayton T. Redinger
Firm No.: 8-3116170
DATE: 10/15/2018

REVISIONS
NO. DATE DESCRIPTION
1 10/15/2018 PRELIMINARY UTILITY PLAN

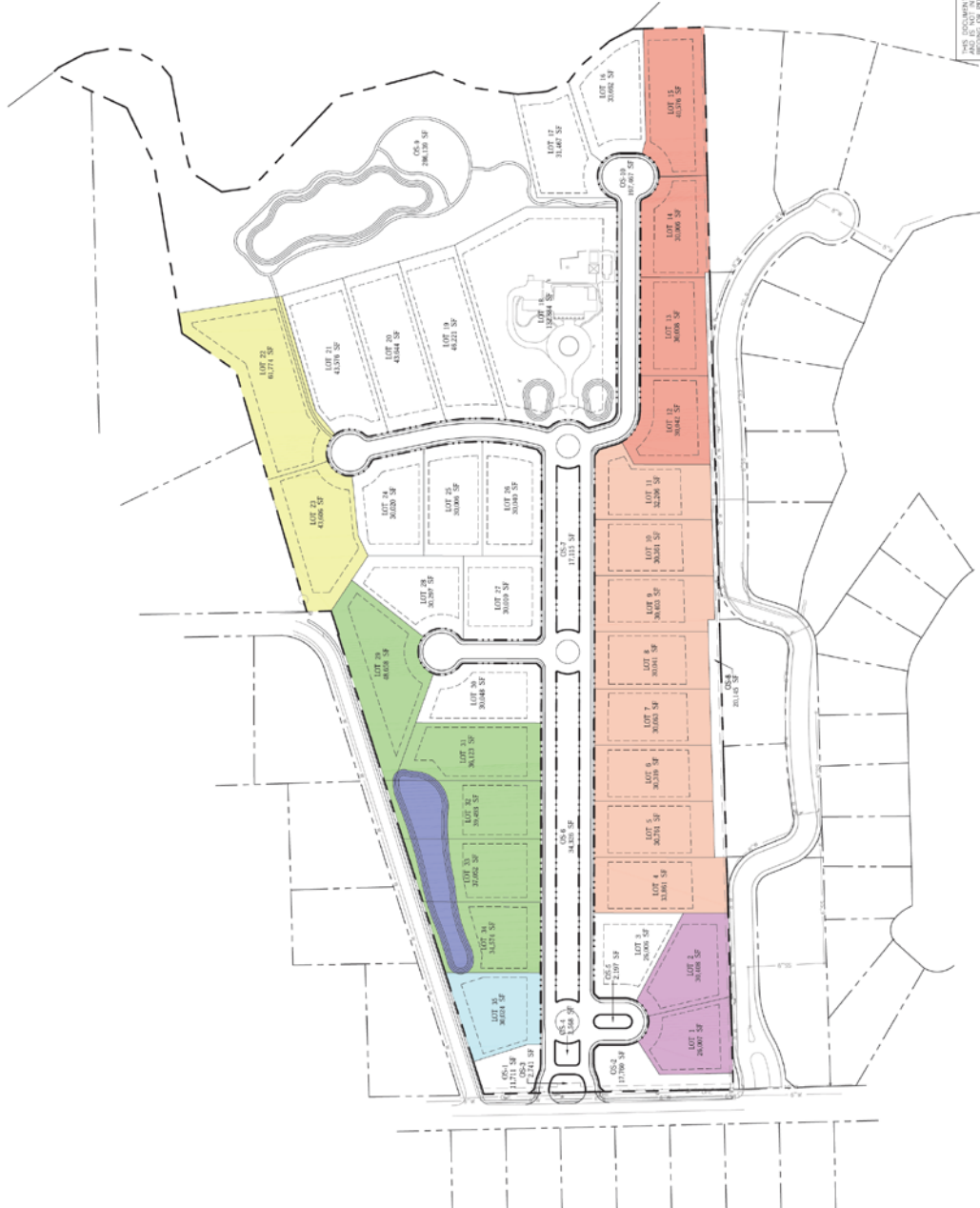
PRELIMINARY UTILITY PLAN OAK ALLEY COLLEYVILLE, TEXAS

DEOTTE, INC.
CIVIL ENGINEERING & ARCHITECTURE
11111 AMBUSH ROAD, SUITE 100, COLLEYVILLE, TEXAS 76034
TEL: 817.461.1111 FAX: 817.461.1112
WWW.DEOTTEINC.COM



OAK ALLEY GRADING CONCEPT

1. FINAL GRADING IS THE FIRST THING THAT SHAPES THE FINAL DESIGN PROCESS AND IT IS THE LAST THING THE DESIGNER DOES. THE DESIGNER MUST BE AWARE OF THE FACTS OF THE SITE AND THE DESIGN PROCESS BEFORE ANY DESIGN CAN BE DEVELOPED. THE DESIGNER MUST BE AWARE OF THE FACTS OF THE SITE AND THE DESIGN PROCESS BEFORE ANY DESIGN CAN BE DEVELOPED.
2. FACTORS THAT AFFECT FINAL GRADING WILL INCLUDE: PROTECTION, DRAINAGE, LOT ASSIGNMENTS, ADJUSTMENT FOR CUSTOM HOME BUILDERS, ACCESSIBILITY, DRAINAGE OVERLAP, AND DRAINAGE OVERLAP. DRAINAGE OVERLAP AND DRAINAGE OVERLAP ON LOTS TO ENSURE PROPER LOT DRAINAGE.
3. MAJOR CONSTRAINTS IMPACTING GRADING ON THIS SITE INCLUDE THE PRESENCE OF MAJOR ADJACENT PROPERTIES AND THE PRESENCE OF MAJOR ADJACENT PROPERTIES.
- THIS CONCEPT PRESENTS THE GRADING FOR EACH LOT WITH FINAL DESIGN ACHIEVED FOR EACH LOT WITH FINAL DESIGN.
- LOTS 1 AND 2**
THESE LOTS ARE EXPECTED TO HAVE PAID GRADING BETWEEN THE EXISTING GRADING AND THE GRADING OF THE LOT. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING.
- LOTS 3 THROUGH 11**
THESE LOTS ARE EXPECTED TO HAVE PAID GRADING BETWEEN THE EXISTING GRADING AND THE GRADING OF THE LOT. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING.
- LOTS 12 THROUGH 15**
THESE LOTS ARE EXPECTED TO HAVE PAID GRADING BETWEEN THE EXISTING GRADING AND THE GRADING OF THE LOT. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING.
- LOTS 16 AND 23**
THESE LOTS ARE EXPECTED TO HAVE PAID GRADING BETWEEN THE EXISTING GRADING AND THE GRADING OF THE LOT. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING.
- LOT 25**
THESE LOTS ARE EXPECTED TO HAVE PAID GRADING BETWEEN THE EXISTING GRADING AND THE GRADING OF THE LOT. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING.
- THE HOLLY POND**
THESE LOTS ARE EXPECTED TO HAVE PAID GRADING BETWEEN THE EXISTING GRADING AND THE GRADING OF THE LOT. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING. THE GRADING OF THE LOT IS EXPECTED TO BE A MINIMUM OF 10 FEET ABOVE THE EXISTING GRADING.



OAK ALLEY
PERMETER GRADING CONCEPT PLAN
COLLEGEVILLE, TEXAS
DIOTTE, INC.

THE GRADING IS FOR THE ENTIRE PROJECT AND IS NOT INTENDED FOR CONSTRUCTION. IT IS THE DESIGNER'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE GRADING IS SUBJECT TO CHANGE WITHOUT NOTICE.

ORDINANCE O-18-2056

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 43.54 ACRES ON LOTS 1R1 AND 1R2, BLOCK 1, BEAR CREEK PLANTATION ADDITION, LOCATED AT 1312 JOHN MCCAIN ROAD AND 7309 HOLLY LANE FROM THE AG AGRICULTURAL AND R-40 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS TO THE PUD-R PLANNED UNIT DEVELOPMENT - RESIDENTIAL ZONING 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 a rezoning under Case No. ZC18-019; 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; 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, among other things, to 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; and

WHEREAS, The City Council acknowledges the existence of a binding letter of intent between the developer and the Tanglewood HOA dated June 27, 2018 (LOI) containing certain mutual covenants between these two parties related to the development of the property described herein and that said parties intend on performing the covenants contained therein, provided said performance does not expressly conflict with applicable law or this ordinance.

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 43.54 acres on Lots 1R1 and 1R2, Block 1, Bear Creek Plantation Addition, located at 1312 John McCain Road and 7309 Holly Lane from the AG Agricultural and R-40 Single Family Residential zoning districts to the PUD-R Planned Unit Development – Residential zoning district, as depicted in the attached Exhibit “A” and Exhibit “C”, and as described in Exhibit “B”.
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of no more than 35 single-family detached dwelling units.

- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.
- c. Temporary fencing shall be installed during development construction.
- d. All permanent perimeter wall/fencing shall be installed prior to home construction within the development and maintained in perpetuity by the Oak Alley HOA.
- e. No development-related access shall come from Holly Lane and all construction related activity shall be prohibited within the public ROW along Holly Lane, including without limitation, the operation, parking, and storing of construction equipment or vehicles.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Preliminary Plat and Development Plan, labeled as Exhibit "C" & "D" respectively. The actual street and lot arrangement presented as a Final Plat may differ from that shown on Exhibit "C" to accommodate topographic, drainage, engineering design limitations, or other conditions. However, the Final Plat shall not differ in the number of lots allowed or any of the specific conditions provided herein.
- b. The developer shall submit and receive approval from the City a Preliminary Plat and Final Plat in accordance with the requirements of the Land Development Code prior to development of this PUD-R.
- c. Preliminary Plat shall include measurement of buildable area and lot size for each lot within the development.
- d. Pedestrian access easements shall be provided to Holly Lane and John McCain and depicted on the Final Plat.

3. PERMITTED USES

- a. Single-family residences, detached, and accessory uses/structures per regulations of the R-30 zoning district, except where amended herein.
- b. Common open space areas
- c. The existing structure commonly known as the foreman's house (7309 Holly Lane) shall be demolished and removed within twenty-four (24) months of final plat approval.

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions:

- a. Minimum Lot Size: 26,000 square feet minimum lot size for lots 1 and 3; 23,000 square feet minimum lot size for lots 32, 33, 34 and 35 (pond is to be conveyed to HOA and not calculated in lot size).

30,000 square feet for no more than 29 residential lots.
- b. Minimum Lot Width: One Hundred feet (100') measured at the building setback line, except pie-shaped cul-de-sac lots 1 and 2, in which case the minimum shall be sixty seven feet (67') at the building setback line
- c. Front Yard Setback: 30 feet
- d. Side Yard Setback: 10 feet
- e. Street Side Setback: 20 feet, except for "key" lots which shall match the front setback of adjacent lots, as shown on the Development Plan
- f. Rear Yard Setback: 25 feet, except where noted below and/or on the Development Plan
- g. Minimum House Size: 4,300 square feet
- h. Maximum Lot Coverage: 25 percent
- i. Lot 29 shall be limited to a single-story structure, and the rear setback shall be no less than 10' from Open Space Lot 10 (setback shall apply to all primary and accessory structures)

- j. Lots 31, 32, 33, 34, & 35 shall provide for a rear building setback from either Open Space Lot 10, or the the “wall and landscape easement” of no less than 15 feet (setback shall apply to all primary and accessory structures)
- k. Lots 4, 5, 6, 7, 8, 9, 10 & 11 shall provide for a rear building setback from the western boundary of the “landscape and wall easement” of no less than 50 feet (setback shall apply to all primary and accessory structures).
- l. Lots 12, 13 & 14 shall have no accessory structures in the rear yard, behind the primary house and/or garage.

5. OPEN SPACE

- a. This development shall provide not less than approximately 20% common open space, which shall generally be configured as shown in Exhibit “D”. All open space areas shall be landscaped and maintained by the Homeowner’s Association as described in Exhibit “B”.
- b. All amenities within the open space areas shall be maintained by the Homeowner’s Association. A landscape and pond maintenance plan shall be provided in conformance with the Declaration of Covenants, Conditions, and Restrictions as required by this PUD-R and the Perimeter Fencing Exhibits as attached in Exhibit “D”.
- c. Landcaping easements along the east border of the development (Tanglewood) to be deeded to the Tanglewood Maintenance Association shall be conveyed and improved within 30 days of the Final Plat being recorded at the county. All green space improvements shall be installed immediately following wall/fence construction and shall be adequately irrigated and maintained to assure compliance with landscape plan.

6. SCREENING

- a. Perimeter fencing and screening shall be in compliance with the Wall/Fence Diagram included and shown on the Conceptual Site Plan and associated exhibits, labeled as Exhibit “D”.
- b. Wood, plastic or chain-link fencing is not permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. Double fencing shall be prohibited.

- c. All lots backing to the Common Open Space lots shall be open style fencing of decorative metal, and/or masonry.

7. ARCHITECTURAL FEATURES

- a. Masonry Requirement – 80% masonry (brick, stone, or stucco over CMU) shall be required on all structures. No EIFS or artificial stucco material (Dryvit systems or Styrofoam products) shall be permitted in the subdivision.
- b. Garage Standard – Minimum of a three car garage with wood or wood-clad architecturally enhanced doors.
- d. Minimum Roof Pitch – Minimum of a 10:12 roof pitch unless architecturally required to vary, based on home style and with approval of the HOA's Architectural Review Committee.
- e. Windows – No aluminum windows allowed in the subdivision, only windows of higher quality and efficiency will be allowed. All windows will be insulated glass with a “low-e” specification.
- f. Wood, plastic, PVC, or chain-link type fences shall be prohibited.

8. OTHER

- a. A minimum of two (2) three-inch caliper trees shall be planted within the front yard of each lot by the homebuilder upon construction of a new home, unless quality existing trees are present and saved.
- b. Within 60 days of the final inspection/certificate of occupancy being issued for the primary residential structure, all lots must be fully landscaped and irrigated, both front and rear yards.
- c. The streets within Oak Alley are proposed to be private streets with restricted access (gated).
- d. Street Design Standards:
 - o Right-Of-Way: Fifty feet (50')
 - o Travel Lane Width: Thirty-one feet (31'), back of curb to back of curb
 - o Turning Radii: Fifteen feet (15')

- e. Street "A" (southbound and northbound), is a divided road, intended to preserve the double row of Live Oaks in the median, with paving in each direction of 25' b/b, in separate 32.5' Private Street ROW's.
- f. All residences within the subdivision shall contain automatic fire-sprinkler systems.
- g. An enhanced entry feature, as depicted in Exhibit "D" and hereto attached, shall be erected along the John McCain Road frontage and shall serve as the entryway to the development.
- h. The construction entrance(s) shall be on John McCain Road only. Access from Holly Lane shall be prohibited including the property commonly known as the foreman's house (7309 Holly Lane).
- i. Appropriate construction methods shall be utilized to ensure that the ponds are able to hold the volumes of water contemplated in the final design plans and retain the water in the manner in which the ponds are designed. The north pond shall maintain at least 2 feet of storage capacity over the low water elevation design. All ponds shall be owned and maintained in an appropriate manner by the Oak Alley HOA.
- j. A water main loop shall be connected to the existing water main on Holly Lane between Lot 23 and Lot 29. Said pipe installation, sizing, and material shall be approved by the City Engineer.
- k. Pedestrian access to the north pond walking trail shall be provided via public easement from Holly Lane.
- l. Storm sewer installation and connection shall be made to drain the area west of Lot 33 (west of Holly Lane) into the new detention pond traversing Lots 32, 33, and 34. Said pipe installation, sizing, and material shall be approved by the City Engineer.
- m. Street lights, and the cost of electricity for the lights, shall be the responsibility of the HOA. Diverters/shields shall be installed on all street lights adjacent to perimeter homes.
- n. The proposed pond along Holly Lane shall be constructed at an adequate depth to assure a high level of water

quality, shall have a deep well available for make-up water, and shall be maintained in an appropriate manner by the Oak Alley HOA.

- o. The City reserves the right to revisit this PUD ordinance if the property is not final platted within 48 months of the date of Council approval.

9. HOA DOCUMENTS

- a. At a minimum, the agreements, covenants and restrictions establishing and creating the homeowners' association required herein (CCRs) shall contain and/or provide for the following:
 - 1) The initial term of the agreement, covenants and restrictions establishing and creating the homeowners' association shall be for a period of not less than 25 years and, if not established to be perpetual, shall automatically renew for successive periods of not less than 10 years thereafter;
 - 2) The homeowners' association may not be dissolved without the prior written consent of the City Council;
 - 3) Provisions acceptable to the City to ensure the continuous and perpetual use, operation, maintenance and/or supervision of all facilities, structures, improvements, systems, open space or common areas that are the responsibility of the homeowners' association and to establish a reserve fund for such purposes;
 - 4) Provisions prohibiting the amendment of any portion of the homeowners' association's agreements, covenants or restrictions pertaining to the use, operation, maintenance and/or supervision of any facilities, structures, improvements, systems, area or grounds that are the responsibility of the homeowners' association without the prior written consent of the City Council;
 - 5) The right and ability of the City or its lawful agents, after due notice to the homeowners' association, to remove any landscape systems, features or elements that cease to be maintained by the homeowners' association; to

perform the responsibilities of the homeowners' association and its board of directors if the homeowners' association fails to do so in compliance with any provisions of the agreements, covenants or restrictions of the homeowners' association, or of any applicable City ordinances or regulations; to assess the homeowners' association for all costs incurred by the City in performing said responsibilities if the homeowners' association fails to do so; and/or to avail itself of any other enforcement actions available to the City pursuant to state law or City ordinances or regulations; and

- 6) Provisions indemnifying and holding the City harmless from any and all costs, expenses, suits, demands, liabilities or damages including attorney's fees and costs of suit, incurred or resulting from the City's removal of any landscape systems, features or elements that cease to be maintained by the homeowners' association or from the City's performance of the aforementioned operation, maintenance or supervision responsibilities of the homeowners' association due to the homeowners' association's failure to perform said responsibilities.
- 7) No boat, marine craft, hovercraft, recreational vehicle, pick-up camper, travel trailer, motor home, camper body or similar vehicle or equipment may be parked in public view for more than 24 consecutive hours within the development.
- 8) The HOA should make every effort to prevent unsightly structures or uses that can be visible from the neighbors outside the development.
- 9) Clothes lines or outside washing or drying of clothes shall be prohibited.
- 10) Garage doors should be of a side-load design or screened from street view and lots in adjacent neighborhoods.
- 11) Whenever possible, storage/shed buildings should be limited in height to avoid viewing by neighbors and subject to all building setback requirements.
- 12) Architectural design guidelines that include building rendering/evaluation illustrations.

- Sec. 5. 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. 6. 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. 7. 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. 8. 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. 9. 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 7th day of August 2018.

The second reading and public hearing being conducted on the 4th day of December 2018.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 4th day of December 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST: **CITY OF COLLEYVILLE**

Christine Loven, TRMC	Richard Newton
City Secretary	Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map

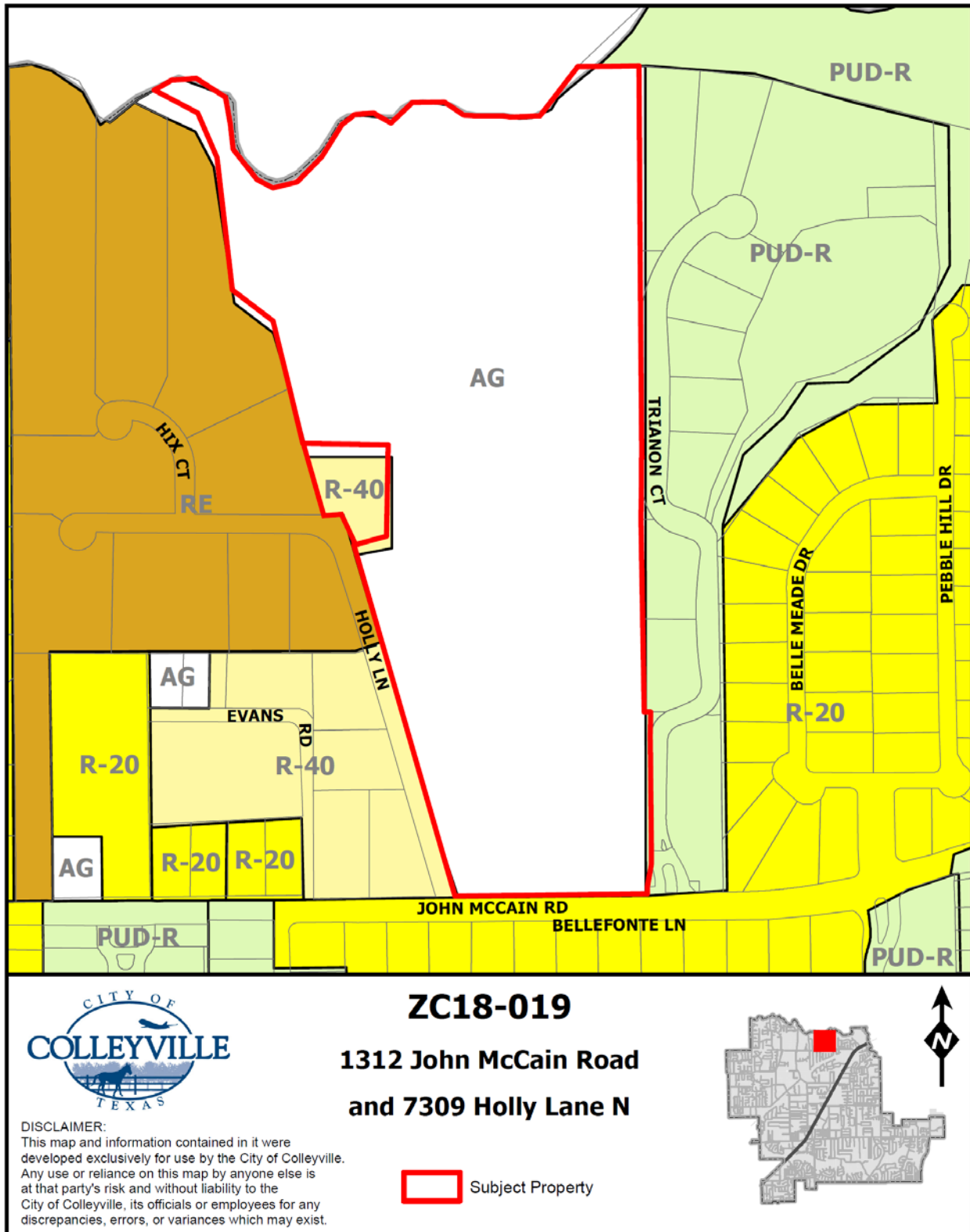


Exhibit “B” – Statement of Planning Objectives

Oak Alley

Colleyville, Texas

Zoning Narrative –8 Oct. 2018

Burk Collins & Co. LTD, Developer

Sage Group, Inc., Land Planner

Statement of Planning Objectives

Oak Alley is a proposed residential neighborhood to be developed by Burk Collins & Co, LTD, under the PUD-R Residential District regulations for residential development in the City of Colleyville. The 43.54 acre property is located on the north side of John McCain Road, just east of Holly Lane (adjacent to the Hidden Acres Addition) and west of, and adjacent to, the Tanglewood Estates gated neighborhood. The property is currently zoned R-40 and AG. The intent here is to rezone the entire property to PUD-R, unifying the property into one cohesive, master planned residential development of the highest quality.

There are currently two occupied single-family homes on the two platted properties that make up this proposal. The main home will be worked into the plan; most of the remaining structures will be removed.

The surrounding area is, for the most part, fully developed with a combination of PUD-R lots ranging from 15,000 s.f. lots, 30,000 s.f. lots, as well as acre plus sized lots. There are existing subdivisions bordering the subject tract on the entire western, eastern and southern boundaries. The northern boundary is Bear Creek, and is the city limit line. Across the creek is the Timarron Golf Course, and the City of Southlake.

The proposed plan, primarily consisting of 30,000 s.f. lots (average of about 38,000 s.f.), and has a range of lot sizes from 26,000 sf minimum, up to several acre plus lots (and one 3.3 acre lot for the existing large home) and open space, would fit in well with the neighborhood, as well as be consistent with the city’s Future Land Use Plan.

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville is essential, and we have designed this proposal with those goals in mind.

The residences planned for Oak Alley will be very upscale, with selling prices estimated to start at around \$2.0 million. The development will center upon, and feature, the existing double row of Live Oaks, installed some years ago by the property owner along either side of the drive, the defining feature of the property. This will continue to enhance the vista toward the “plantation house” at the far end by placing a boulevard (divided) road along either side of it. An expanded greenbelt setback will be dedicated along the John McCain frontage, and will be fully landscaped, as will the other open space areas within the project. Open Space will make up over 19% of the project area.

Oak Alley will be proposed as a gated community with private streets. A double road, divided entry from John McCain Road, positioned to line up with and take advantage of the central double row of Live Oaks, will provide a distinctive and quality main entry. This

divided road will serve as a loop road through the development, with the two entries from John McCain meeting the minimum 100' centerline spacing for two points of emergency access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 50' R.O.W., throughout the project, except for the main divided central entry road.

There will be a requirement of at least two street trees for every residential lot to be installed by the home builders, adjacent to the street rights of way, unless there are already existing trees there that are saved. We have worked extensively, in conjunction with our neighbors to the east and west, to provide landscape buffers between the existing homes and the future home sites within Oak Alley. All perimeter boundaries will have 25', fully landscaped buffer easements, as shown on the Development Plan.

The existing and fully developed storm drainage has been carefully analyzed, and will be designed to meet all city regulations and not adversely affect any neighboring properties. There will be a pond constructed along the Holly Lane frontage- in a landscaped setting, which will double as a storm detention facility, to the extent it is necessary.

To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, and a connection will be made to the large greenbelt area along Bear Creek, and an amenity for the residents.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality designed homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Schedule

Oak Alley will most likely be developed in one phase, with development commencing upon the successful completion of the zoning and platting and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure.

Economic Development Information

Oak Alley will have a total of thirty five (35) homes, each with an estimated average value upon completion of \$2,570,000, resulting in an overall tax base of over \$90,000,000. At the current tax rate of 2.339023%, the total taxes generated from the development are projected to be \$2,105,120, with over \$300,000 generated directly for the City at buildout.

Development Standards

Permitted Land Use:	Single Family Residential Detached
Minimum House Size:	4,300 square feet.
Minimum Lot Area:	26,000 s.f. (Average about 38,000 s.f.)
Minimum Lot Width:	One Hundred feet (100') measured at the building setback line, except pie-shaped cul-de-sac lots 1 and 2, in which case the minimum shall be sixty seven feet (67') at the building setback line.
Front Yard Setbacks:	Thirty feet (30') back of the property line
Rear Yard Setbacks:	Twenty Five feet (25')
Side Yard Setbacks:	Ten feet (10').
Street-facing Side Yard:	Side yard setbacks on the street side of a corner lot, fronting on another street, shall be 20', except for "key" lots which shall match the front setback of adjacent lots, as shown on the Development Plan.
Street Standards:	The streets within Oak Alley are proposed to be private streets with restricted access (gated). All undivided sections will be built to the standard street section of 31' b/b paving, in a 50' Private Street ROW. Street "A" (southbound and northbound), is a divided road, intended to preserve the double row of Live Oaks in the median, with paving in each direction of 24'b/b, in separate 32.5' Private Street ROW's.
Minimum Roof Pitch:	Minimum of a 10:12 roof pitch, unless architecturally required to vary, based on home style.
Garage Standard:	Minimum of a three car garage with wood-like, architecturally enhanced doors.
Masonry Requirement:	The dominant exterior vertical wall area of each structure, exclusive of doors and windows, shall be masonry (brick, stone, or stucco over CMU block) or other material solely determined by the Committee. No more than 20% of the exterior vertical wall to be authentic lath and stucco application over wood framing. Dryvit systems or Styrofoam products are not acceptable. The exterior of chimney flues shall be of masonry material acceptable to the Committee. Installation of all types of exterior items and

surfaces such as address numbers or external ornamentation, lights, mail chutes, mailboxes, roofing materials and exterior paint or stain, shall be subject to the approval of the Committee as to size, design, materials color, manufacturer and location.

Additional Elevation Requirements: All plans will be reviewed by the Oak Alley Architectural Review Committee, and will comply with a set of Design Guidelines which will be developed to assure structures and site features of the highest quality. Elevations will have a hierarchy of plate dominance featuring custom front doors and entrances; balanced architectural features and interests with natural tones for paint and exterior finishes. The elevations on all “four sides” shall be addressed in the design to present a finished appearance. Roofing will match the architectural style. Slate, tile or standing seam metal are examples. Each elevation should add interest to the entire streetscape.

Windows: No aluminum windows allowed in the subdivision, only windows of higher quality and energy efficiency will be allowed. All windows will be insulated glass with a “low-e” specification.

Fencing: Wood fencing between lots is not permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lots backing to the Common Open Space shall be open style fencing of decorative metal, and/or Masonry.

Where lots back to existing residential lots with fences, the existing fence shall be kept, maintained or improved in coordination with each owner, as shown in the diagram on the Development Plan and associated detailed diagrams. Where open space lots border adjacent properties, either the existing fence will be maintained or improved, or a decorative masonry or metal fence will be installed, all in cooperation with the adjacent property owner, according to the detailed plans submitted with zoning. All perimeter walls and fences shall be installed prior to any vertical home construction.

Streetscape Standards: Minimum of two (2) three-inch (3”) caliper trees per front yard, unless quality existing trees are present and saved. Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.

Open Space Maintenance: The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Oak Alley Homeowners Association through dues collected from the individual

homeowners. Membership in the Homeowner's Association is mandatory.

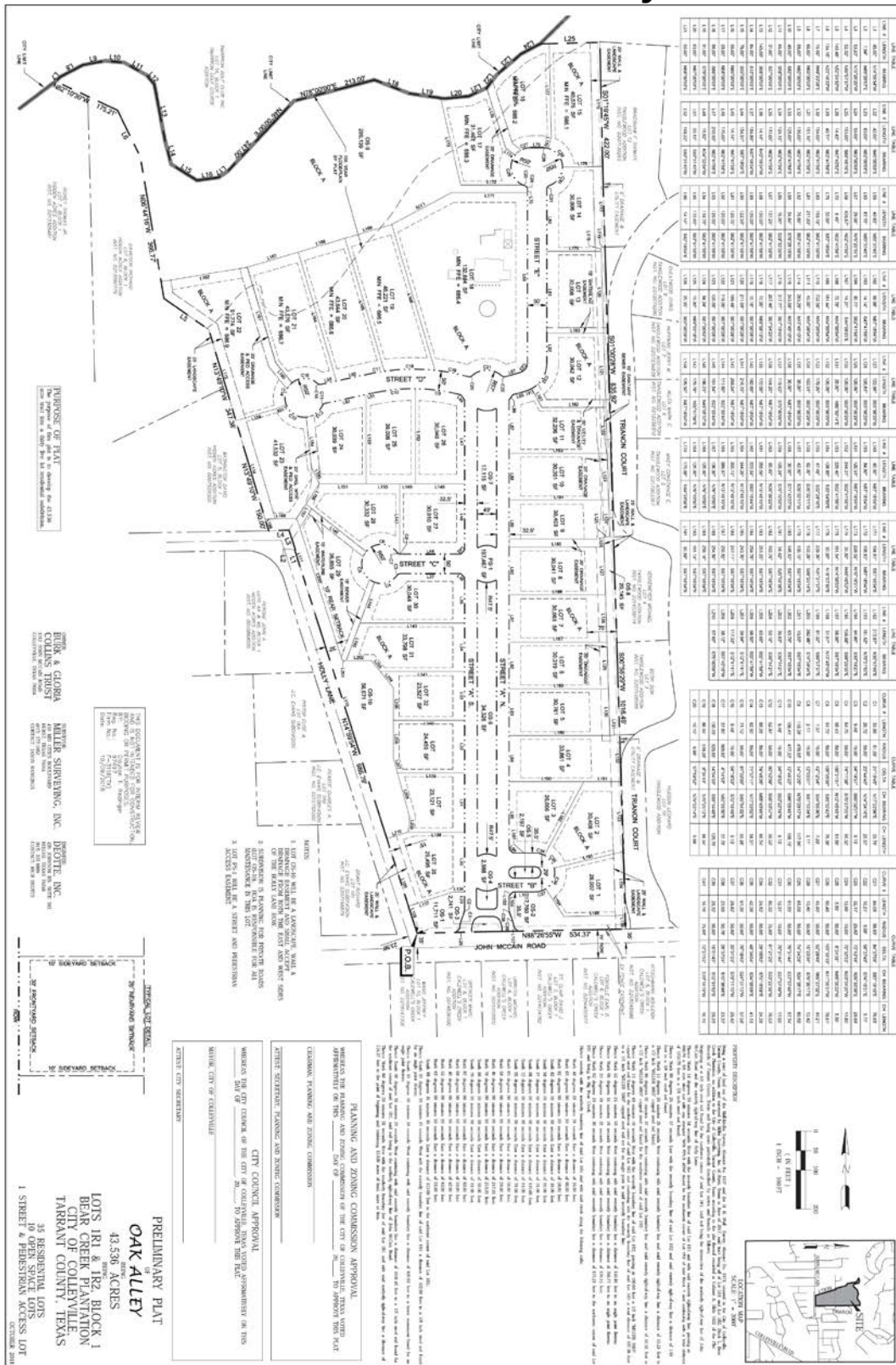
Street Design Standards:

Right of Way:	Fifty feet (50') (Undivided), Thirty Two, one half feet (32.5') (each side of divided entry road)
Travel Lane Width:	Thirty-one feet (31'), back of curb to back of curb (undivided) Twenty-four feet (24'), back of curb to back of curb (divided)
Turning Radii:	Fifteen feet (15')

Open Space Standards:	Except for the natural tree preservation areas, the Common Open Space shall be fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned, operated and maintained by Oak Alley Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.
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Signage:	A monument sign identifying the subdivision shall be built at the gated entry from John McCain Road.
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Exhibit "C" – Preliminary Plat

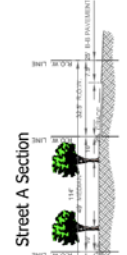


Oak Alley

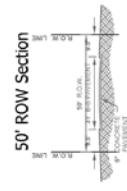
Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1



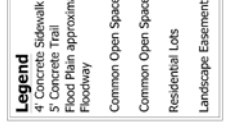
Case #ZC18-019



Street A Section



50' ROW Section



Site Data - Development Plan	
Site Area (Acres)	35
Site Area (Square Feet)	10
Common Areas	
Residential LOTS	63.96%
Open Space	13.68%
Open Space (Acres)	5.69 ac.
Open Space (Square Feet)	5.69 ac.
R.O.W.	11.40%
R.O.W. (Acres)	4.53 ac.
Gross Acreage	100.00%
Gross Acreage	43.54 ac.
Density Data	
Gross Residential Acreage	43.54
Net Residential Acreage	35.00
Residential Density (Net R.O.W.) (units/ac.)	0.92
Summary	
Residential LOTS	35
Minimum Building Lot Area	13,051 s.f.
Minimum Building Lot Area	20,000 s.f.
Minimum Building Lot Area	AG & P-40
Existing Zoning	PUD-R
Proposed Zoning	

Owner:
Buck & Charles Collins Trust

OWNER:
Bunk & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

Surveyor:
Miller Surveying, Inc.
430 Mid Cities Blvd.

Hurst, TX 76054
Tel: 817-577-1052
Engineer:

Deotte, Inc.
420 Johnson Rd., Suite 303
Keller, TX 76248
Tel: 817.337.0800

Applicant:
Contact: Clayton Redinger
Tel. 617-537-0039
Green Cross, Inc.

Sage Group, Inc.
1130 N. Carroll Ave., Suite 2
Southlake, TX 76092
Tel: 817-424-2626

Planner:  **Contacts:** Curtis Young

SAGE GROUP, INC.
Master Planning
Johnston, Georgia

Urban Design
Architecture
Landscape Architecture
1130 N. Canal Ave., Ste. 200
Southwest, Texas 76092
817-483-3674

2007

1

29 NOV 18 1" = 100'



THE ENTRY

OAK ALLEY



A DECORATIVE SCREEN WALL



B ENTRY GATE MEDIAN ORNAMENTAL METAL FENCING
 GATE & MEDIAN FENCING DESIGN T.B.D.



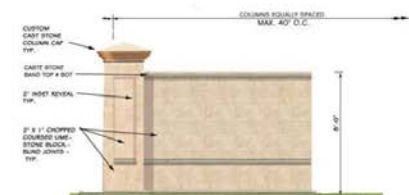
C ORNAMENTAL METAL FENCE
 WITH COLUMN TERMINUS



D LOW STONE WALL WITH
 ORNAMENTAL METAL FENCE



E ORNAMENTAL
 METAL FENCE



F DECORATIVE SCREEN WALL



SCREENING WALLS & ORNAMENTAL FENCING EXHIBIT

OAK ALLEY

STONE



PAVERS



INSPIRATION



THE ENTRY

OAK ALLEY



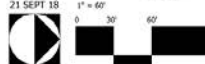
ELEVATION OF THE ENTRY

OAK ALLEY



Planner:  SAGE GROUP, INC.
 Master Planning
 Urban Design
 Architecture
 Landscape Architecture
 1201 N. Central Ave., Ste. 200
 Fort Worth, Texas 76107
 817.434.3000

21 SEPT 18 1" = 60'



TYPE C - 6' Ornamental Metal Fence WITH Masonry Columns
 TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
 TYPE F - 8' Masonry Wall
 Retain Existing Wall / Fence

Case #ZC18-002

Eastern Boundry Detail (Sheet 1 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



Planner:  SAGE GROUP, INC.
 Master Planning
 Urban Design
 Architecture
 Landscape Architecture
 1201 N. Central Ave., Ste. 200
 Fort Worth, Texas 76107
 817.434.3000

21 SEPT 18 1" = 60'



TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'
 TYPE F - 8' Masonry Wall

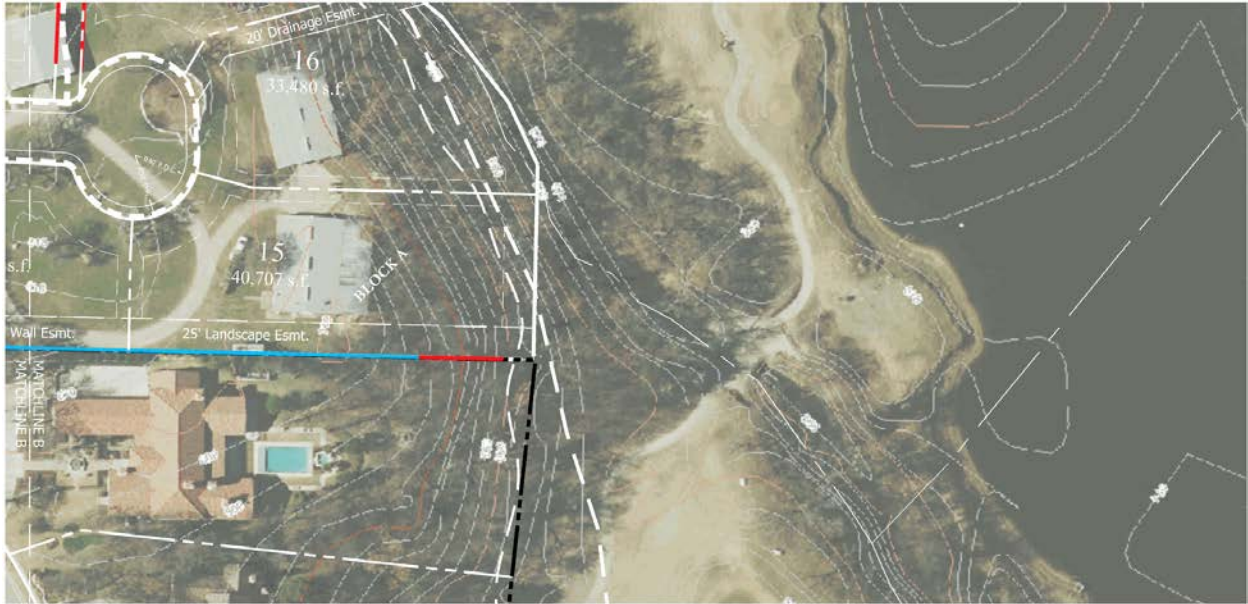
Case #ZC18-002

Eastern Boundary Detail (Sheet 2 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



Planner: SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
11215 Central Exp., Ste. 200
Dallas, Texas 75242
817-424-3026

TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'
TYPE E - 6' Ornamental Metal Fence

Case #ZC18-002



21 SEPT 18

1" = 60'

Eastern Boundary Detail (Sheet 3 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



Planner: SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
11215 Central Exp., Ste. 200
Dallas, Texas 75242
817-424-3026

TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
TYPE C - 6' Ornamental Metal Fence with Masonry Columns

Case #ZC18-002



21 SEPT 18

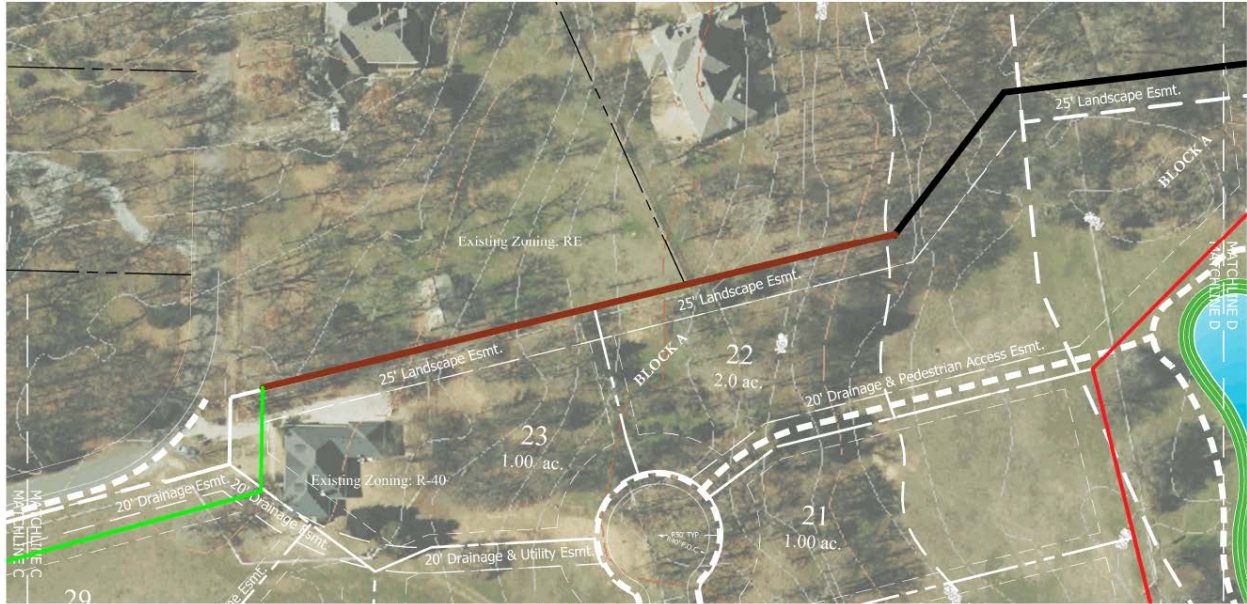
1" = 60'

Western Boundary Detail (Sheet 1 of 3)

Oak Alley

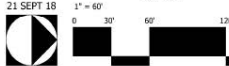
Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



Planner:  SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1200 W. Central Exp., Ste. 200
Ft. Worth, Texas 76102
817.424.5025

21 SEPT 18 1" = 60'



TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
 TYPE A - 7' Total: Masonry Wall 5' / Ornamental Metal Fence 2'
 Replace Pipe Rail Fence
 6' Iron Fence

Western Boundary Detail (Sheet 2 of 3)

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas



Planner:  SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1200 W. Central Exp., Ste. 200
Ft. Worth, Texas 76102
817.424.5025

21 SEPT 18 1" = 60'



Replace Pipe Rail Fence

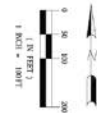
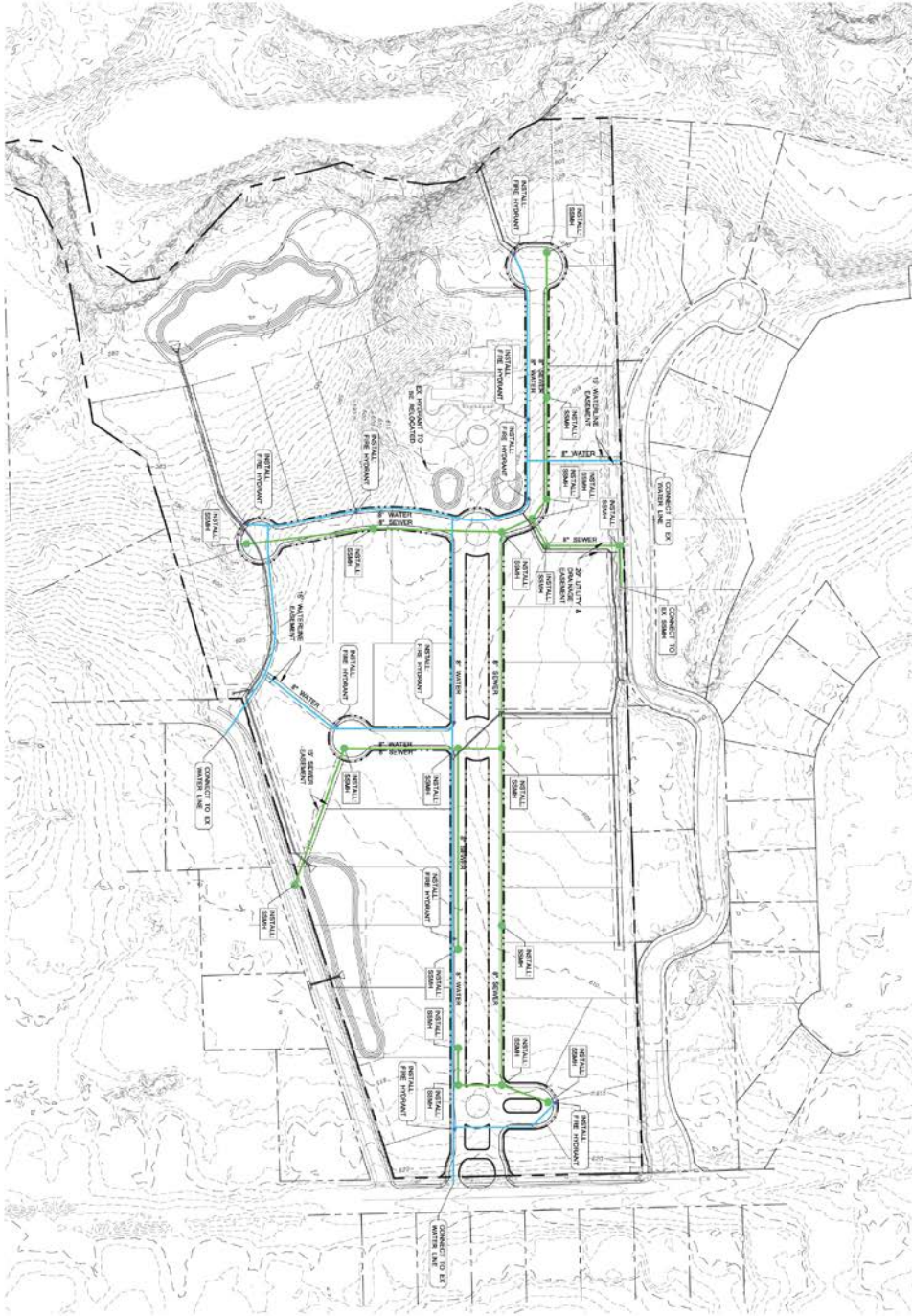
Western Boundary Detail (Sheet 3 of 3)

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas



- LEGEND**
- 6" WATER LINE
 - 6" FIRE LINE
 - 6" SANITARY SEWER LINE
 - 15' SANITARY SEWER MANHOLE



3

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION. BEYOND OR FURTHER PROCEEDING.

BY: Clayton T. Redinger
 TITLE: 97407
 FIRM NO.: 8-3110170
 DATE: 10/16/2018

REVISIONS

NO.	DATE	DESCRIPTION
1	10/16/2018	PRELIMINARY

PRELIMINARY UTILITY PLAN
OAK ALLEY
COLLEYVILLE, TEXAS

DEOTTE, INC.
 CIVIL & LAND ENGINEERING, INC. 1700 N. W. 10TH AVE., SUITE 100
 FORT WORTH, TEXAS 76102
 PHONE: (817) 335-1000 FAX: (817) 335-1001
 WWW.DEOTTEINC.COM



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 12/18/2018

Number Ordinance O-18-2068

Type Ordinance

Department Finance

Title

An ordinance amending Sections 3A and 3B of the Water and Sewer Policy and Procedure manual as contained in the Code of Ordinances of the City of Colleyville, Texas, adjusting water and wastewater volumetric rates to pass through changes from the Trinity River Authority

Strategic Plan

2.1 Provide responsive, efficient city services

Explanation

Second Reading and Public Hearing

Mayor Newton asked for a five year projected volumetric rate based on the information provided by the Trinity Water Authority (TRA). The requested schedule is attached. There were no speakers for this item.

First Reading and Public Hearing

On November 15, 2016, the City Council approved Ordinance O-16-1996, implementing the recommendations of the Water and Wastewater Rate Advisory Committee. This ordinance established a new rate structure in which City operating costs are recovered through base rates and volumetric rates are set to pass through the costs charged by the Trinity River Authority (TRA).

The base and volumetric rates are reviewed and updated on an annual basis. The new base rates are reflected in the bills sent out in October to coincide with the City's fiscal year while the new volumetric rates are reflected in the bills sent out in January to coincide with TRA's rate change.

This agenda item provides for formal consideration and approval to amend Sections 3A and 3B of the Water and Sewer Policy and Procedure manual as contained in the Code of Ordinances of the City of Colleyville, Texas, to reflect the proposed new pass through rates to be in effect starting with the January billing for December's usage as follows:

Water Rates

Staff recommends consideration of raising the current water volumetric rate from \$3.86 to \$4.14

Wastewater Rates

Staff recommends consideration of raising the current wastewater volumetric rate from \$2.81 to \$3.11

Financial Impact

Adoption of this ordinance will provide the revenue to recover the costs from TRA.

Recommendation

Approve

Attachments

1. Ordinance O-18-2068
2. Projected Water and Wastewater Volumetric Rates
3. Utility Rate presentation

ORDINANCE O-18-2068

AMENDING SECTION 3 – SERVICE CHARGES OF THE WATER AND SEWER POLICY AND PROCEDURE MANUAL OF THE CITY OF COLLEYVILLE, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, water and wastewater base rates are set to recover the City’s annual operating costs for the utility system; and

WHEREAS, water and wastewater volumetric rates are set to pass through costs the City incurs from the Trinity River authority for treated water and wastewater treatment; and

WHEREAS, the City Council desires to adjust water and wastewater volumetric rates based on updated costs from the Trinity River Authority.

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

Sec. 1. THAT Section 3 – Service Charges of the Water and Sewer Policy and Procedure Manual of Colleyville, Texas, which is “Appendix A” of the Colleyville Code be replaced in its entirety to read as follows:

Sec. A. - Water rates.

The following base and volumetric charges shall apply to in-city residential and commercial water customers. Base charges for out-of-city customers shall be \$4.00 higher than the charge for the in-city customers.

Base charge per month for in-city customers:	
Water meters 1 inch or less	\$13.48
Water meters of 1.5 inches	\$26.96
Water meters of 2 inches	\$43.14
Water meters of 3 inches	\$80.89

Water meters of 4 inches	\$134.82
Base charge per month for out-of-city customers:	
Water meters 1 inch or less	\$17.48
Water meters of 1.5 inches	\$30.96
Water meters of 2 inches	\$47.14
Water meters of 3 inches	\$84.89
Water meters of 4 inches	\$138.82
Volumetric charge per 1,000 gallons	\$4.14

Rates for fire hydrant meters:

The use of fire hydrant meters shall only be allowed within the Colleyville city limits. The use of the fire hydrant meters shall be limited to a period of no more than 90 cumulative calendar days. Under special conditions, a customer may submit a written request to the public works department for use of a fire hydrant meter for a period longer than 90 cumulative calendar days, subject to public works director approval. In considering special condition(s), the public works director shall not consider requests which are necessary to relieve a self-created or personal hardship, failure of performance by a contractor, nor for financial reasons. In considering the customer request, the public works director shall solicit the recommendation of the fire chief and fire marshal in consideration of the request. Further, the public works director shall consider alternative means available to the customer. If special condition(s) are approved by the public works director, in no case shall the meter be used for more than an additional 30 calendar days. The public works director may provide a written ruling within 15 working days of receipt of the customer's written request.

In the event a request for special condition(s) is denied by the public works director, customer shall, within 14 calendar days, make written appeal to the city manager of the public works director's decision. The city manager shall render a written decision within 30 working days of receipt of the customer's

appeal. Such decision by the city manager shall be final and not appealable to the city council.

For purposes of this section, written communication shall be considered communication, which is deposited with the United States Postal Service for delivery.

The user must submit in writing, the location of where the meter will be used and such meter shall be used exclusively at the location on record with the city. For purposes of this section, the use of a meter shall be allowed cumulatively for only one location within an individual subdivision and/or development.

For a period of 90 cumulative calendar days after a meter is returned and read by the city, a user shall not be permitted to check out another meter for use at the same designated location, as defined herein.

The required deposit for a city provided fire hydrant shall be \$ 1,150. The deposit will be refunded, or in the event a balance is due, applied against the final bill upon the return of the fire hydrant meter. The city will not pay interest on meter deposit refunds.

The monthly base charge for a fire hydrant meter shall be \$50.00. Water usage for a fire hydrant meter shall be charged at a rate of \$4.14 per 1,000 gallons of water used.

The customer shall be in possession of and responsible for the meter. The customer will be responsible for bringing the meter to the public works service center by the 20th of each month for reading. The customer is required to use a proper fire hydrant wrench for operation of the fire hydrant. The customer shall be responsible for any damage and repair, as reasonably determined by the city, to the fire hydrant or the fire hydrant meter by the use of a temporary water meter.

The customer will be required to provide for any backflow device necessary to meet the current city ordinance for protection of the city's drinking water supply.

Sec. B. - Sewer rates.

This schedule of rates per month or fraction thereof shall be the basis for determining charges to all customers for rendering sanitary sewage service, where the sewage produced by such customer is a normal strength wastewater (170 mg/l BOD and 260 mg/l suspended solids) and where such

customer is located within the City of Colleyville. The base charge for commercial customers shall be \$6.00 higher than the charge for in and out-of-city residential customers.

A base charge per month shall be charged as follows:	
Residential customers	\$10.78
Commercial customers	\$16.78

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 upon 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 9,000 gallons shall be used for this volume charge.

The monthly sewer volume charges to commercial and industrial class customers will be based on total water use each month as measured by appropriate meters, with the provision that if a customer can show to the satisfaction of the public works director that a significant portion of the metered water usage does not enter the sanitary sewers, the customer will be charged for only that volume entering the sewers, as determined by a method approved by the director of public works.

Volumetric rate per 1,000 gallons:	\$3.11
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Sec. C. – Capital Projects rates.

The following base charges shall apply to in and out-of-city residential customers and commercial customers to provide funding for utility capital projects necessary to maintain the utility system:

Base charge per month:	
Water meters 1 inch or less	\$2.29
Water meters of 1.5 inches	\$4.58
Water meters of 2 inches	\$7.33
Water meters of 3 inches	\$13.74
Water meters of 4 inches	\$22.90

Sec. D. – Billing; delinquent penalty.

All charges for services furnished or rendered by the City of Colleyville Utility Department are due and payable on the date bill is received. If payment is not received within sixteen days of the billing date a (10%) penalty will be imposed on the delinquent balance for failure to pay by the due date of the bill.

In the event the meter is not delivered to the city for reading, a penalty fee would be imposed as follows:

\$100.00	1 st missed reading
200.00	2 nd missed reading
300.00	3 rd missed reading

After the third missed reading, the security deposit will be forfeited and the City of Colleyville will revoke the use of the fire hydrant meter.

Sec. E. – Discontinuance of service, notice; reconnection fee.

1. In the event that any month's charges remain delinquent and unpaid at the time of a subsequent billing's due date, the user or customer shall receive a cut-off notice which will be mailed no later than two working

days after the subsequent billing's due date. Services will be disconnected if any arrearages over 30 days are not paid within six working days of the cut-off notice. Where service has been discontinued for failure to pay for service rendered, a charge of \$25.00 shall be made for each meter disconnected before said service shall be restored. In the event the customer requests reconnection at hours other than 8:00 a.m. to 4:30 p.m., said reconnect fee shall be increased to \$75.00.

Sec. 2. THAT the effective date of this ordinance shall be for the bills sent out starting January 1, 2019.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of December 2018.

The second reading and public hearing being conducted on the 18th day of December 2018.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18TH DAY OF December 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Projected Water and Wastewater Volumetric Rates

	Rate per 1,000 Gallons				
<i>Water Volumetric Rate</i>	2019	2020	2021	2022	2023
Colleyville's portion of TRA's Operating Budget Including Raw Water	\$2.287	\$2.377	\$2.477	\$2.554	\$2.625
Add: 20% of O&M rate (Billed by TRA to ensure liquidity)	\$0.46	\$0.48	\$0.50	\$0.51	\$0.53
Subtotal O&M Rate	\$2.744	\$2.852	\$2.972	\$3.065	\$3.150
Colleyville's portion of TRA's Debt Budget	\$1.326	\$1.526	\$1.826	\$2.082	\$2.250
Add: 5% of Debt service (Based on the City's historical experience)	\$0.066	\$0.076	\$0.091	\$0.104	\$0.113
Subtotal Debt Rate	\$1.392	\$1.602	\$1.917	\$2.186	\$2.363
TOTAL PROJECTED VOLUMETRIC WATER RATE	\$4.137	\$4.455	\$4.890	\$5.251	\$5.513

	Rate per 1,000 Gallons				
<i>Wastewater Volumetric Rate</i>	2019	2020	2021	2022	2023
Colleyville's portion of TRA's Operating Budget	\$1.009	\$1.115	\$1.165	\$1.149	\$1.083
Add: 2% of O&M rate (Based on the City's historical experience)	\$0.020	\$0.022	\$0.023	\$0.023	\$0.022
Subtotal O&M Rate	\$1.029	\$1.137	\$1.188	\$1.172	\$1.105
Colleyville's portion of TRA's Debt Budget	\$1.979	\$2.235	\$2.412	\$2.576	\$2.781
Add: 5% of Debt service (Based on the City's historical experience)	\$0.099	\$0.112	\$0.121	\$0.129	\$0.139
Subtotal Debt Rate	\$2.078	\$2.347	\$2.533	\$2.705	\$2.920
TOTAL PROJECTED VOLUMETRIC WASTEWATER RATE	\$3.107	\$3.484	\$3.721	\$3.877	\$4.025

Volumetric Utility Rates

City Council
December 18, 2018

Background



➤ **Ordinance O-16-1996:**

- ☐ Approved on November 15, 2016
- ☐ Established a new rate structure:
 - ✓ City operating costs are recovered through base rates and
 - ✓ Volumetric rates are set to pass through the costs charged by the Trinity River Authority (TRA).

➤ **Ordinance O-17-2031:**

- ☐ Approved on September 19, 2017
- ☐ Established the Capital Improvement Plan (CIP) base rate to fund future capital projects.

Rate Breakdown



Monthly
Base Rate
(Min. Bill)



Volumetric
Charge
(Pass
through)



Total Bill

- Fixed monthly charges calculated based on the amount of revenue necessary to recover the City's operating costs.
 - ✓ Water Base Rate
 - ✓ Wastewater Base Rate
 - ✓ Capital Improvement Plan (CIP) Rate

- Effective Date: October 1

- TRA bills Colleyville for water and wastewater treatment.

- ✓ WATER: Based on volume of treated water purchased
- ✓ WASTEWATER: Based on volume of wastewater treated
- ✓ DEBT SERVICE: Based on Colleyville's proportional share of water use within the Tarrant County Water Supply Project and proportional share of wastewater flows for Central Regional Wastewater System

- Effective Date: December 1

- Colleyville bills customers:

- ✓ A base rate to recover the operating costs.
- ✓ A volumetric rate based on projected payments to TRA

- Base rates are fixed monthly charges that are calculated based on the amount of revenue necessary to recover the City's operating costs.
- The base rate is driven by:
 - ☐ The utility fund's budget (excluding projected payments to TRA)
 - ☐ The number of utility customers

Utility Base Rate: O-18-2061



- Use savings/difference from lower water and wastewater base rates to increase the CIP funding component of the rate structure
- Align CIP base rate with AWWA meter equivalency ratios

Approved FY2019 Rates				
Meter Size	Water	Wastewater	CIP	Total
1" Meter	\$13.48	\$10.78	\$2.29	\$26.55
1.5" Meter	\$26.96	\$10.78	\$4.58	\$42.32
2" Meter	\$43.14	\$10.78	\$7.33	\$61.25
3" Meter	\$80.89	\$10.78	\$13.74	\$105.41
4" Meter	\$134.82	\$10.78	\$22.90	\$168.50

Note: rates shown are for in-city customers; wastewater rate is for residential customers

Volumetric Rates



- Volumetric rates are pass through charges for the water and wastewater treatment services provided by TRA (i.e. the City calculates rates to only bring in what is anticipated to be paid out to TRA)
- The volumetric rate is driven by:
 1. TRA's operating budget (including purchase of raw water from TRWD)
 2. TRA's debt service requirements
 3. Usage - the number of Colleyville's water and wastewater gallons treated by TRA

Volumetric Rates



- Volumetric rates are pass through charges for the water and wastewater treatment services provided by TRA (i.e. the City calculates rates to only bring in what is anticipated to be paid out to TRA)
- The volumetric rate is driven by:
 1. TRA's operating budget (including purchase of raw water from TRWD)
 2. TRA's debt service requirements
 3. Usage - the number of Colleyville's water and wastewater gallons treated by TRA



Preliminary Water Volumetric Rates



Volumetric water rate per thousand gallons:

Current Rate	Preliminary New Rate	Difference
\$3.86	\$4.14	\$0.28

Water Volumetric Rate	Rate per 1,000 Gallons
TRWD Raw water costs	\$1.351
Colleyville's portion of TRA's Operating Budget	\$0.936
Add: 20% of O&M rate (Billed by TRA to ensure liquidity)	\$0.457
Subtotal O&M Rate	\$2.744
Colleyville's portion of TRA's Debt Budget	\$1.326
Add: 5% of Debt service (Based on the City's historical experience)	\$0.066
Subtotal Debt Rate	\$1.392
TOTAL PROJECTED VOLUMETRIC WATER RATE	\$4.136

Projected Water Volumetric Rates



<i>Water Volumetric Rate</i>	Rate per 1,000 Gallons				
	2019	2020	2021	2022	2023
Colleyville's portion of TRA's Operating Budget Including Raw Water	\$2.287	\$2.377	\$2.477	\$2.554	\$2.625
Add: 20% of O&M rate (Billed by TRA to ensure liquidity)	\$0.46	\$0.48	\$0.50	\$0.51	\$0.53
Subtotal O&M Rate	\$2.744	\$2.852	\$2.972	\$3.065	\$3.150
Colleyville's portion of TRA's Debt Budget	\$1.326	\$1.526	\$1.826	\$2.082	\$2.250
Add: 5% of Debt service (Based on the City's historical experience)	\$0.066	\$0.076	\$0.091	\$0.104	\$0.113
Subtotal Debt Rate	\$1.392	\$1.602	\$1.917	\$2.186	\$2.363
TOTAL PROJECTED VOLUMETRIC WATER RATE	\$4.137	\$4.455	\$4.890	\$5.251	\$5.513

Preliminary Wastewater Volumetric Rates



Volumetric wastewater rate per thousand gallons:

Current Rate	Preliminary New Rate	Difference
\$2.81	\$3.11	\$0.30

<i>Wastewater Volumetric Rate</i>	Rate per 1,000 Gallons
Colleyville's portion of TRA's Operating Budget	\$1.010
Add: 2% of O&M rate (Based on the City's historical experience)	\$0.020
Subtotal O&M Rate	\$1.030
Colleyville's portion of TRA's Debt Budget	\$1.978
Add: 5% of Debt service (Based on the City's historical experience)	\$0.099
Subtotal Debt Rate	\$2.077
TOTAL PROJECTED VOLUMETRIC WASTEWATER RATE	\$3.107

Projected Wastewater Volumetric Rates



<i>Wastewater Volumetric Rate</i>	Rate per 1,000 Gallons				
	2019	2020	2021	2022	2023
Colleyville's portion of TRA's Operating Budget	\$1.009	\$1.115	\$1.165	\$1.149	\$1.083
Add: 2% of O&M rate (Based on the City's historical experience)	\$0.020	\$0.022	\$0.023	\$0.023	\$0.022
Subtotal O&M Rate	\$1.029	\$1.137	\$1.188	\$1.172	\$1.105
Colleyville's portion of TRA's Debt Budget	\$1.979	\$2.235	\$2.412	\$2.576	\$2.781
Add: 5% of Debt service (Based on the City's historical experience)	\$0.099	\$0.112	\$0.121	\$0.129	\$0.139
Subtotal Debt Rate	\$2.078	\$2.347	\$2.533	\$2.705	\$2.920
TOTAL PROJECTED VOLUMETRIC WASTEWATER RATE	\$3.107	\$3.484	\$3.721	\$3.877	\$4.025

Wastewater Usage for Volumetric Rate Calculation



- Sewer volume charges for **commercial and industrial customers** is based on the actual water usage each month.
- The sewer volume charge for **residential customers** is based on the winter average for wastewater.
 - The individual customer's average monthly water use during the months of December, January, and February.
 - Where no preceding winter quarter average is available, a volume of 9,000 gallons shall be used for this volume charge.

- Generally, in the winter, the water flow is equal to your wastewater flow but during the rest of the year, it doesn't since you could be using water outdoors.
- Water coming into your house is measured with a water meter since the water is pressurized, but wastewater flows out of your home by gravity. It is not easy to measure gravity water flow through a pipe.
- Wastewater averaging is the practice of using the average water usage in the winter (little to no outdoor water use) to estimate the average amount of wastewater discharged from your home and billing you for that average monthly usage for the rest of the year.

Water Conservation tips



conserving water in the winter = saving money all year long

- Turn off your irrigation system during the winter months
- Use the garbage disposal sparingly. Instead, compost vegetable food waste and save gallons every time.
- When doing laundry, match the water level to the size of the load.
- When shopping for a new washing machine, compare resource savings among Energy Star models. Some can save up to 20 gallons of water per load.
- Use a pool cover to help keep your pool clean and prevent water loss through evaporation.
- Monitor your water bill for unusually high use. Your bill and water meter are tools that can help you discover and fix leaks.

Questions and Discussion



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7b

Agenda Date 12/18/2018

Number Ordinance O-18-2069

Type Public Hearing Agenda Items

Department Community Development

Title

Consideration of a zoning change from PUD-C Planned Unit Development – Commercial district, PUD-R Planned Unit Development – Residential district, and ML Light Manufacturing district to AG Agricultural district on Lot 1A, Block 12, of the Longwood Estates at Ross Downs and Tract 1, Abstract 294 & Tract 4A3A, Abstract 591, in the Robert Chowning Survey, located at 7201 Colleyville Boulevard, Case ZC18-030

Strategic Plan

There is no strategic plan component for this item.

Explanation

Second Reading and Public Hearing

There was one speaker in support at the December 4, 2018 meeting regarding this item.

First Reading and Public Hearing

The City of Colleyville, the applicant, has submitted a request for a zoning change from PUD-C, Planned Unit Commercial, PUD-R, Planned Unit Residential, and ML, Light Manufacturing to AG, Agricultural on Lot 1A, Block 12, of the Longwood Estates at Ross Downs and Tract 1, Abstract 294 & tract 4A3A, Abstract 591, in the Robert Chowning Survey, being approximately 8.0744 acres. The purpose is to reflect the designated open space use of the land.

Existing Conditions/Background: The subject property, 7201 Colleyville Boulevard, resides on the southwest corner of the Colleyville Boulevard and the Longwood Drive intersection. The subject property has PUD-C, PUD-R and ML zoning and is currently undeveloped. The property is designated as parkland by the City of Colleyville. The property zoned PUD-C has had this zoning dating from 1993 and since that time the zoning has not changed. The property zoned ML has had this zoning dating from 1982 and since that time the zoning has not changed. The property zoned PUD-R has had this zoning dating from 1991 and since that time the zoning has not changed.

Proposed Zoning:

Request – The applicant requests to rezone the property from PUD-C, PUD-R and ML zoning to AG zoning. The applicant desires to maintain this property as park open space. The minimum standards for the AG zoning district are as follows:

Minimum Lot Size	130,680 square feet
Minimum Lot Width	200 feet
Minimum Lot Depth	300 feet
Front Building Line	40 feet
Side Building Line	25 feet
Rear Building Line	40 feet

Analysis: The requested AG zoning allows the property to remain as open space. The property has been designated by the City as park property and therefore the requested zoning change brings the land into conformance with this designation.

Surrounding Development: The property to the east is located in the City of Grapevine. The property to the west is zoned PUD-C, Planned Unit Development Commercial. The properties to the north across Colleyville Boulevard and south are zoned PUD-R, Planned Unit Development Residential zoning. The lots located to the west are improved with retail and office uses. The lots located to the south are improved with single family homes. The surrounding lots to the north across Colleyville Boulevard are open space lots and part of a residential subdivision.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for park open space. The proposed AG zoning does not conflict with any portion of the comprehensive plan.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property 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* as required by State law and the Land Development Code. To date, staff has received 1 response in favor.

Staff Recommendation: Staff recommends approval of the request. The proposed zoning meets the intent of the park open space designation assigned in the Destination Colleyville comprehensive plan.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval at their November 13, 2018 meeting with an addition of a whereas clause in the ordinance to 1) reference the grant funding for Kimzey Park and 2) recommend the land for permanent designation as 'park land' by a vote of 7-0.

Financial Impact

There is no fiscal impact to the City of Colleyville.

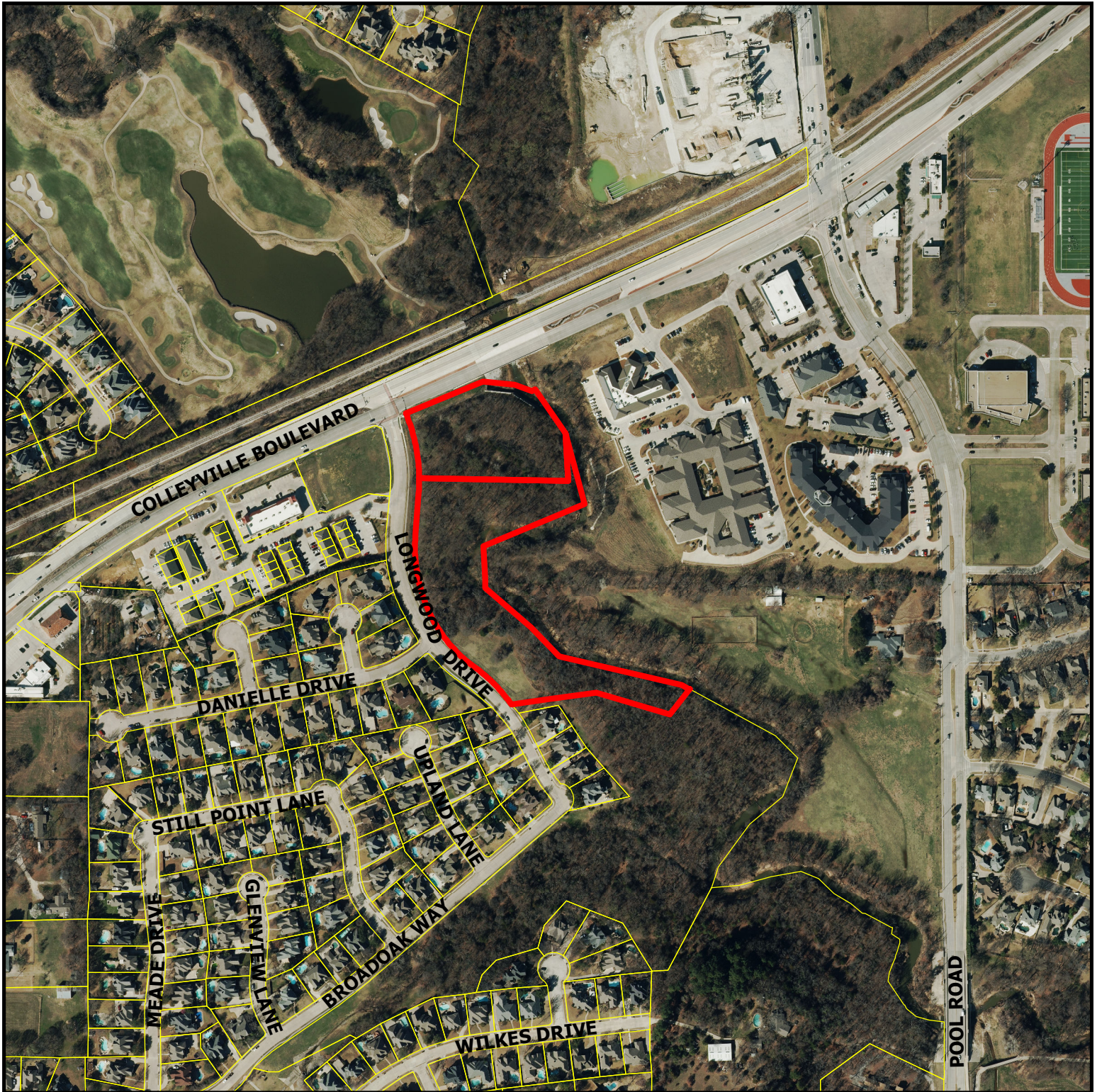
Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Notification List
6. Property Owner Notification
7. Letter of Support - Ross Downs HOA
8. City Council Resolutions (R-99-1462)-221999
9. Ordinance O-18-2069

Aerial Map

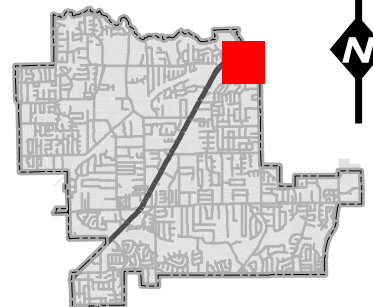


ZC18-030
7201 Colleyville Blvd

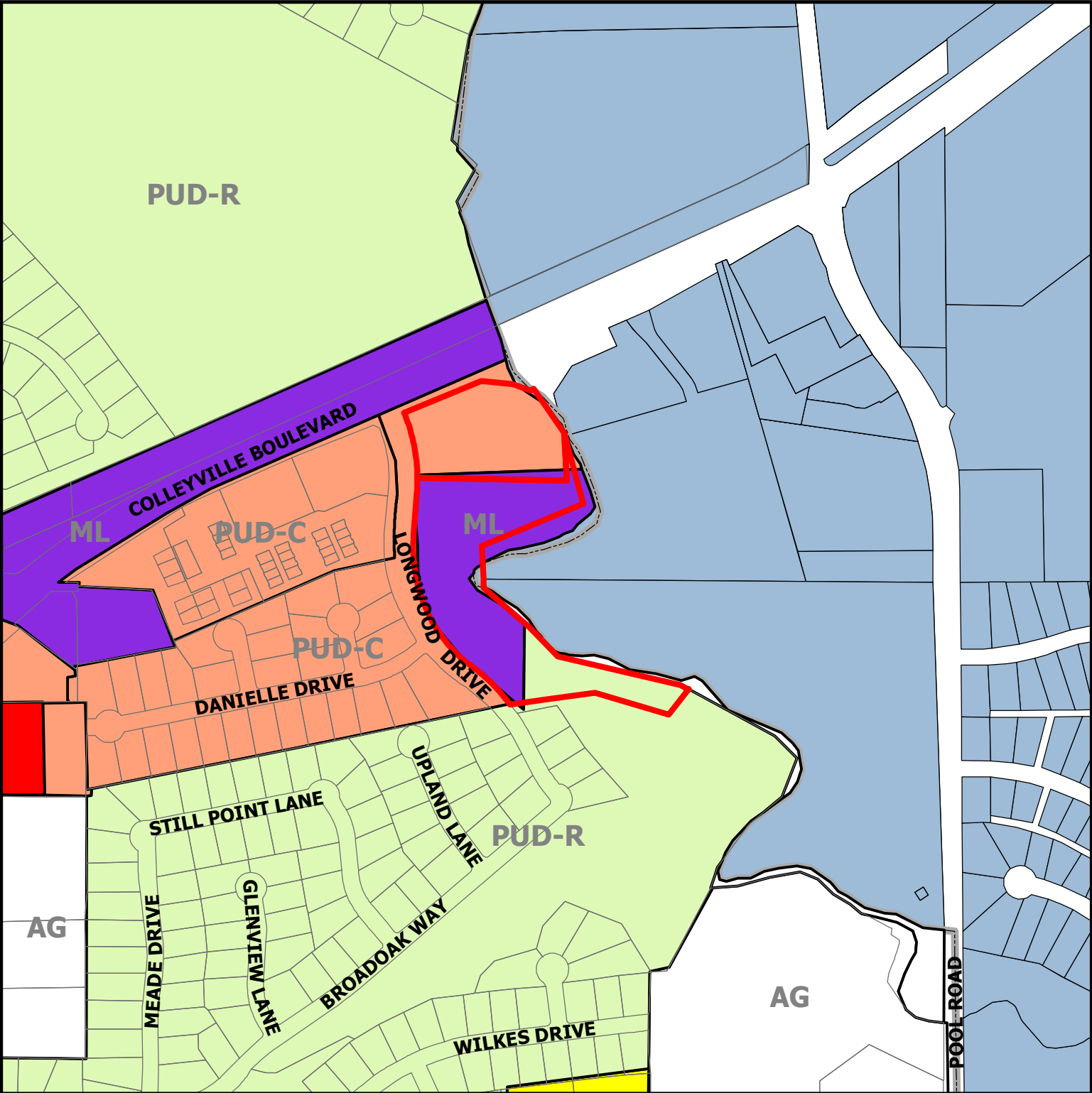
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Subject Property



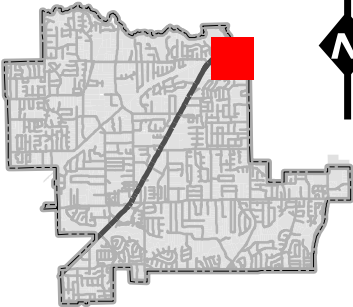
Zoning Map



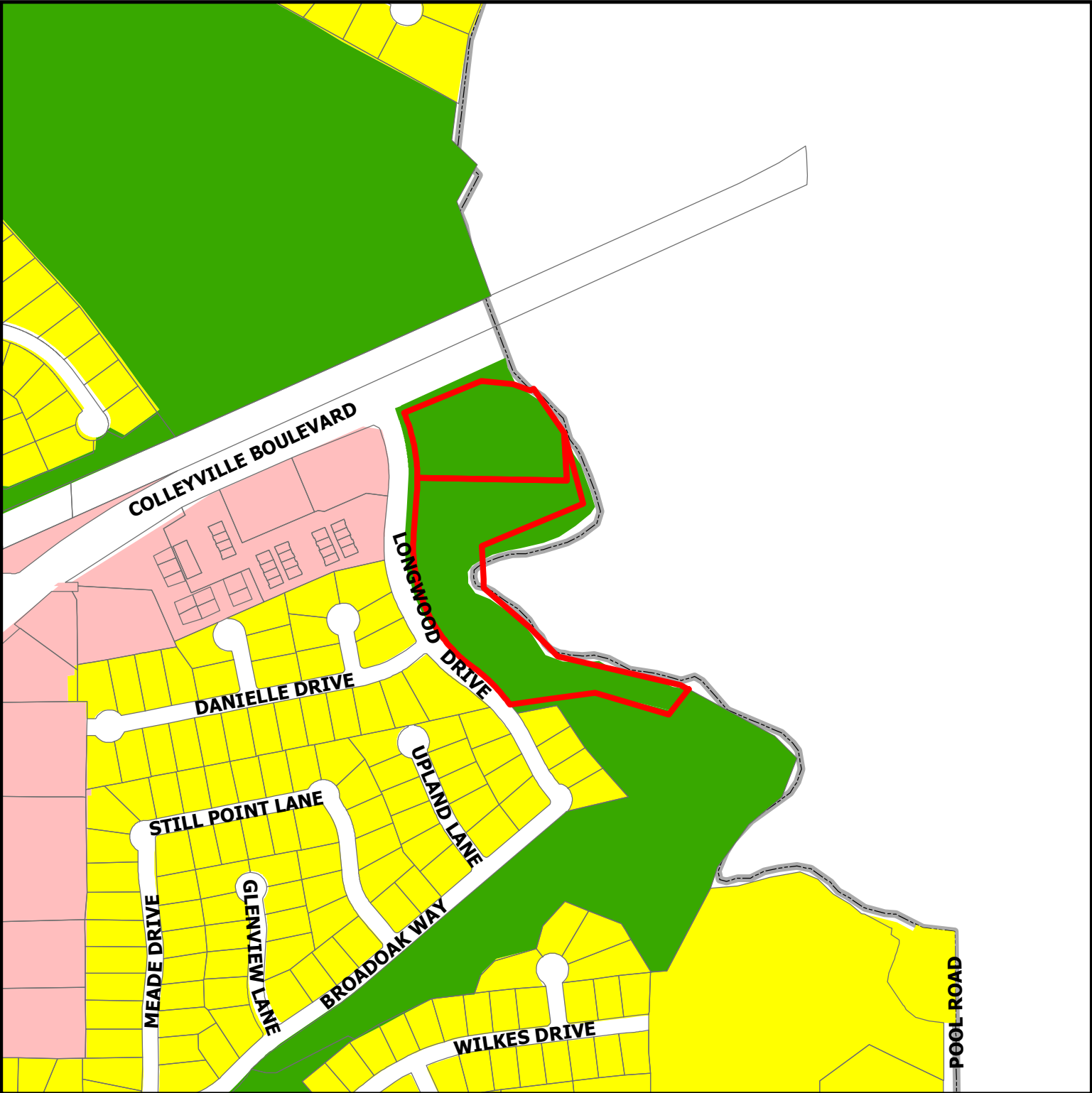
ZC18-030
7201 Colleyville Blvd

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-  Subject Property
-  Properties Outside the City Limit



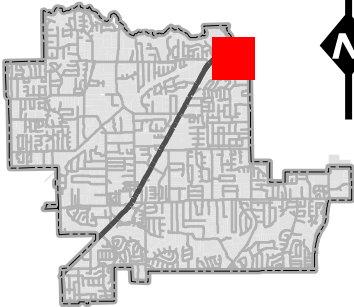
Future Land Use Map



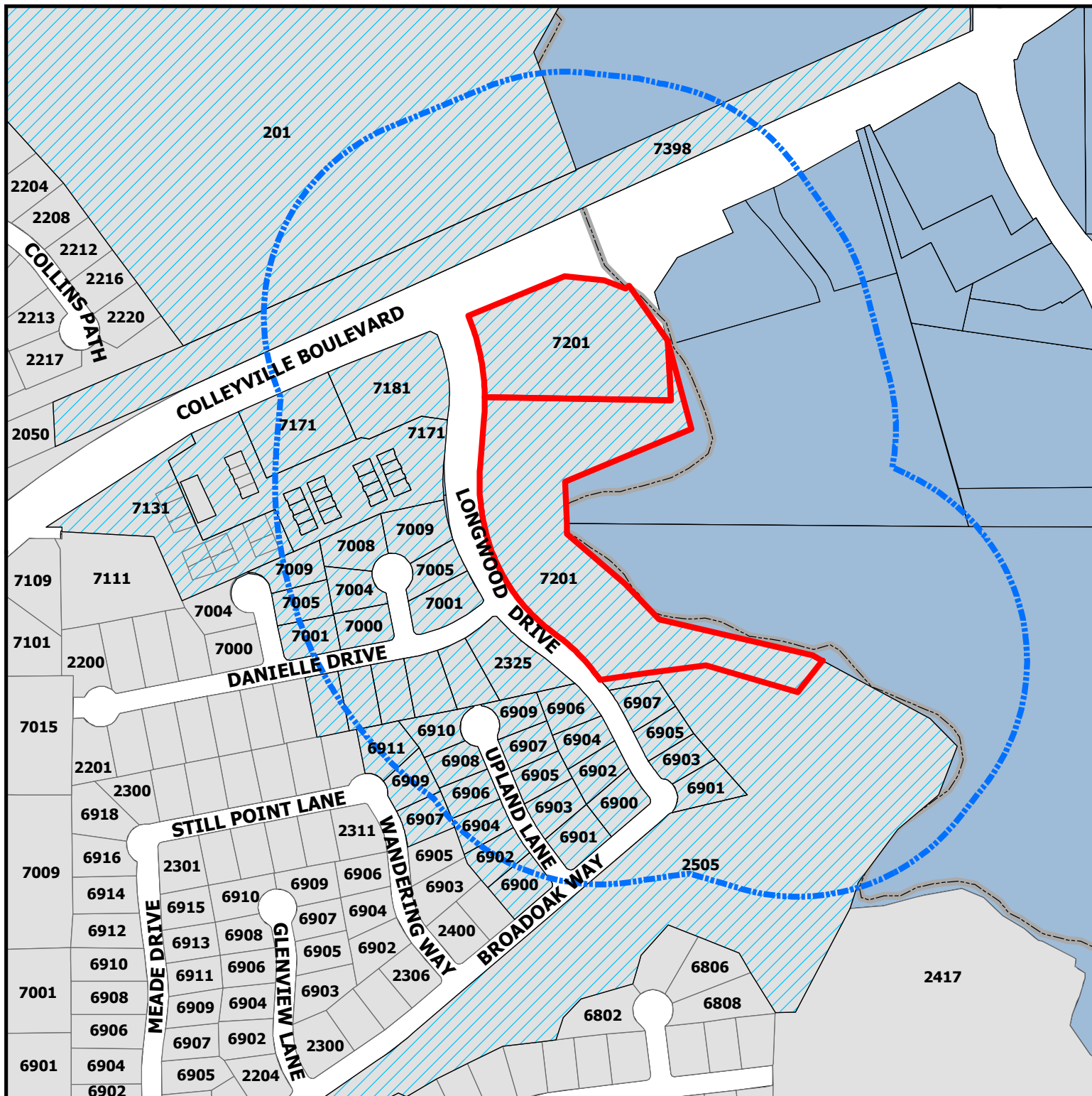
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ZC18-030
7201 Colleyville Blvd

-  Subject Property
-  Residential
-  Colleyville Blvd Corridor
-  Open Space; Parks

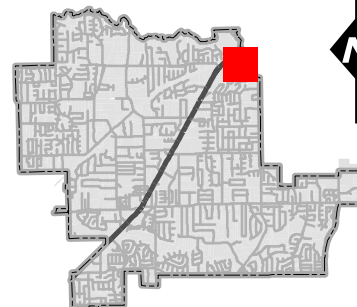


Notification Map



ZC18-030 7201 Colleyville Blvd

-  Subject Property
-  500ft Buffer
-  Properties within 500ft
-  Properties Outside the City Limit



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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
AGHDAM, LIDA G	6710 VINES CT	COLLEYVILLE, TX	76034	7155 COLLEYVILLE BLVD
GILL, DANIEL D	6903 UPLAND LN	COLLEYVILLE, TX	76034	6903 UPLAND LN
MOON, WOO J	7009 COLE CT	COLLEYVILLE, TX	76034	7009 COLE CT
BIRKENFELD, RICHARD	PO BOX 93089	SOUTHLAKE, TX	76092	7001 COLEMAN CT
SEATON, DAVID	6904 LONGWOOD DR	COLLEYVILLE, TX	76034	6904 LONGWOOD DR
GUMINSKI, GLENN G	6904 UPLAND LN	COLLEYVILLE, TX	76034	6904 UPLAND LN
7165 COLLEYVILLE LLC	5650 KROGER DR	FORT WORTH, TX	76244	7165 COLLEYVILLE BLVD
CANTER, LARRY	6905 UPLAND LN	COLLEYVILLE, TX	76034	6905 UPLAND LN
BUENROSTRO, ARTURO	6902 LONGWOOD DR	COLLEYVILLE, TX	76034	6902 LONGWOOD DR
KUKAHI CORPORATE SOLUTIONS INC	7131 COLLEYVILLE BLVD STE 102	COLLEYVILLE, TX	76034	7155 COLLEYVILLE BLVD
PRO-DIEM INC	702 LAKEHURST CT	SOUTHLAKE, TX	76092	7157 COLLEYVILLE BLVD
KEYES, NICHOLAS	6906 LONGWOOD DR	COLLEYVILLE, TX	76034	6906 LONGWOOD DR
ABEYTA, STANLEY J	6901 UPLAND LN	COLLEYVILLE, TX	76034	6901 UPLAND LN
PADILLA, MARCO A	6901 LONGWOOD DR	COLLEYVILLE, TX	76034	6901 LONGWOOD DR
J T DAVA PROPERTIES LLC	PO BOX 12080	DALLAS, TX	75225	7165 COLLEYVILLE BLVD
RAK PROPERTY GRUOP LLC	175 CREEKWAY BND	SOUTHLAKE, TX	76092	7157 COLLEYVILLE BLVD
LONGWOOD/26 LTD	8713 AIRPORT FWY STE 100	NORTH RICHLAND HILLS, TX	76180	7171 COLLEYVILLE BLVD
CHUN, JOHN S	6906 UPLAND LN	COLLEYVILLE, TX	76034	6906 UPLAND LN
CONRAD, CATHY	6902 UPLAND LN	COLLEYVILLE, TX	76034	6902 UPLAND LN
7165 COLLEYVILLE LLC	5650 KROGER DR	FORT WORTH, TX	76244	7165 COLLEYVILLE BLVD
TOOMEY, WM C	6900 LONGWOOD DR	COLLEYVILLE, TX	76034	6900 LONGWOOD DR
LYNBA INC & VIKRAM JANGAM	1012 WHITTINGTON PL	SOUTHLAKE, TX	76092	7157 COLLEYVILLE BLVD
KRIKORIAN, GABRIEL Y	7008 COLE CT	COLLEYVILLE, TX	76034	7008 COLE CT
HALE EQUITY LLC	7131 COLLEYVILLE BLVD STE 101	COLLEYVILLE, TX	76034	7131 COLLEYVILLE BLVD UNIT 101
BROWN, CHRISTOPHER	6907 WANDERING WAY	COLLEYVILLE, TX	76034	6907 WANDERING WAY
CHAMPION STRATEGIC VENTURES LL	1312 BURGUNDY CT	SOUTHLAKE, TX	76092	7167 COLLEYVILLE BLVD
7157 COLLEYVILLE LLC	115 SAM BASS RIDGE RD	SOUTHLAKE, TX	76092	7157 COLLEYVILLE BLVD
SHERMAN, JEFFREY F	6909 UPLAND LN	COLLEYVILLE, TX	76034	6909 UPLAND LN
SANDADI, PRAVEEN	7416 STONEY POINT DR	PLANO, TX	75025	7155 COLLEYVILLE BLVD
BARTKOWSKI, JENNIFER K	6908 UPLAND LN	COLLEYVILLE, TX	76034	6908 UPLAND LN
BOYETT, PAIGE	6907 LONGWOOD DR	COLLEYVILLE, TX	76034	6907 LONGWOOD DR
GROSS, SAMUEL CRIS	2309 DANIELLE DR	COLLEYVILLE, TX	76034	2309 DANIELLE DR
SYRING, MICHAEL	2305 DANIELLE DR	COLLEYVILLE, TX	76034	2305 DANIELLE DR
REGIONAL RAIL ROW CO	PO BOX 660163	DALLAS, TX	75266	7398 COLLEYVILLE BLVD
PALLAI, RAVI	6900 UPLAND LN	COLLEYVILLE, TX	76034	6900 UPLAND LN
FORD, PHYLLIS	7167 COLLEYVILLE BLVD STE 101	COLLEYVILLE, TX	76034	7167 COLLEYVILLE BLVD
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	2505 BROADOAK WAY
LITTON, JAMES	2321 DANIELLE DR	COLLEYVILLE, TX	76034	2321 DANIELLE DR
ERNSPIGER, RICHARD K	2313 DANIELLE DR	COLLEYVILLE, TX	76034	2313 DANIELLE DR
WOEHRLE, ADRIENNE LYNN	2001 PRESCOTT CT	BEDFORD, TX	76021	7155 COLLEYVILLE BLVD
SALLEE, HELEN LENHAN	6905 LONGWOOD DR	COLLEYVILLE, TX	76034	6905 LONGWOOD DR
PRM/RM LLC	3045 PONDER PATH	KELLER, TX	76248	7167 COLLEYVILLE BLVD
CHAMPION STRATEGIC VENTURES LL	1312 BURGUNDY CT	SOUTHLAKE, TX	76092	7167 COLLEYVILLE BLVD
7165 COLLEYVILLE LLC	5650 KROGER DR	FORT WORTH, TX	76244	7165 COLLEYVILLE BLVD
WEXLER, MALAISHA A	7004 COLE CT	COLLEYVILLE, TX	76034	7004 COLE CT
ROGERS, JASON T	7005 COLEMAN CT	COLLEYVILLE, TX	76034	7005 COLEMAN CT
LEE, DARREN M	7005 COLE CT	COLLEYVILLE, TX	76034	7005 COLE CT
CONAN, PIERRE	2317 DANIELLE DR	COLLEYVILLE, TX	76034	2317 DANIELLE DR
KOCH, MATTHEW P	6907 UPLAND LN	COLLEYVILLE, TX	76034	6907 UPLAND LN
MARR, DAVID G	7000 COLE CT	COLLEYVILLE, TX	76034	7000 COLE CT
LONGWOOD PLAZA PARTNERS LP	1901 N AKARD ST	DALLAS, TX	75201	7171 COLLEYVILLE BLVD
BHATLA, RAVINDER N	7009 COLEMAN CT	COLLEYVILLE, TX	76034	7009 COLEMAN CT
WHITE, C R	7001 COLE CT	COLLEYVILLE, TX	76034	7001 COLE CT
OVERTON, MICHAEL S	6909 WANDERING WAY	COLLEYVILLE, TX	76034	6909 WANDERING WAY
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	7201 COLLEYVILLE BLVD
GUIRGUIS, NANCY ANN	2325 DANIELLE DR	COLLEYVILLE, TX	76034	2325 DANIELLE DR
KOETTING, JAKE	6911 WANDERING WAY	COLLEYVILLE, TX	76034	6911 WANDERING WAY
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	7201 COLLEYVILLE BLVD
BURKHARDT, RONALD D	6910 UPLAND LN	COLLEYVILLE, TX	76034	6910 UPLAND LN
LONGWOOD DRIVE PARTNERS LP	11511 ROSSER RD	DALLAS, TX	75229	7181 COLLEYVILLE BLVD
TIMARRON GOLF CLUB INC	3030 L B J FWY STE 600	DALLAS, TX	75234	201 E CONTINENTAL BLVD
BLAXTON, MATHEW	6903 LONGWOOD DR	COLLEYVILLE, TX	76034	6903 LONGWOOD DR
ROSS DOWNS ESTATES	4113 GATEWAY DRIVE #100	COLLEYVILLE, TX	76034	COURTESY NOTICE
TIMARRON VILLAGE H-COLYVLE	700 WENTWOOD DRIVE	SOUTHLAKE, TX	76092	COURTESY NOTICE
TIMARRON-CASCADES AT TIMARRON	700 WENTWOOD DRIVE	SOUTHLAKE, TX	76092	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
CITY OF GRAPEVINE	P.O. BOX 95104	GRAPEVINE, TX	76099	COURTESY NOTICE
CITY OF COLLEYVILLE	100 MAIN ST	COLLEYVILLE, TX	76034	APPLICANT

Public hearing notices were mailed October 26, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-030

Applicant: City of Colleyville

Owner: City of Colleyville

Location: 7201 Colleyville Blvd

Property Description: Lot 1A, Block 12, of the Longwood Estates at Ross Downs and Tract 1, Abstract 294 & Tract 4A3A, Abstract 591, in the Robert Chowning Survey

Present Zoning: PUD-C Planned Unit Development – Commercial, PUD-R Planned Unit Development – Residential, and ML Light Manufacturing

Request: Consideration of a zoning change from PUD-C Planned Unit Development – Commercial district, PUD-R Planned Unit Development – Residential district, and ML Light Manufacturing district to AG Agricultural district. The purpose is to rezone the property from PUD-C, PUD-R, and ML to AG in order to reflect the designated open space.

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Tuesday, November 13, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, December 4, 2018 & Tuesday, December 18, 2018 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 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 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. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Director of Community Development - bbryner@colleyville.com

Ross Downs Homeowners Association

11/9/18

City of Colleyville
Colleyville, TX 76034

RE: P&Z Zoning Case ZC18-030. Agenda Item 2d.
Agenda Date: 11/13/18

Dear City Council Members:

The Ross Downs Homeowners Association and our 320 residents are in full support of the Planning & Zoning Commission & the City Council making the zoning change to establish that the Kimzey Park open space land at Longwood & Hwy.26 will never be considered for use in commercial or residential development.

At this time, we have one concern. Please clarify as to why the PUD-C is being changed to PUD-R and not AG as the ML zoning is being changed to.

Kimzey Park is used extensively by many homeowners and their children who enjoy the park. Making these zoning changes, hopefully will preserve the park land as it is currently developed for all future Colleyville Residents.

We appreciate you taking action on this important issue.

Sincerely,



David Dudziak
President
Ross Downs Homeowners Association
(817) 929-6697

RESOLUTION R-99-1462

**A RESOLUTION AUTHORIZING FUNDING SUPPORT AND RESUBMITTAL OF THE
KIMZEY PARK GRANT APPLICATION**

WHEREAS, the City Council supports the development of the Kimzey Park Master Plan;
and

WHEREAS, the City Council supports the Texas Parks and Wildlife Department (TPWD)
grant resubmission for the development of Kimzey Park.

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

- Sec. 1. THAT the City Council approves the priorities for Texas Parks and Wildlife
Department (TPWD) grant resubmission for the development of Kimzey Park
in the amount of \$550,000.
- Sec. 2 THAT the City Council approves the resubmission of the Kimzey Park Grant
Application to the Texas Parks Account Program by the February 26, 1999
deadline.

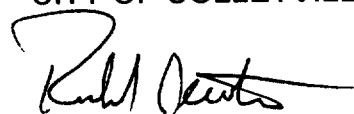
AND IT IS SO RESOLVED.

PASSED BY A VOTE OF 5 AYES, 0 NAYS, AND 0 ABSTENTIONS ON
THIS THE 2nd DAY OF February 1999.

ATTEST:


Jean Harris, TRMC, CMC
City Secretary

CITY OF COLLEVILLE


Richard Newton
Mayor

ORDINANCE O-18-2069

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 8.0744 ACRES, LOT 1A, BLOCK 12, OF THE LONGWOOD ESTATES AT ROSS DOWNS AND TRACT 1, ABSTRACT 294 & TRACT 4A3A, ABSTRACT 591, IN THE ROBERT CHOWNING SURVEY LOCATED AT 7201 COLLEYVILLE BOULEVARD, FROM THE PUD-C PLANNED DEVELOPMENT COMMERCIAL DISTRICT, PUD-R PLANNED DEVELOPMENT RESIDENTIAL DISTRICT, AND ML LIGHT MANUFACTURING DISTRICT TO THE AG AGRICULTURAL 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 initiated an application for rezoning under Case ZC18-030; 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; and

WHEREAS, the 8.0744 acres of land being Lot 1A, Block 12, of the Longwood Estates at Ross Downs and tract 1, Abstract 294 & tract 4A3A, Abstract 591, in the Robert Chowning Survey, located at 7201 Colleyville Boulevard shall remain designated as parks open space per the 1998 Texas Parks and Wildlife grant submission for the development of the Kimzey Park in conjunction with the Kimzey Park Master Plan per City Council Resolution R-99-1462.

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 8.0744 acres, Lot 1A, Block 12, of the Longwood Estates at Ross Downs and Tract 1, Abstract 294 & tract 4A3A, Abstract 591, in the Robert Chowning Survey, located at 7201 Colleyville Boulevard, from PUD-C Planned Unit Development Commercial, PUD-R Planned Unit Development Residential and ML Light Manufacturing to AG Agricultural district, as depicted in the attached Exhibit "A".
- 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 4th day of December 2018.

The second reading and public hearing being conducted on the 18th day of December 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 2, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

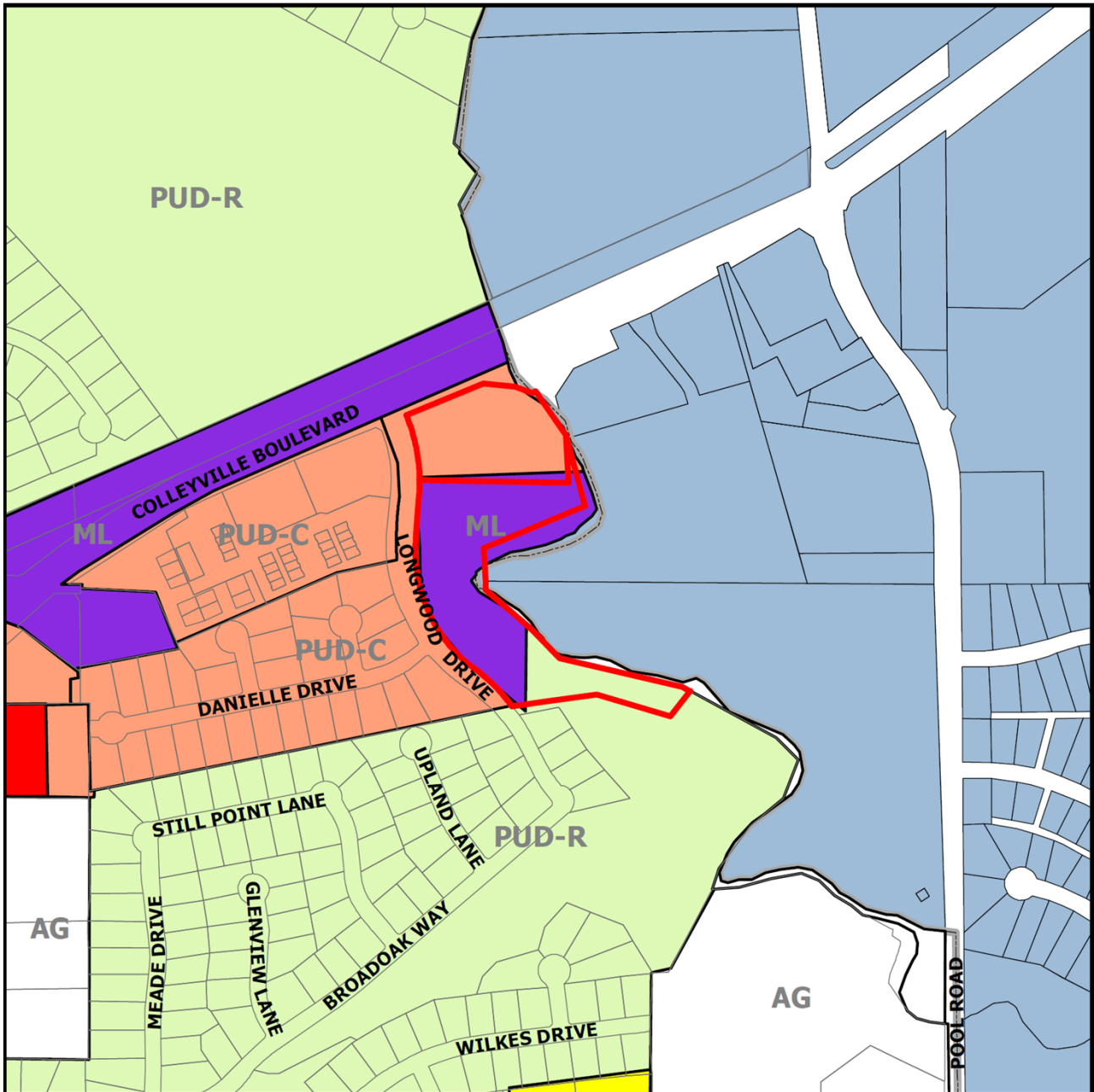
Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A"- Zoning Map



ZC18-030
7201 Colleyville Blvd

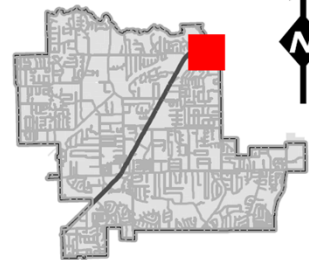
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Subject Property

Properties Outside the City Limit





City of Colleyville City Council Agenda Briefing

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

Agenda Number 7c

Agenda Date 12/18/2018

Number Ordinance O-18-2070

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit for a carport on Lot 16, Block 2, of the Quail Crest Estates Addition, located at 316 Quail Crest Drive, Case ZC18-032

Strategic Plan

There is no strategic plan component for this item.

Explanation

Second Reading and Public Hearing

There were two speakers and two who did not wish to speak in opposition to this item at the December 4, 2018 City Council Meeting.

First Reading and Public Hearing

The P&Z Commission recommended denial at their November 13, 2018 meeting by a vote of 7-0. When the Planning and Zoning Commission makes a recommendation of denial, a favorable vote of three-fourths (3/4) of all members of the City Council is required for approval of the request. Additionally, more than twenty percent (20%) of the area of lots within 200 feet have registered their opposition to the case.

Neal and Joyce Morris, the applicants, have submitted a request for a Special Use Permit (SUP) to allow for an existing carport to remain on the property at 316 Quail Crest Drive Lot 16, Block 2, of the Quail Crest Estates Addition, being approximately 0.34 acres, and zoned R-15 Single Family Residential Development – Residential district. The request is for the carport to be larger and longer than allowed, closer to the side property line than permitted, and constructed using alternate materials.

Existing Conditions/Background: The subject property, 316 Quail Quest Drive, has R-15 zoning and is located on the north side of Quail Quest Drive in the Quail Crest Estates Subdivision. The property has R-15 zoning, which dates back to 1972.

SUP Request:

Request – The applicant is requesting approval of an SUP to allow for a carport structure which is larger and longer than regulations allow, encroaches into the side property line, and is constructed using alternate materials.

Ordinance – Section 3.27 Accessory Buildings and Residential Carport Regulations of the Land Development Code establishes what may be permitted by City Council on a

residential lot:

C. Residential Carport Regulations – Carports located in zoning districts which permit single family residential dwellings shall comply with the regulations contained in this section.

1. *Approval by Special Use Permit Only:* In accordance with the Special Use Permit procedures contained in this Chapter of these zoning regulations, no carport shall be built in the City of Colleyville without approval by the City Council for a Special Use Permit to construct a carport in a zoning district that permits single family residential dwellings.

2. *Carport Standards:* A carport shall comply with the following regulations, unless the City Council in approving a Special Use Permit for a carport has imposed other requirements necessary in the particular case to protect the public interests.

a. *Size:* A carport shall not exceed 480 square feet in area. The longest dimension on a carport shall not exceed 24 feet.

b. *Height:* A carport shall not exceed a maximum height of 15 feet. The height shall be measured from the finished grade to the highest point of the roof.

c. *Setbacks:*

i. A carport located within ten (10) feet of the principal building shall comply with the front, side and rear yard setbacks of the zoning district. The distance shall be measured between the two closest points of the carport and principal building.

ii. A carport located 10 feet or more from a principal building may extend into a required side yard, provided all of the following conditions are satisfied:

(1) every part of such carport is unenclosed except for necessary structural supports;

(2) no part of the carport is less than five (5) feet from a side or rear lot line, and

(3) the carport is located completely within the rear yard area as defined in these zoning regulations.

d. *Maximum Number Per Lot:* one

e. *Paving and Street Access:*

The parking area of a carport shall be paved not less than nine feet (9') by eighteen feet (18') and provide access to a public street right-of-way. Said access shall be a minimum of nine feet (9') in width and paved. All paved surfaces shall be either concrete, asphalt or pave-stone.

f. Design Criteria:

i. Roof - Carports shall have a pitched roof of at least 2:12. Flat roofs shall be prohibited.

ii. Posts - Posts shall be constructed of brick, stone or decorative metal, such as metal lattice. For purpose of this requirement, decorative metal shall consist of twenty-five (25) percent opaque surfaces. The dimension of each post as viewed from each primary elevation shall not be less than twelve inches (12") or more than forty-eight inches (48"). Any carport with two or more elevations that exceed the 48-inch criteria shall be considered an accessory building and be regulated as such. Wooden posts shall be prohibited.

g. Adequacy of Plans and Specifications:

The applicant requesting a Special Use Permit to construct a carport shall submit plans and specifications of the proposed carport for review. Said plans and specifications shall contain sufficient information to allow the City Council to determine that the proposed carport complies with these regulations and the City Council may require additional information when necessary to clarify the applicant's request. At a minimum, the drawings shall contain a plot plan, elevation views and a description of the construction materials.

Currently, the site has 1,750 square feet of a carport structure. The applicants have already constructed the structure without a Specific Use Permit, but once learning that a Specific Use Permit would be required they applied to begin the process.

Analysis: The purpose of a Special Use Permit (SUP) is to allow for a use not normally allowed in a zoning district which could be of benefit in a particular case to the general welfare, provided adequate development standards and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood.

The existing carport structure does not comply with the requirements of Section 3.27.C. The structure is 1,270 sf over the 480 sf allowed by SUP. There is a requirement for the structure to have specific materials. This request varies greatly from those materials. Additionally, the structure is encroaching into the required side yard. The site exhibit, elevations, and photos have been included as attachments for review.

Surrounding Development: The properties to the north, east, and west all have residential development with R-15 zoning. The properties to the south are located in the City of Bedford and zoned residential.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. The ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, 31 letters of opposition have been received.

Staff Recommendation: The following findings have been identified by staff for consideration of the Commission for the requested SUP:

- The carport structure was built to store the applicant's vehicles. The carport does not meet the size standards outlined in the LDC. As part of consideration of the SUP, the City Council may impose other requirements necessary particular to the case to protect the public interests. Additionally, if Council decides to impose other requirements regarding this request, the considerations would remain only on 316 Quail Crest Drive and would not set a precedent for other properties.
- Architecturally, the carport structure is not compatible with the requirements outlined in the LDC. However, there may be no negative impact because it is not visible from the public right-of-way and most adjacent properties.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended denial of the item at their November 13, 2018 meeting by a vote of 7-0.

Financial Impact

There is no fiscal impact to the City of Colleyville.

Recommendation

None

Attachments

1. Applicant's Request to Appeal Denial
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Statement of Planning Objectives
6. Site Plan
7. Parking Area & Tubular Steel Support Plan
8. Carport Elevations and Details
9. Photos Provided by Applicant
10. Photos Taken by Staff
11. Notification Map

12. Notification List
13. Property Owner Notification
14. Letters of Opposition
15. Ordinance O-18-2070

Araceli Botello

Subject: FW: Appeal Case ZC18-032 SUP to City Counsel

From: Neal & Joyce Morris

Sent: Tuesday, November 20, 2018 2:51 PM

To: Ben Bryner <BBryner@colleyville.com>

Cc: Araceli Botello <ABotello@colleyville.com>; Araceli Botello <ABotello@colleyville.com>

Subject: Appeal Case ZC18-032 SUP to City Counsel

Dear Mr. Bryner,

Please accept this email as my official request to appeal my application for the Special Use Permit Case ZC18-032 to the Colleyville City Counsel.

Regards,

Neal Morris
316 Quail Crest Drive
Colleyville, TX 76034

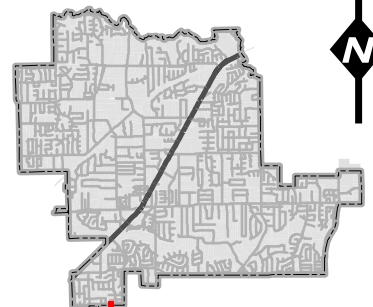
Aerial Map



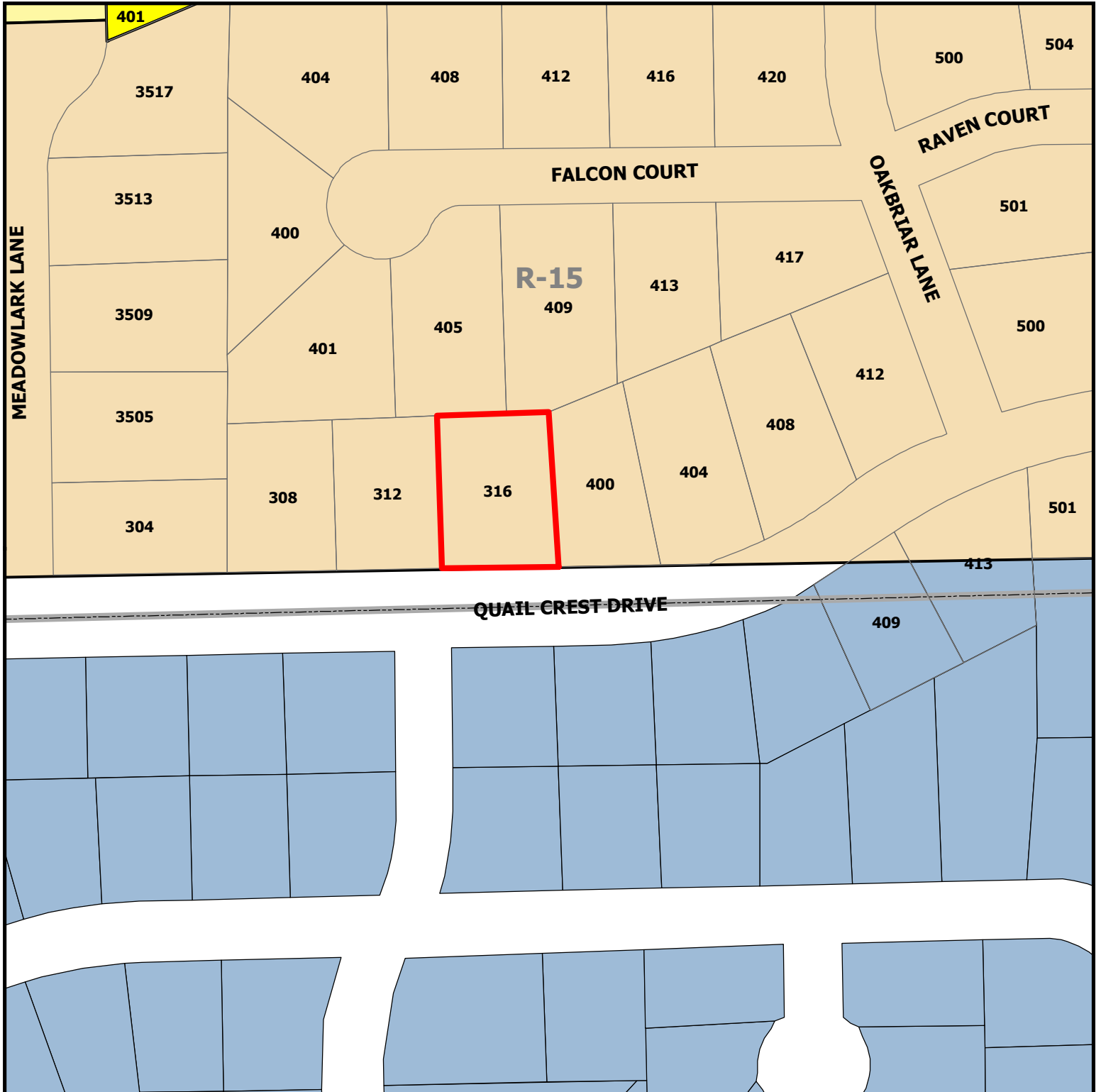
ZC18-032
316 Quail Crest Drive

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 Subject Property

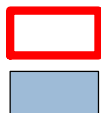


Zoning Map



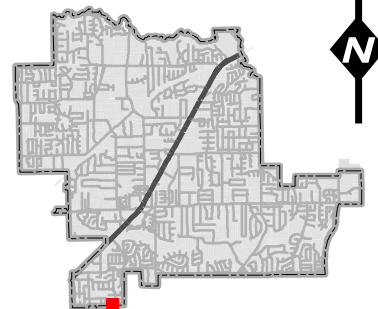
ZC18-032
316 Quail Crest Drive

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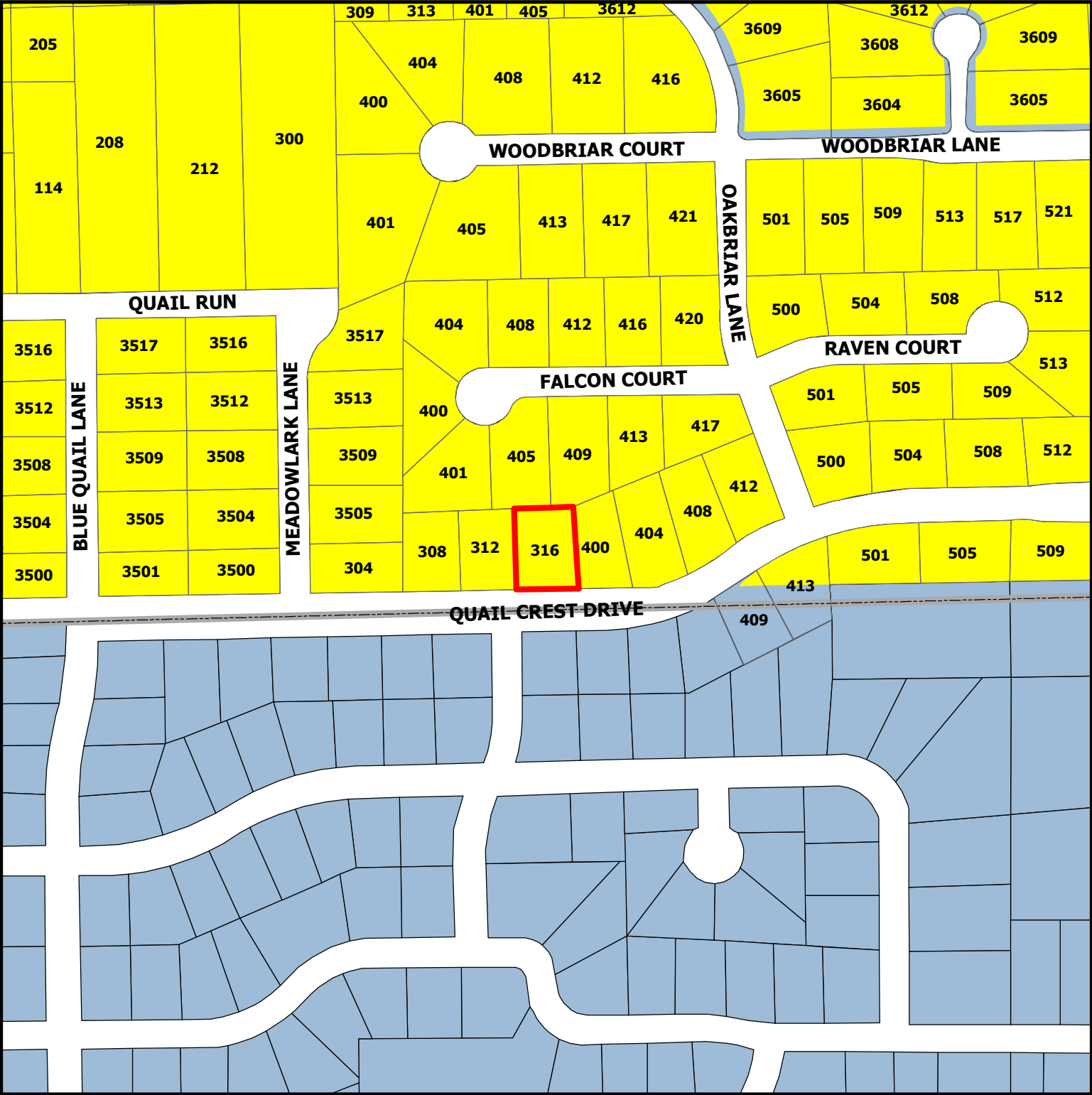


Subject Property

Properties Outside the City Limit



Future Land Use Map



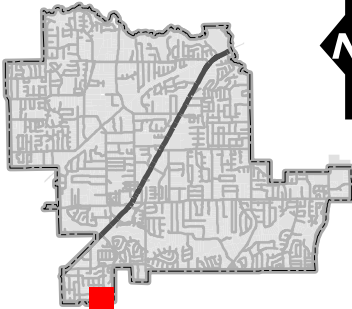
ZC18-032

316 Quail Crest Drive



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-  Subject Property
-  Residential
-  Properties Outside the City Limit



Statement of Planning Objectives

City of Colleyville

Community Development Department

Development Review Committee

Subject: SUP for Carport. - 316 Quail Crest Drive

Response from Applicant on Comments:

1. The character of the proposed development is an “L” shaped covered automobile parking area and proportioned to be confined within a fenced area located in the back yard of the existing structure (house). The proposed development will complement the current board-on-board and picket perimeter fence replacing sections of the 6’ picket fence with 8’ sections. The east elevation with a 6’ board-on-board fence shall not be changed. Additional fence will be erected for the west and south elevations and a portion of the east elevation. The purpose of the proposed development is to protect current, classic and antique automobiles from hail, sun degradation and other inclement Texas weather. The automobiles are the #2 highest investments this family owns. The Home at this location is their #1 investment.

a) The total square footage of the parking area will be approximately 1,750.

b) Currently, on the property is no garage, accessory building or covered parking.

c) As stated above, the purpose of the proposed covered parking area will be to park current, classic and antique automobiles.

d) The exterior of the proposed parking area will include the existing perimeter fence on the north and partial east elevations. The south portion of the east elevation is new 8’ board-on-board fence with three 10’ gates. The north perimeter fence includes a board-on-board to the northwest and picket fence on the northeast. The existing 6’ picket fence shall be replaced with an 8’ picket fence. The west elevation is new 8’ board-on-board fence. The west section of the south elevation abuts the house with an additional 4.5’ of board-on-board fence and gate. The east portion of the south elevation is new 8’ board-on-board fence with three 10’ gates. The parking area shall have a tubular steel frame to support a tarp cover for the area. The tubular steel shall be 1.375’ and 1.625’ diameters and connect to the existing and new 2.375’ fence post. The steel framing shall be attached with bolt on end clamps to allow removal for unencumbered access to the Utility Easement. The steel framing shall include gussets and mid-section post to minimize sagging, add increase uplift resistance and structural integrity.

e) The new board-on-board fence shall consist of 6”X 8’ cedar boards attached to 2’X4” pressure treated supports with stainless ring shank nails. The fence shall have a 2”x6” top board and 1”x4” cover plate at the top of the vertical boards. The steel framing and tarp shall be below the fence line. The tarps shall be a thermal-set reinforced membrane attached to steel framing with grommets and heat welded membrane strips. The tarp shall be attached atop the west perimeter fence with termination bar and screws 6” on center.

Statement of Planning Objectives

f) The maximum height of the proposed parking area will be approximately 8'. See photos showing the fence heights and a location of the proposed parking area indicated on a flyover photo of the lot.

3. Development Schedule: NA

4. Height requirement is met.

5. The proposed parking area will extend to the North and East property lines encroaching on the 6' easements. The resident has obtained signatures from all City of Colleyville Associates for an Encroachment Agreement. (See Attached)

6. Total square footage of property is approximately 15,000. The square footage of existing structure is approximately 3,122. The total square footage of the covered parking area will be approximately 1,750. Thus, the total square footage of all structures is approximately 32.48% of total lot coverage.

7. The proposed covered parking area will be totally behind the rear of the principal building or enclosed within an 8' fence with exception of the 24' of the east elevation with a 6' fence. See exhibit for north and east lot line easements.

Statement of Planning Objectives



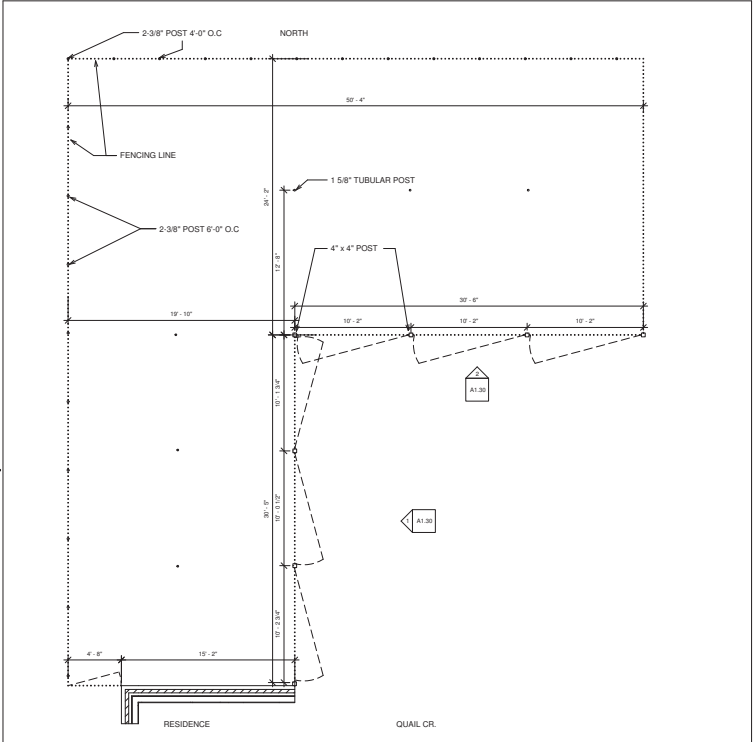
The White lines indicate the fenced area for automobile access/egress and the Covered Parking Area

The narrow black line indicates the Utility Easement and Encroachment Area

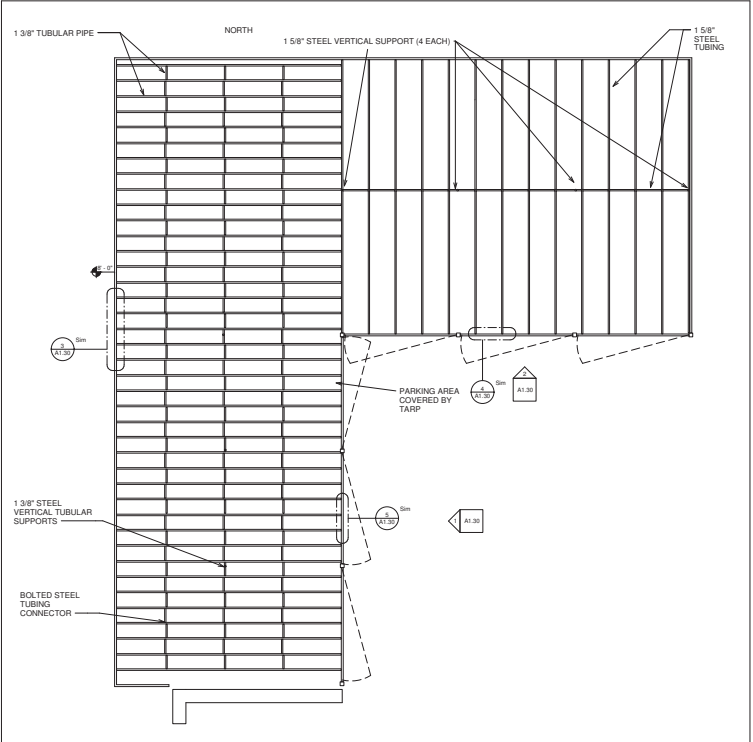
Site Plan



Parking Area & Tubular Steel Support Plan



1 CONSTRUCTION PLAN
1/4" = 1'-0"



2 REFLECTED CEILING PLAN
1/4" = 1'-0"

NEAL MORRIS
316 QUAIL CREST DRIVE
COLLEYVILLE, TX 76034

MORRIS & McCOY
FAMILY PARKING
AREA

PARKING AREA &
TUBULAR STEEL
SUPPORT PLAN

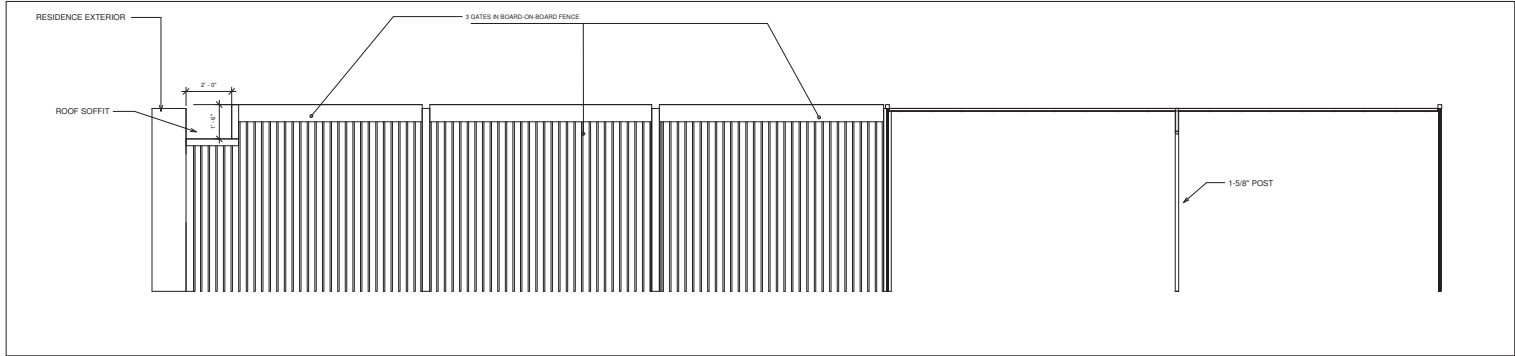
Date 08.26.18

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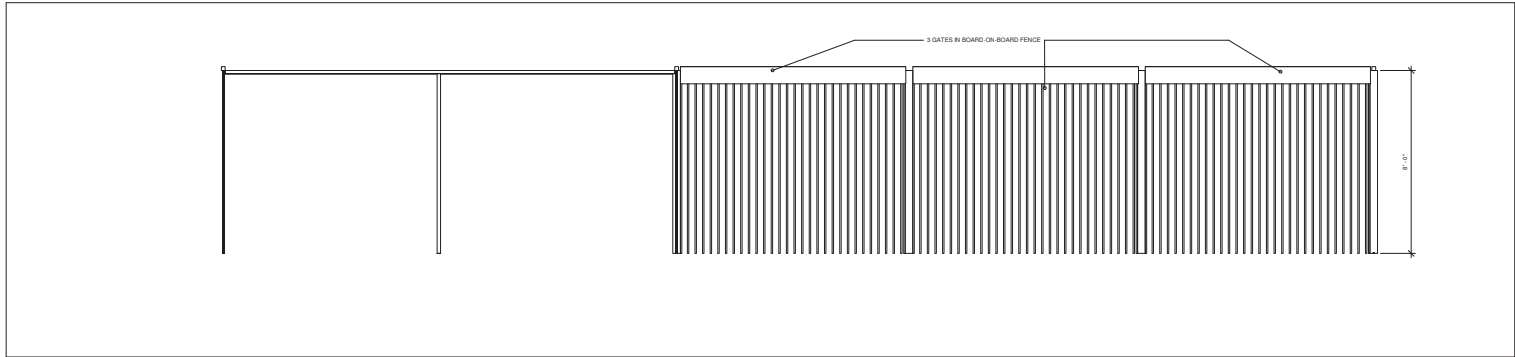
Scale 1/4" = 1'-0"

08/26/18 9:53 PM

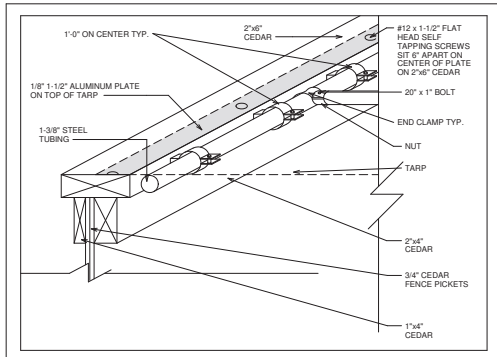
Carport Elevations and Details



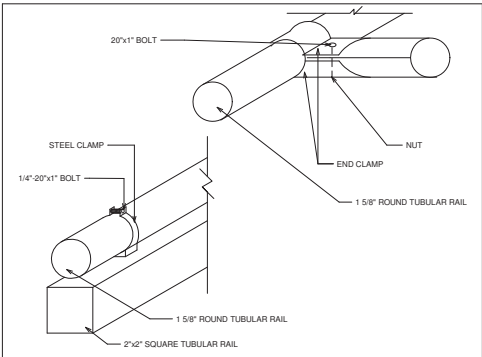
① EAST ELEVATION
1/2" = 1'-0"



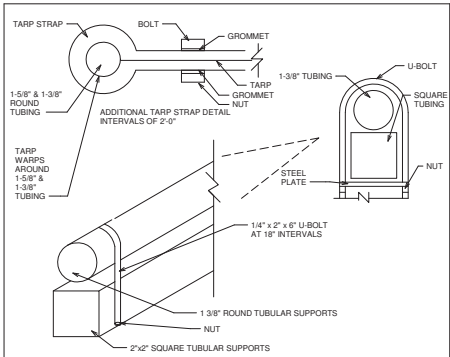
② NORTH ELEVATION
1/2" = 1'-0"



③ TARP AND STEEL TUBULAR
CONNECTOR
3/4" = 1'-0"



④ TYPICAL CONNECTORS
3/4" = 1'-0"



⑤ PERIMETER CONNECTION
3/4" = 1'-0"

NEAL MORRIS
316 QUAL CREST DRIVE
COLLEYVILLE, TX 76034

MORRIS & McCOY
FAMILY PARKING
AREA

ELEVATIONS AND
DETAILS

Date 08.26.18

A1.30

Scale As indicated

08/26/2018 09:55:40 PM

Photos Provided by Applicant



South Elevation (West Portion)

Photos Provided by Applicant



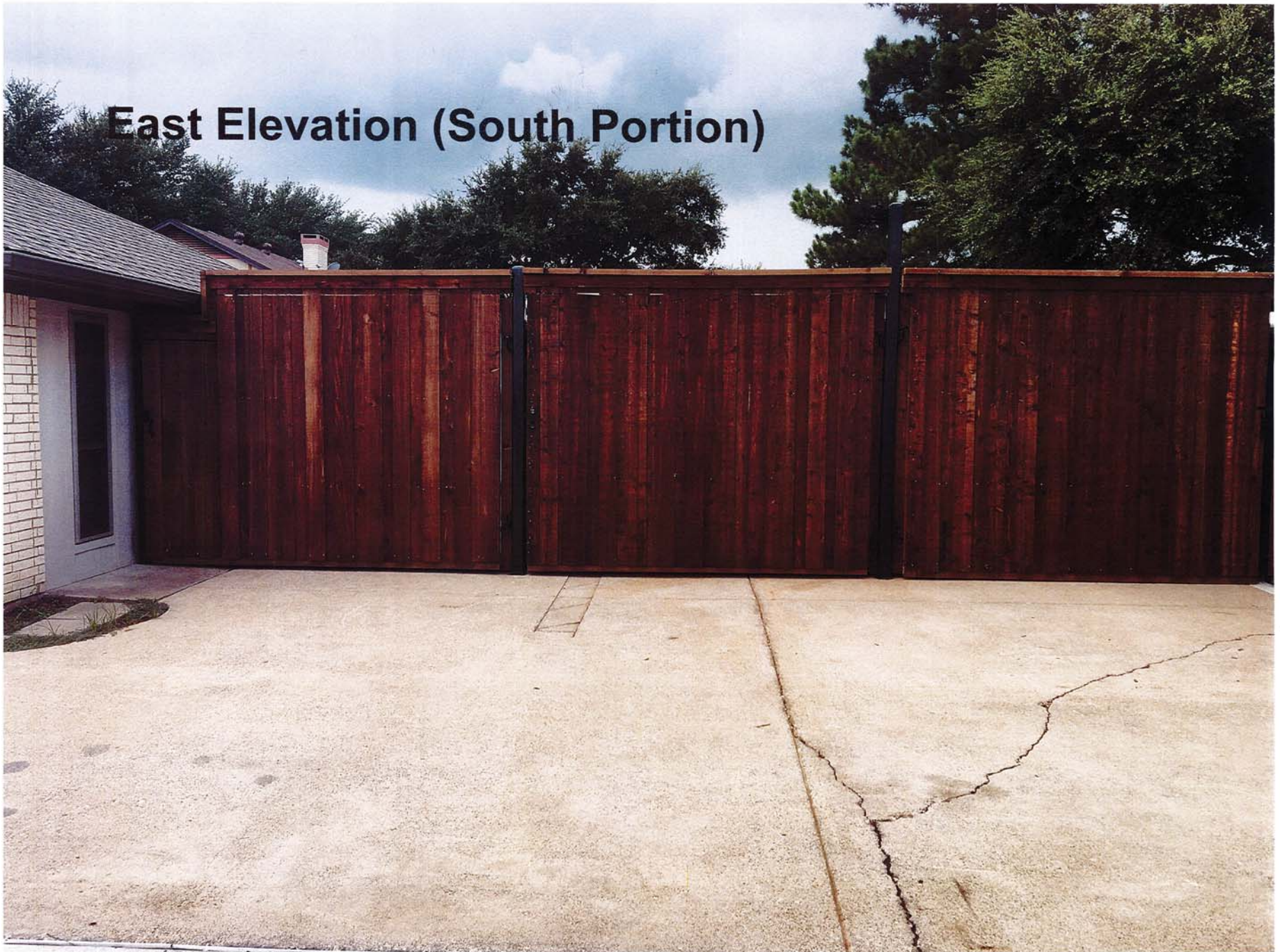
Photos Provided by Applicant



South Elevation (East Portion)

Photos Provided by Applicant

East Elevation (South Portion)



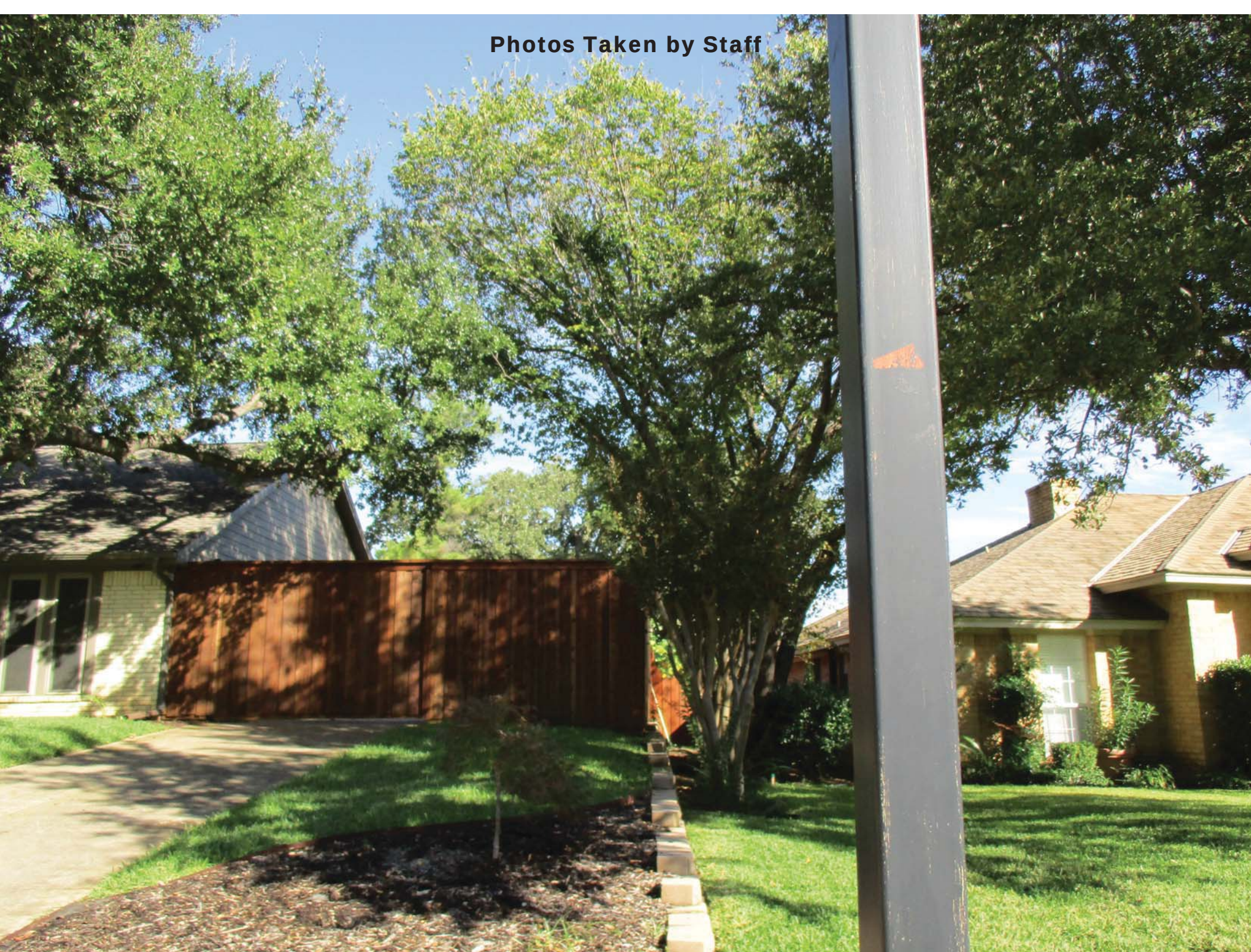
Photos Taken by Staff



Photos Taken by Staff



Photos Taken by Staff



Photos Taken by Staff



Photos Taken by Staff



Photos Taken by Staff



Photos Taken by Staff



Photos Taken by Staff



Photos Taken by Staff

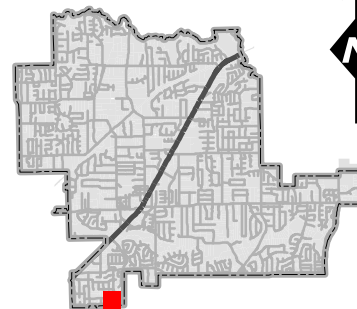


Notification Map



ZC18-032 316 Quail Crest Drive

-  Subject Property
-  500ft Buffer
-  Properties within 500ft
-  Properties Outside the City Limit



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
TRAVIS, MARSHALL	501 WOODBRIAR LN	COLLEYVILLE, TX	76034	501 WOODBRIAR LN
DELACRUZ, RANDOLPH	417 WOODBRIAR ST	COLLEYVILLE, TX	76034	417 WOODBRIAR CT
DEGUIRE, DENNIS	409 FALCON CT	COLLEYVILLE, TX	76034	409 FALCON CT
PURSLEY, MARK L	400 QUAIL CREST DR	COLLEYVILLE, TX	76034	400 QUAIL CREST DR
KIMBROUGH, HOWARD D	404 QUAIL CREST DR	COLLEYVILLE, TX	76034	404 QUAIL CREST DR
CARLSON, SCOTT A	300 QUAIL RUN	COLLEYVILLE, TX	76034	300 QUAIL RUN
CATHARINA W REIMANN FAM TRUST	409 QUAIL CREST DR	BEDFORD, TX	76021	409 QUAIL CREST DR
SANCIBRIAN, KEVIN M	408 FALCON CT	COLLEYVILLE, TX	76034	408 FALCON CT
LEUNG, MING CHIU	400 FALCON CT	COLLEYVILLE, TX	76034	400 FALCON CT
HILDEBRANDT, GARY L	421 WOODBRIAR CT	COLLEYVILLE, TX	76034	421 WOODBRIAR CT
MORRIS, NEAL	316 QUAIL CREST DR	COLLEYVILLE, TX	76034	316 QUAIL CREST DR
HAWKES, ROBERT W	3500 MEADOWLARK LN	COLLEYVILLE, TX	76034	3500 MEADOWLARK LN
DAVIS, AARON J	413 QUAIL CREST DR	BEDFORD, TX	76021	413 QUAIL CREST DR
OWENS, ADAM	308 QUAIL CREST DR	COLLEYVILLE, TX	76034	308 QUAIL CREST DR
UMBREWICZ, JANUSZ	401 FALCON CT	COLLEYVILLE, TX	76034	401 FALCON CT
DAILY, ADAM	500 QUAILCREST DR	COLLEYVILLE, TX	76034	500 QUAIL CREST DR
CONWAY, JUDITH CATHERINE	3516 MEADOWLARK LN	COLLEYVILLE, TX	76034	3516 MEADOWLARK LN
EVANS, BILLY W	312 QUAIL CREST DR	COLLEYVILLE, TX	76034	312 QUAIL CREST DR
GORDON, JEANNE	501 RAVEN CT	COLLEYVILLE, TX	76034	501 RAVEN CT
BREWER, ROYCE N	3504 MEADOWLARK LN	COLLEYVILLE, TX	76034	3504 MEADOWLARK LN
CASTRO, ALBERT J	417 FALCON CT	COLLEYVILLE, TX	76034	417 FALCON CT
GRISIO, TERANCE	3505 MEADOWLARK LN	COLLEYVILLE, TX	76034	3505 MEADOWLARK LN
SPRAGINS, CHRISTINA	304 QUAIL CREST DR	COLLEYVILLE, TX	76034	304 QUAIL CREST DR
GRAMMER, BETTY	3509 MEADOWLARK LN	COLLEYVILLE, TX	76034	3509 MEADOWLARK LN
HOLBERT, GUY D	413 FALCON CT	COLLEYVILLE, TX	76034	413 FALCON CT
REYNOLDS, ERNEST E	413 WOODBRIAR CT	COLLEYVILLE, TX	76034	413 WOODBRIAR CT
HPA TEXAS SUB 2016-2 LLC	180 N STETSON AVE STE 3650	CHICAGO, IL	60601	3513 MEADOWLARK LN
BIELSS, GEORGE	404 FALCON CT	COLLEYVILLE, TX	76034	404 FALCON CT
LEWIS, DAVID C	408 QUAIL CREST DR	COLLEYVILLE, TX	76034	408 QUAIL CREST DR
GORUP, FRANK ANTHONY	3508 MEADOWLARK LN	COLLEYVILLE, TX	76034	3508 MEADOWLARK LN
DOSS, EMMETT I	3517 MEADOWLARK LN	COLLEYVILLE, TX	76034	3517 MEADOWLARK LN
VAN SICKLE, MARK D	412 FALCON CT	COLLEYVILLE, TX	76034	412 FALCON CT
RAINS, RUSSELL R	401 WOODBRIAR CT	COLLEYVILLE, TX	76034	401 WOODBRIAR CT
MILES, MARCUS	412 QUAIL CREST DR	COLLEYVILLE, TX	76034	412 QUAIL CREST DR
BURGERT, HAROLD C	405 WOODBRIAR CT	COLLEYVILLE, TX	76034	405 WOODBRIAR CT
SCOTT, WILLIAM G	500 RAVEN CT	COLLEYVILLE, TX	76034	500 RAVEN CT
DAVIS, OSBORNE	501 QUAIL CREST DR	COLLEYVILLE, TX	76034	501 QUAIL CREST DR
MUNO, TERRY L	3512 MEADOWLARK LN	COLLEYVILLE, TX	76034	3512 MEADOWLARK LN
MUNSON, DEBORAH	420 FALCON CT	COLLEYVILLE, TX	76034	420 FALCON CT
CLAY, WILLIAM C	405 FALCON CT	COLLEYVILLE, TX	76034	405 FALCON CT
GANN, ROCKY H	416 FALCON CT	COLLEYVILLE, TX	76034	416 FALCON CT
QUAIL CREST ESTATES	408 FALCON COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
WOODBRIAR ESTATES ADDITION	3700 SWEETBRIAR	COLLEYVILLE, TX	76034	COURTESY NOTICE
HURST EULESS BEDFORD ISD	1849 CENTRAL DR	BEDFORD, TX	76022	STATE REQUIRED
CITY OF BEDFORD	2000 FOREST RIDGE DRIVE	BEDFORD, TX	76021	COURTESY NOTICE
MORRIS, NEAL	316 QUAIL CREST DR	COLLEYVILLE, TX	76034	APPLICANT

Public hearing notices were mailed out October 26, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-032
Applicant: Neal and Joyce Morris
Owner: Neal and Joyce Morris
Location: 316 Quail Crest Drive
Property Description: Lot 16, Block 2, of the Quail Crest Estates Addition
Present Zoning: R-15 Single Family Residential
Request: Consideration of Special Use Permit for the carport on Lot 16, Block 2, of the Quail Crest Estates Addition. The purpose is to allow for an existing carport to remain on the property.

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Tuesday, November 13, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, December 4, 2018 & Tuesday, December 18, 2018 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 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 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. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

**Community Development Department
Planning and Zoning
Colleyville City Council**

RE: CASE NO. ZC18-032

LOCATION: 316 Quail Crest Drive, Colleyville Texas 76034

I OPPOSE the zoning request change, and the carport built differently than the standards set forth in the Land Development Code (LDC). This is a tarp or membrane between fences to create a shelter for cars. This is not the type of structure or construction method that is typical of residential neighborhoods, or even commercial districts. Construction and materials outside of normal or common methods and types may even be considered insurance risks for the homeowner and most certainly unwarranted risks when they are unexpectedly near other residential property. This structure has been presented for this SUP as being hidden or not visible; however visibility is not a condition of approval. Just because you can't see it, does not make it right.

This application as being presented also states that the applicant did not know that a permit was required for this structure. However the applicant did get a permit for a fence that has seven gates about 10 feet wide each and each wide enough for a vehicle. I was told by the applicant that he wanted a temporary carport behind the fence; however what was constructed does not appear temporary in the least. When I told the applicant that the structure built was not temporary, he informed me that it was temporary and it could all be taken down . . . *“that why I made sure to meet Colleyville’s requirement that it not be a permanent structure, it is only temporary.”* Assuming arguendo that the applicant truly thought that this structure did not need a permit because of the “temporary” nature of the structure; then ask yourself if this structure is temporary?

The bottom line is this; The method of constructing a carport with a tarp between fences is *not* right for any residential community. My understanding of the LDC is; there are 9 items that a carport needs to be compliant, and this only meets 3 of the requirements. One of the requirements is that there is only a quantity of 1 carport, really not a characteristic of the carport. This structure also fails to meet the maximum lot coverage of the R-15 zoning district of 30%. This is a failure of compliance of the LDC lot coverage, and a 75% failure of the carport requirement considering the character of the structure. The application presented understates the area of the structure as per the diagram; it is over 1800sq/ft. . . not 1750 sq/ft. I feel as the application is misleading and does not “contain sufficient information to allow the City Council to determine that the proposed carport complies with these regulations” as stated in the LDC, should be denied.

THIS APPLICATION IS:

1. Over 3x the maximum area
2. Over 2x the maximum length
3. ¼ of the minimum roof pitch

4. Rear lot setback is 25 feet too close
5. Side lot setback is 10 feet too close
6. Supporting structure is a fence – clearly not standard and fails brick or masonry requirement
7. Fails to meet application requirements
 - Complies with height requirement
 - Complies with paving requirement

One of the few carport requirements that are in compliance is the requirement of paving under the carport. This carport meets that requirement, however because extremely large area the cement pavement covers. (About half of the back yard) All of the rainfall water on the cement and carport area is now directed to a very small portion of the applicant's yard that now spills into my yard. This has now caused flooding, thus I found it necessary for me to install a surface drain to protect my property. The flooding problem has been brought to the attention of the applicant several times.

This application should be denied in whole, without consideration of modification. Nothing in this application is for the benefit of the City, Community, or Neighborhood. Any approval in whole or in part does in fact establish precedence. In addition; approval of an application based on forgiveness opposed to permission establishes a bad precedent.

Respectfully



Mark Pursley
400 Quail Crest
Colleyville, Texas 76034
214-536-4000

2018/09/30
13:22:29



$\frac{3}{4} < \text{rain} > \frac{1}{2} \text{ inch}$
 $\frac{2/24/18}{\text{"No Carpet"}}$









Ben Bryner

Subject: RE: December 4 City Council Meeting

From: mark pursley [<mailto:>]

Sent: Monday, November 26, 2018 1:46 PM

To: Richard Newton; Bobby Lindamood; Tammy Nakamura; Kathy Wheat; George Dodson; Chuck Kelley; Callie Rigney

Subject: December 4 City Council Meeting

Colleyville City Council

RE: Zoning Case Number ZC18-)32

My Name is Mark Pursley, I am writing to you to introduce above referenced zoning change request. This is an appeal from a 100% denial of the P&Z board, and 80% opposition of the 500-foot notification list of occupied homes. (not counting the applicant) I, as a substantial majority of residence oppose of this type of structure in a residential environment. In the consideration of the application it is important to understand the totality of the request

This request is for a structure that is already built. It should also be noted that construction has continued after the 100% denial by the P&Z. Would this continued construction raise “red flags”? It certainly has for me. However, this application for a carport is really an application for a roof structure of a tarp span between the tops of fences. The application as presented for approval is deceptive at best. The application clearly understates the request. In addition, I believe the request is now before the council because there was an attempt circumvent the Land Development Code, and the required permit application process from the onset.

The Land Development Code (LDC) is for the good of the community and Colleyville. Protecting home values, creating a safe environment, and to maintain a desirable City. The LDC provides rights for adjacent neighbors with “setback” standards. It provides safety for the community with minimum building standards, and it provides value with a minimum design criteria. This application is absent of all of these standards and specifically most every detail as listed in the LDC requirements for carports. In addition, it violates the lot coverage standards for the zoning district. Just because you can not see the structure, it does not make anything less wrong. Adjacent property owners lose their right by diminished setbacks, water still floods my yard, and I can see it from my yard. However now Neal has disguised the tarp membrane roof as a fence. This was the latest construction after the P&Z denial. Neal built a 3-foot fence over a 24 foot in length that is 5 feet off the ground. This is not a normal fence, it is only the top 3 feet of an 8-foot fence. So instead of looking at his tarp roof, I look at my side fence that is 2 different colors brown on top, and cedar tone on bottom that appears 8-foot-tall for a 24-foot length, six-foot-tall cedar tone for about 45 feet, and then a brown fence for almost 40 feet that is 8 feet tall. 8 foot – 6 foot – 8-foot-tall fence in 2 different colors. a portion of which was built without any permit, and likely not to code. Where does this stop?

Neal and Joyce Morris moved to this house just at a year ago, and I have made every attempt be a good and understanding neighbor. Here is a brief timeline of events.

- Soon after Neal moved in the house, he stated to me he was going to have some cement added in the back yard, and he wanted to build some additional fence that would enclose a larger portion of his back yard, he also stated that he wanted to **raise** My fence from 6 foot to 8 foot. I told him that I thought that may look like an “add-on” and perhaps lattice may be a solution to allow for some additional height he desired and not look as it were “added on”. I never gave him consent for lattice, but only suggested as an option. I asked him at the time if there was any special rush or need for the additional height. He made NO mention of his plan to use the fences as a wall or support for a tarp roof.

- late December 17 – early January 2018 Neal covered about half of his back yard in concrete
- Jan. 21, 2018 I gave Neal notice my yard was flooding from the new cement
- One month passed still have flooding problem, gave Neal second notice
- Feb. 2018 by this time Neal has applied for a fence permit and installed some 8 foot fences, however understand about 50% of the fences installed were comprised of gates. these gates are 10 feet wide. Most of the fence was internal to the backyard dividing the yard into sections.
- March 5, 2018 I had conversation with: Neal he wanted to raise my 6 foot fence by 2 feet with lattice on top. I had additional conversation about flooding problem for now the third time. Also ask Neal what he had going on in the back and why the need for the 8 foot height. Again No mention of a tarped carport using the fences as the support and wall for the carport. However I gave Neal clear approval that he could add 2 feet of lattice on the 6 foot fence
- March 6, 2018 Neal cancelled the fence work by sending me a text. I even apologized if I were not grateful enough that he was raising the fence with lattice (although I did not like the idea, I was just trying to be accommodating to his need or desire) he then sent me an emoji with smoke blowing out his nose (angry?)
- First week of July 2018, Neal installed tarped roof between fences. Over 1800 square feet without regard for any setback requirements affecting 3 adjacent homes, and attaching the structure to his house. This was started while I was out of town on vacation
- I attempted to call the Colleyville Building Permit office without success . .
- Week of July 9, 2018 I had surface drains installed in my yard to protect my house and yard from flooding since it was apparent that Neal was not going to address the issue in any kind of timely manner even after several attempts to let him know the problem still existed. I was at risk of flooding.
- July 11, 2018 Neal wanted to talk to me about a problem he had with his new tarp roof. He wanted again to raise the 6 foot fence by scabbing 2 feet to the top of the existing 6 foot fence for the purpose of solving a wind issue on his new carport roof. Wind was causing a problem. I informed Neal, as We stood in my yard where the new drain was being installed of 2 things #1) I have had to install a drain to address the water flooding problem that has been caused by what is now his “carport”. (Never asking for one thin dime) #2) I told him that his structure is clearly not temporary, and that if he needed the additional height, that he should do the right thing and just replace the 6 foot fence with a proper 8 foot fence. However: Neal did not find that to be an acceptable solution, and he took exception to my statement that his carport was not temporary and a code violation. **He stated “That is why I made sure to meet Colleyville’s requirement that it not be a permanent structure, it is only temporary metal lattice with a temporary membrane on it”**
- July 19, 2018 I made my last attempt to address the problem of the water flooding my yard, and the structure he has built. At this point Neal’s position as he presented it was that what he had build was a structure that had Colleyville’s “OK” as it were just a temporary structure. I did have a conversation with him and stated that I thought he should do two things. Pay for the expense of addressing the water problems, and second build a proper fence replacing the 6 foot fence with an 8 foot fence. I tried to provide him in writing all of my thoughts and reasons why I felt this was the right thing to do. Neal chose to have nothing to do with this conversation, and refused the information, stating he was going to enclose the carport above my fence by adding a membrane tarp . I confirmed giving him a second opportunity to try to discuss the problems, and he still refused.

I ultimately contacted code enforcement about the issue, and was redirected to the building permit office. The building permit office opened an investigation.

This request is not small. It has far reaching affects for not only me, but the all of the surrounding neighbors that see it, and that have their setback rights violated. Home values are affected by comparison for all of the neighborhood, and Colleyville. This is not normal construction methods, and the vast majority of the neighbors agree

that this is not good for our community. Approval would only set a precedent for other non-standard construction methods. In my situation, I could not even hide the structure unless I built a non-compliant fence. There is just no end to the problems presented if approved. This should be denied. I feel as the applicant has been misleading at best, and perhaps deceitful on other occasions. This is evidenced in his application, and in the previous P&Z meeting where he was denied 100%, and in the P&Z work session that he attended. I would welcome the opportunity to briefly discuss this issue with you in a little more detail. I have attached some images that show what is really built, the continued water problem, and an audio of Neal claiming that he has complied with Colleyville's building requirement.

Mark Pursley

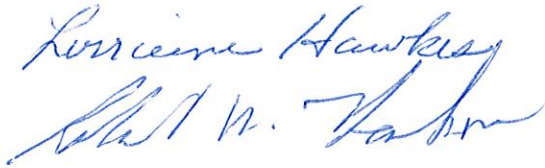
400 Quail Crest Drive

214-536-4000

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

I **OPPOSE** the Special Use Permit (SUP) as referenced above. I respectfully request the Colleyville Planning and Zoning Commission together with the Colleyville City Council to deny this SUP. Please protect me and my property afforded by the Colleyville Land Development Code. Variances as described from the minimum construction standards, and design criteria may adversely affect the subject home value and resale ability. This could result in a lower resale value, and in turn have a negative impact my homes value by comparison; therefore this application could be injurious to other property monetarily. Colleyville has in place a Land Development Code to promote the health, safety, and general welfare of the community. The R-15 zoning district provides for uses *customarily incidental* to the "permitted principal uses" In addition, Variances from the standards set forth by Colleyville, and this case specifically extreme variances are not customarily incidental uses common to the residential zoning districts and specifically the R-15 district. This request should be denied as to not set a president for future development different from the minimum standards set forth by the Colleyville Land Use Code.

A handwritten signature in blue ink, appearing to read "Robert Hawkes", written over a second, less legible signature.

Robert Hawkes
3500 Meadowlark Lane
Colleyville, Texas 76034

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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Scott Carlson
300 Quail Run
Colleyville, TX. 76034

Opposition Letter

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Emmett Doss
3517 Meadowlark Lane
Colleyville, Texas 76034

Opposition Letter

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Terry Muno
3512 Meadowlark Lane
Colleyville, Texas 76034

Opposition Letter

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Terrance Grisso
3505 Meadowlark Lane
Colleyville, Texas 76034

Opposition Letter

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Randolph L. Delacruz

Randolph Delacruz
417 Woodbriar
Colleyville, TX. 76034

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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A handwritten signature in blue ink, appearing to read 'Marshall Travis', with a long horizontal flourish extending to the right.

Marshall Travis
501 Woodbriar Ln.
Colleyville, TX. 76034

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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Name: Larry E. Cox

Address: 504 Quail Crest Dr.

Signed: Jimmy E. Cox

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive, Colleyville Texas 76034

I **OPPOSE** the Special Use Permit (SUP) as referenced above. I respectfully request the Colleyville Planning and Zoning Commission together with the Colleyville City Council to deny this SUP. Please protect me and my property afforded by the Colleyville Land Development Code. Variances as described from the minimum construction standards, and design criteria may adversely affect the subject home value and resale ability. This could result in a lower resale value, and in turn have a negative impact on my home by comparison; therefore this application could be injurious to other property monetarily. Colleyville has in place a Land Development Code to promote the health, safety, and general welfare of the community. The R-15 zoning district provides for uses *customarily incidental* to the "permitted principal uses". In addition, variances from the standards set forth by Colleyville, and in this case specifically extreme variances are not customarily incidental uses common to the residential zoning districts, and specifically the R-15 district. This request should be denied as to not set a precedent for future development different from the minimum standards and rules set forth by the Colleyville Land Use Code.



Geoff Scott
500 Raven Court
Colleyville, Texas 76034

Opposition Letter

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Gary Hildebrandt
421 Woodbriar Court
Colleyville, Texas 76034

Opposition Letter

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Ernest Reynolds
413 Woodbriar Court
Colleyville, Texas 76034

Signed
Petition
Page 2 of 11

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive, Colleyville Texas 76034

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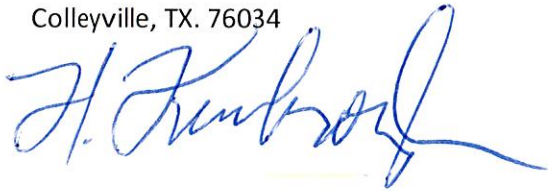
Jeanne Gordon
501 Raven Court
Colleyville, Texas 76034

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive, Colleyville Texas 76034

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Howard Kimbrough
404 Quail Crest Dr.
Colleyville, TX. 76034



**Colleyville Planning and Zoning
Colleyville City Council**

RE: CASE NO. ZC18-032

LOCATION: 316 Quail Crest Drive, Colleyville Texas 76034

I **OPPOSE** the Special Use Permit (SUP) as referenced above. I respectfully request the Colleyville Planning and Zoning Commission together with the Colleyville City Council to deny this SUP. Please protect me and my property afforded by the Colleyville Land Development Code. Variances as described from the minimum construction standards, and design criteria may adversely affect the subject home value and resale ability. This could result in a lower resale value, and in turn have a negative impact on my home by comparison; therefore this application could be injurious to other property monetarily. Colleyville has in place a Land Development Code to promote the health, safety, and general welfare of the community. The R-15 zoning district provides for uses *customarily incidental* to the "permitted principal uses". In addition, variances from the standards set forth by Colleyville, and in this case specifically extreme variances are not customarily incidental uses common to the residential zoning districts, and specifically the R-15 district. This request should be denied as to not set a precedent for future development different from the minimum standards and rules set forth by the Colleyville Land Use Code.

NAME: Lauren Falzett

ADDRESS: 413 Quail Crest Dr.

SIGNATURE: Lauren Falzett

Community Development Department
Planning and Zoning
Colleyville City Council
City of Colleyville
100 Main Street Colleyville, TX 76034

RE: **CASE NO. ZC18-032**

LOCATION: 316 Quail Crest Drive, Colleyville Texas 76034

I live adjacent to the structure built at 316 Quail Crest. Permission to replace a portion of my six foot fence with an eight foot fence was given to Mr. Morris. However it was never my understanding that the fence was to be used to build the carport or attach some type of support structure. I should be protected from structures being built this close to my property. I can see from my house that the structure connects to the fence, as this is visible from my house and yard.

Therefore I **OPPOSE** the Special Use Permit (SUP) as referenced above. I respectfully request the Colleyville Planning and Zoning Commission together with the Colleyville City Council to deny this SUP. Please protect me and my property afforded by the Colleyville Land Development Code. Variances as described from the minimum construction standards, and design criteria may adversely affect the subject home value and resale ability. This could result in a lower resale value, and in turn have a negative impact on my home by comparison; therefore this application could be injurious to other property monetarily. Colleyville has in place a Land Development Code to promote the health, safety, and general welfare of the community. The R-15 zoning district provides for uses *customarily incidental* to the "permitted principal uses". In addition, variances from the standards set forth by Colleyville, and in this case specifically extreme variances are not customarily incidental uses common to the residential zoning districts, and specifically the R-15 district. This request should be denied as to not set a precedent for future development different from the minimum standards and rules set forth by the Colleyville Land Use Code.

Respectfully

Merry and Dennis DeGuire
409 Falcon Ct.
Colleyville, TX. 76034



Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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David Lewis
408 Quail Crest Drive
Colleyville, Texas 76034

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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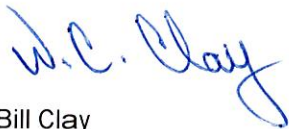
Albert & Kay Castro
417 Falcon Court
Colleyville, Texas 76034



Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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Bill Clay
405 Falcon Court
Colleyville, Texas 76034

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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Kevin Sancibrian
408 Falcon Court
Colleyville, TX. 76034



10-27-18

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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Name: MARK VAN SICKLE

Address: 412 FAZCUT CT

Signed:

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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✓ Stacy Gann

Rocky Gann
416 Falcon Court
Colleyville, Texas 76034

Opposition Letter

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Deborah Munson
420 Falcon Court
Colleyville, Texas 76034

Opposition Letter

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Guy Holbert
413 Falcon Court
Colleyville, Texas 76034

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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Adam Owens
308 Quail Crest Drive
Colleyville, Texas 76034

Opposition Letter

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Adam Daily
500 Quail Crest Drive
Colleyville, Texas 76034

Opposition Letter

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Catharin W. Reimann Family Trust
409 Quail Crest Dr.
Bedfors TX. 76021

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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Marcus Miles
412 Quail Crest Drive
Colleyville, Texas 76034



Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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Name:

Barbara Cox

Address:

504 Quail Crest Dr.

Signed:

Barbara Cox

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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Janusz Umbrewicz
401 Falcon Court
Colleyville, Texas 76034

Opposition Letter

CASE NO. ZC18-032 **LOCATION:** 316 Quail Crest Drive Colleyville, Texas 76034

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George Bielss
404 Falcon Court
Colleyville, Texas 76034



Petition in Opposition of Case NO: ZC18-032

LOCATION: 316 Quail Crest Drive Colleyville, Texas 76034

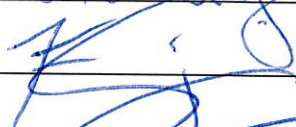
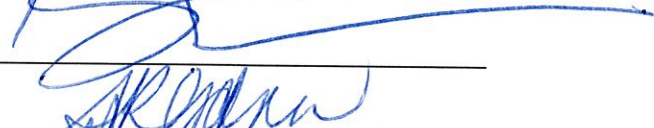
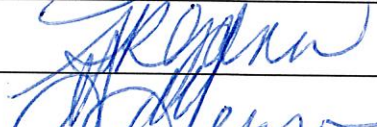
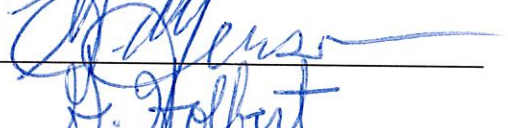
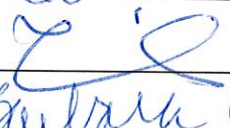
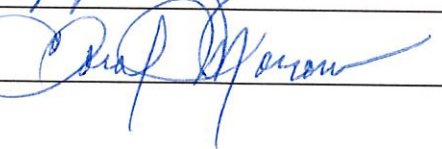
I **OPPOSE** the Special Use Permit (SUP) ZC18-032 for carport with a tarp/membrane and tubular steel roof, supported by fences. I respectfully request the Colleyville Planning and Zoning Commission together with the Colleyville City Council to deny this SUP.

Address: 3500 MEADOWLARK	Signed: [Signature]
Address: 300 Quail Crest	Signed: [Signature]
Address: 3517 Meadowlark	Signed: [Signature]
Address: 3517 Meadowlark Ln	Signed: [Signature]
Address: 3505 Meadowlark Ln	Signed: [Signature]
Address: 417 Woodbridge Ct.	Signed: [Signature]
Address: 501 Woodbridge Ln	Signed: [Signature]
Address: 504 Quail Crest Dr.	Signed: [Signature]
Address: 500 Raven Ct	Signed: [Signature]
Address: 421 Woodbridge Ct	Signed: [Signature]
Address: 413 Woodbridge Ct.	Signed: [Signature]
Address: 501 Raven Ct	Signed: [Signature]
Address: 401 Quail Crest	Signed: [Signature]
Address: 413 Quail Crest Dr.	Signed: [Signature]
Address: 409 Falcon Ct.	Signed: [Signature]
400 Quail Crest Dr	Mark Porsley Mark Porsley

Petition in Opposition of Case NO: ZC18-032

LOCATION: 316 Quail Crest Drive Colleyville, Texas 76034

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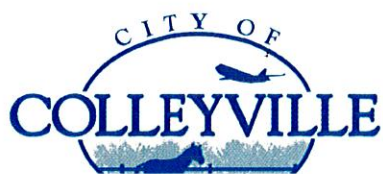
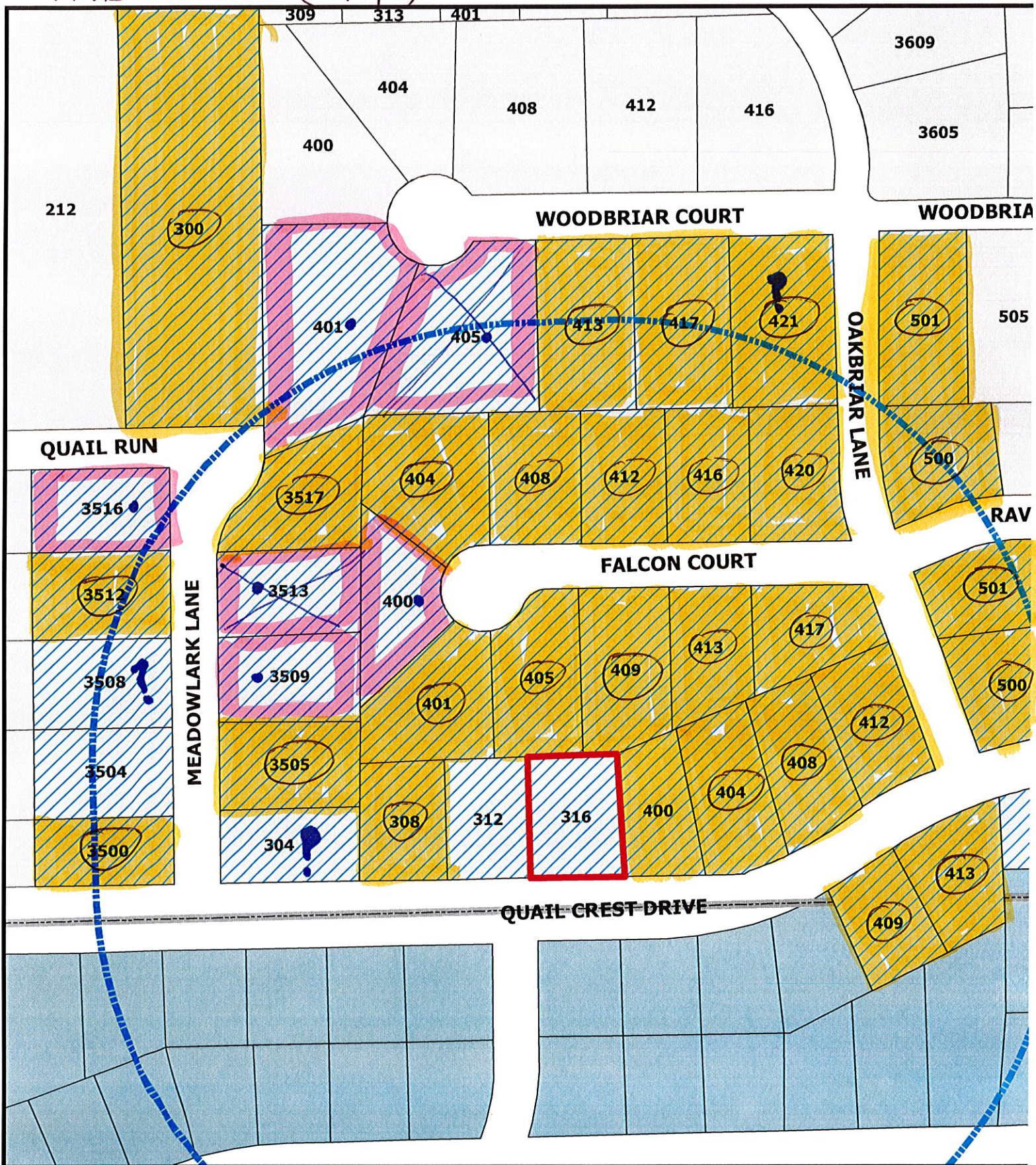
Address: 408 Quail Crest Dr	Signed: 
Address: 417 FALCON CT.	Signed: Kay Castro
Address: 405 Falcon Ct.	Signed: W.C. Day
Address: 408 Falcon Ct.	Signed: 
Address: 412 Falcon Ct	Signed: 
Address: 416 Falcon Ct.	Signed: 
Address: 420 Falcon Ct	Signed: 
Address: 413 Falcon Ct.	Signed: D. Holbert
Address: 308 Quail Crest Drive	Signed: 
Address: 500 Quail Crest Dr	Signed: 
Address: 409 Quail Crest Dr	Signed: Catharine W. Reiman
Address: 412 Quail Crest Dr	Signed: 
Address: 504 Quail Crest Dr	Signed: Catharine Cox
Address: 401 Falcon Court	Signed: 
Address: 404 Falcon Ct	Signed: 

Yellow Oppose

Pink - Not Home (empty?)

Notification Map

! - May or may not
312/316 - Omit



ZC18-032
316 Quail Crest Drive



ORDINANCE O-18-2070

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING OF LOT 16, BLOCK 2, OF THE QUAIL CREST ESTATES ADDITION, LOCATED AT 316 QUAIL CREST DRIVE, BY AUTHORIZING A SPECIAL USE PERMIT FOR A CARPORT TO EXCEED THE MAXIMUM SIZE, ENCROACH INTO THE SIDE PROPERTY LINE, AND CONSTRUCTED WITH ALTERNATE MATERIALS; 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 a Special Use Permit for a carport to exceed the maximum size, encroach into the side property line, and constructed with alternate materials Case No. ZC18-032; 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 and designed to lessen congestion in the streets; 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 authorizing a Special Use Permit for a carport to exceed the maximum size, encroach into the side property line, and being constructed with alternate materials on the lot on Lot 16, Block 2, of the Quail Crest Estates Addition, located at 316 Quail Crest Drive, as depicted on the attached as Exhibit "A".
- 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 the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the carport structure as depicted in Exhibit "B" Site Plan, Exhibit "C" Elevations, Exhibit "D" Photos Taken by Staff.
- b. All requirements of the Land Development Code shall be met, except where amended herein.

- Sec. 5. 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. 6. 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. 7. 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. 8. 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 4th day of December 2018.

The second reading and public hearing being conducted on the 18th day of December 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18th day of December 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

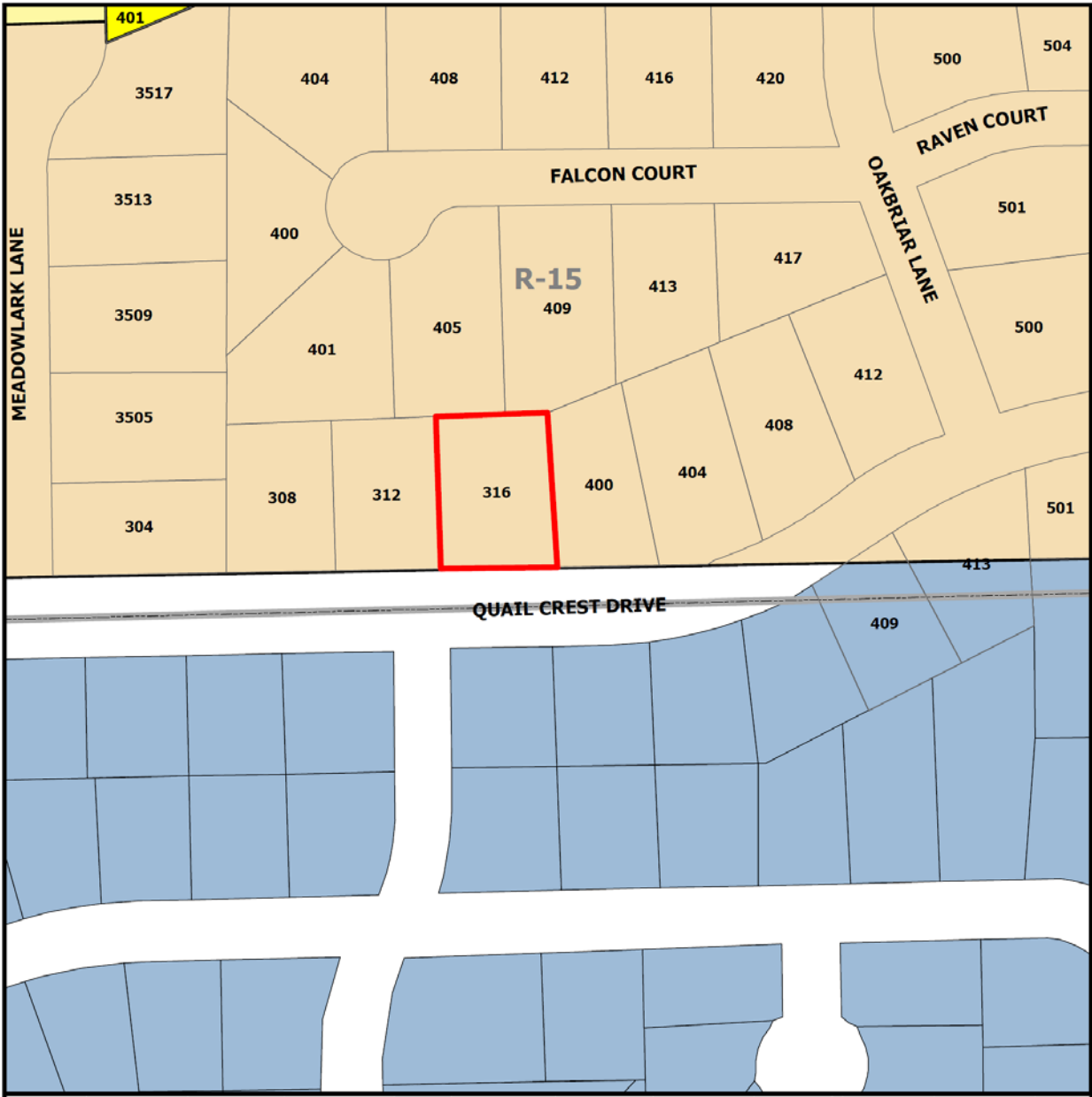


Exhibit “B” – Site Plan



Exhibit “C” – Elevations

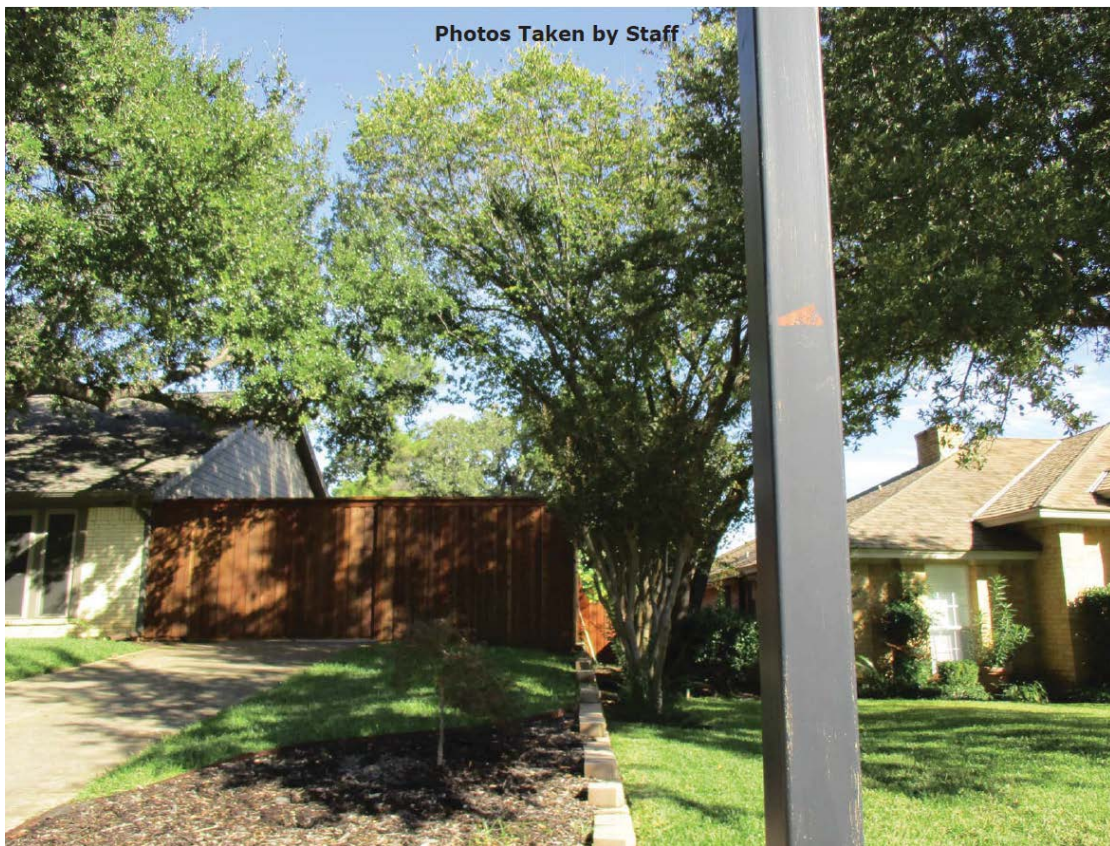
[illegible]

Exhibit "D" – Photos Taken by Staff











City of Colleyville City Council Agenda Briefing

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

Agenda Number 7d

Agenda Date 12/18/2018

Number Ordinance O-18-2071

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from R-10 Single Family Residential district to R-20 Single Family Residential district on Tracts 6A & 6A2, Abstract 1203, in the Peterson Pate Survey, located at 713 Field Street, Case ZC18-034

Strategic Plan

4.1 Protect Colleyville's semi-rural residential character

Explanation

Second Reading and Public Hearing

There were no speakers regarding this request at the December 4, 2018 City Council Meeting.

First Reading and Public Hearing

Mark Paine, the applicant, has submitted a request for a zoning change from the R-10 Single Family Residential district to the R-20 Single Family Residential district on Lots 1 & 2, Block A, Park View Estate, being approximately 1.175 acres. The purpose of the request is to allow for development of two single-family residential lots.

Existing Conditions/Background: The subject property, 713 Field Street, resides on the south side of Field Street and is zoned R-10 Single Family Residential district. The property currently is developed with an existing home on west side of the property. The property has had R-10 zoning dating from at least 1970 and since that time the zoning has not changed.

Proposed Zoning:

Request – The applicant requests to rezone the property from R-10 to R-20 for the creation of two (2) single-family residential lots. The development covers a total of 1.175 acres.

The minimum standards for the R-20 zoning district are as follows:

Minimum Lot Size:	20,000 square feet
Minimum Lot Width:	100 feet
Minimum Lot Depth:	125 feet
Front Building Line:	30 feet
Side Building Line:	10 feet

Rear Building Line: 25 feet
Maximum Lot Coverage: 30 percent

Analysis: The requested rezoning allows the applicant to develop the lot to the east in a manner complementary to the neighborhoods surrounding it as well as bring both lots into compliance with the City's comprehensive plan.

The exhibit provided is the minor plat exhibit, which was approved at Staff level and has been recorded.

Surrounding Development: The properties to the south are zoned R-20 and are developed with single-family residential structures. Properties to the north and west have R-10 zoning and have developed with single-family residential structures. The properties to the east have PUD-R zoning and are developed with single-family residential structures.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single-family residential development. The proposed R-20 does not conflict with any portion of the comprehensive plan.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property 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* as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: Staff recommends approval for the applicant's request based on the following findings:

1. The proposed zoning meets the intent of the residential designation assigned in the *Destination Colleyville* comprehensive plan.
2. The R-20 zoning continues the R-20 zoning districts around the subject property and is similar to the development pattern already established.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval at their November 13, 2018 meeting by a vote of 7-0.

Financial Impact

There is no fiscal impact to the City of Colleyville.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Zoning Exhibit
5. Photos Taken by Staff
6. Notification Map
7. Notification List
8. Property Owner Notification
9. Ordinance O-18-2071

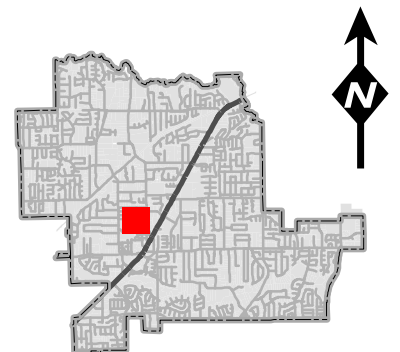
Aerial Map



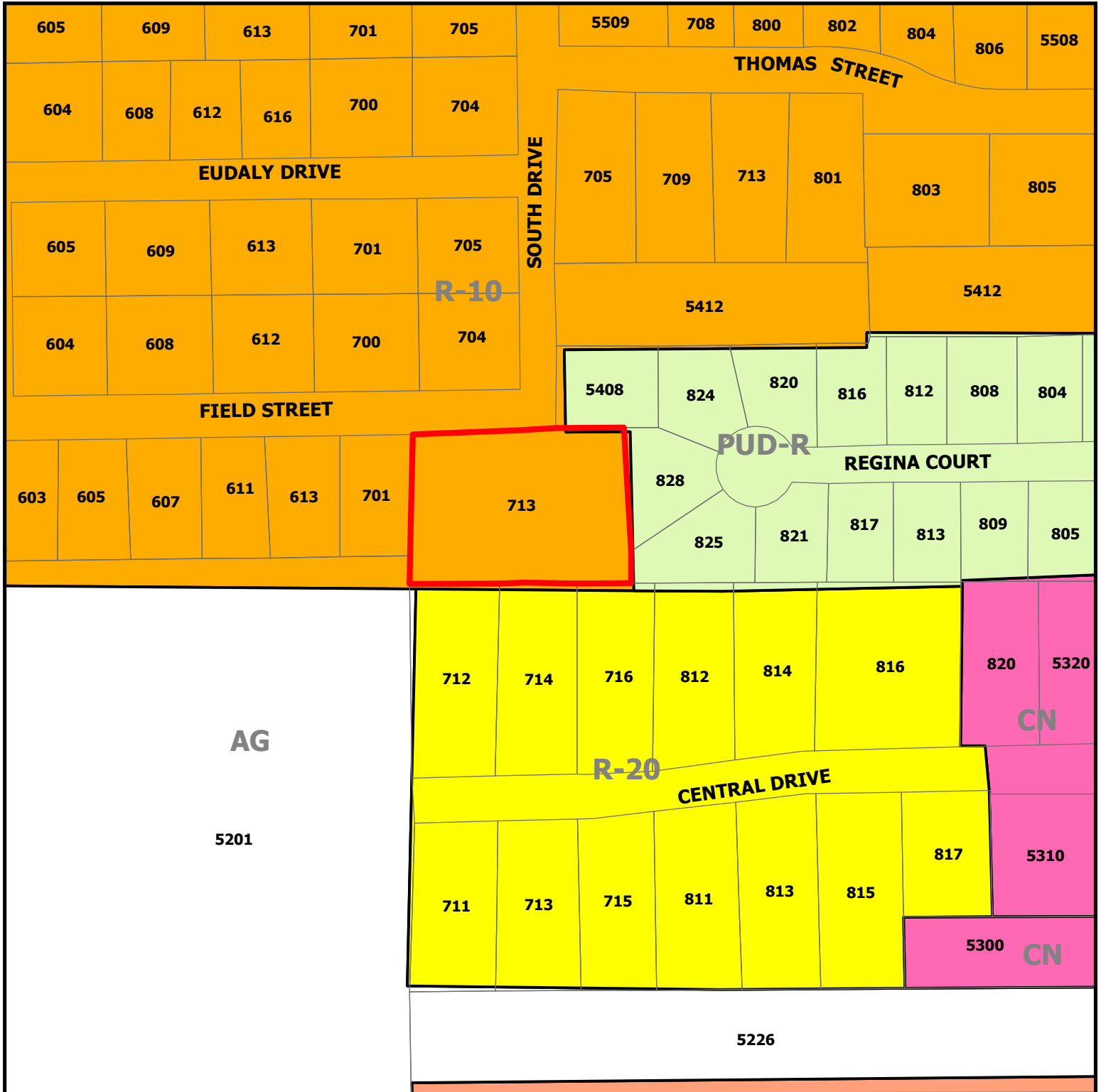
ZC18-034
713 Field Street

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.

 Subject Property



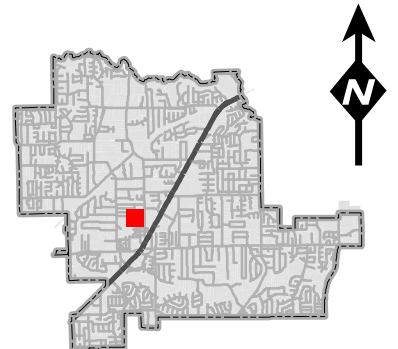
Zoning Map



ZC18-034
713 Field Street

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 Subject Property



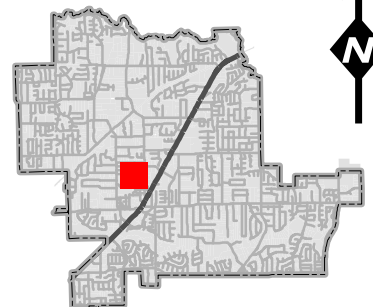
Future Land Use Map



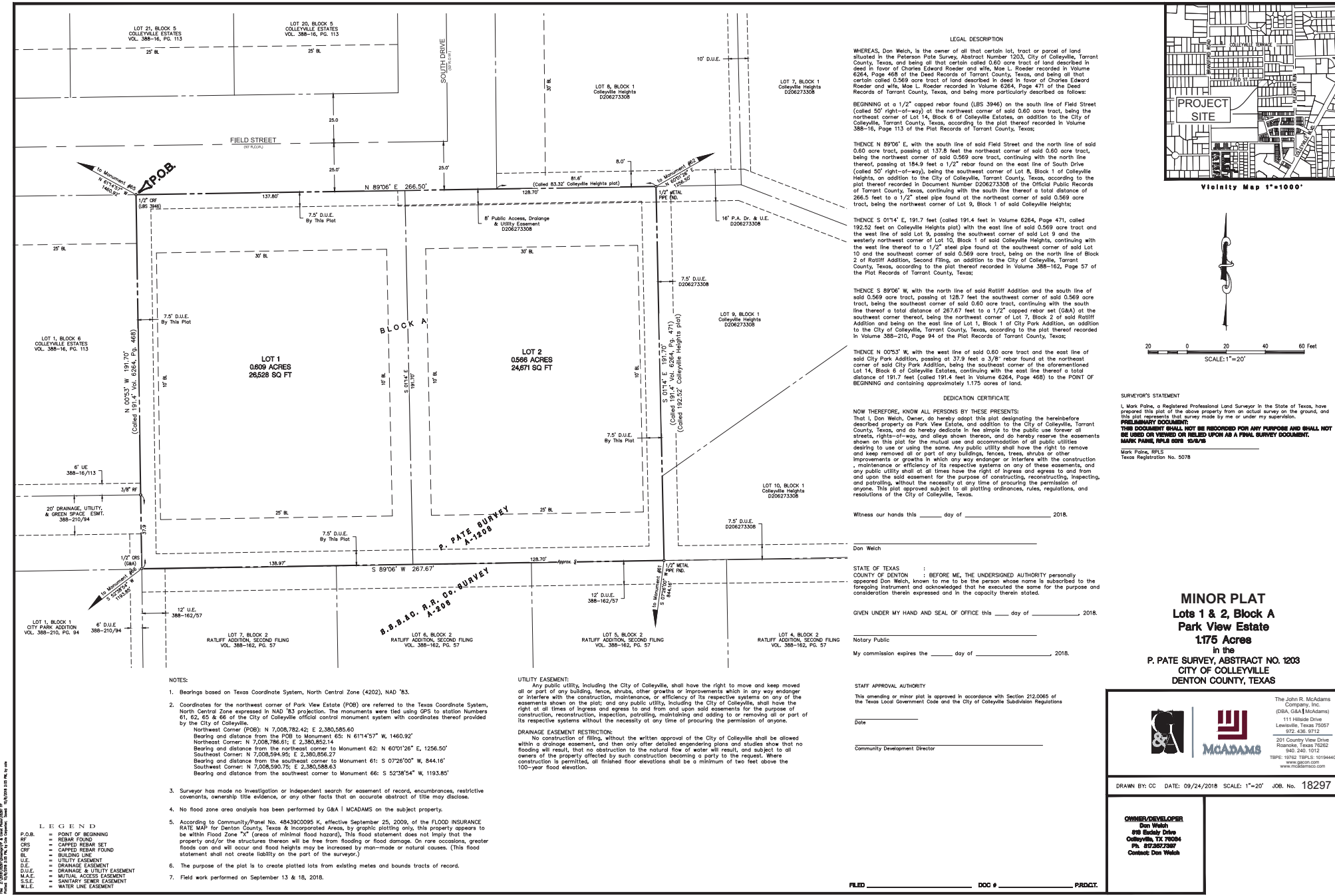
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ZC18-034
713 Field Street

- Subject Property
- Residential
- Colleyville Blvd Corridor
- Open Space; Parks



Zoning Exhibit



Photos Taken by Staff



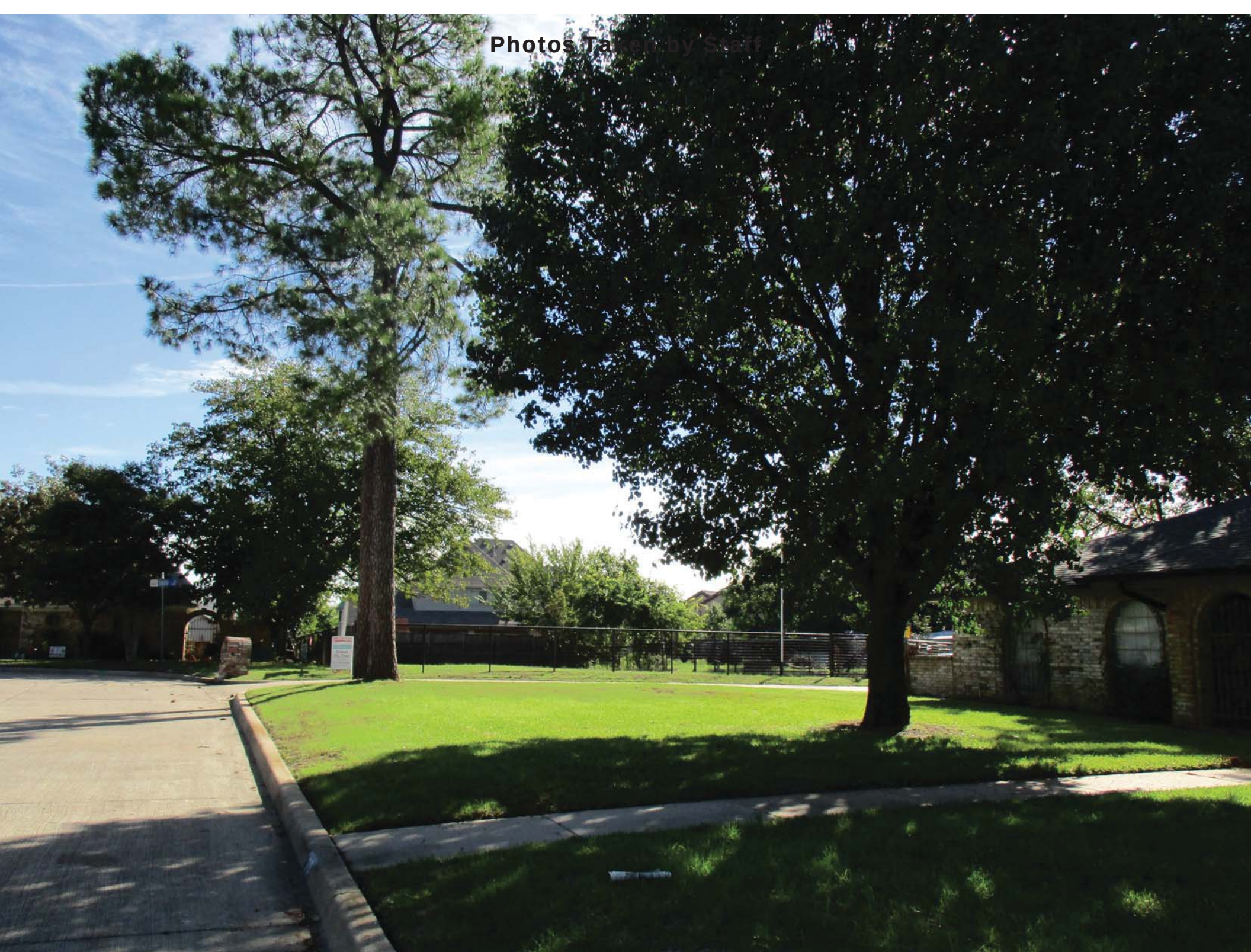
Photos Taken by Staff



Photos Taken by Staff



Photos Taken by Staff

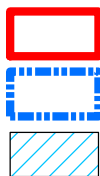


Notification Map



ZC18-034
713 Field Street

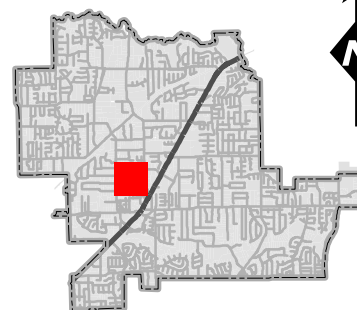
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Subject Property

500ft Buffer

Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
GROFFMAN, STEVEN	815 CENTRAL DR	COLLEYVILLE, TX	76034	815 CENTRAL DR
BENNETT, LORI	611 FIELD ST	COLLEYVILLE, TX	76034	611 FIELD ST
KELLOGG, MICHAEL	824 REGINA CT	COLLEYVILLE, TX	76034	824 REGINA CT
FADDEN, MARK S	825 REGINA CT	COLLEYVILLE, TX	76034	825 REGINA CT
GARCIA, ANNETTE	PO BOX 1466	COLLEYVILLE, TX	76034	613 EUDALY DR
PICKENS, ROSEMARY	708 THOMAS ST	COLLEYVILLE, TX	76034	708 THOMAS ST
HENIGSMITH, CECIL	705 THOMAS ST	COLLEYVILLE, TX	76034	705 THOMAS ST
LAIBLY, CATHEY	704 EUDALY DR	COLLEYVILLE, TX	76034	704 EUDALY DR
ROEDER, C E EST	713 FIELD ST	COLLEYVILLE, TX	76034	713 FIELD ST
CARDINI, CHRISTOPHER	821 REGINA CT	COLLEYVILLE, TX	76034	821 REGINA CT
MAX, RICHARD W	700 FIELD ST	COLLEYVILLE, TX	76034	700 FIELD ST
ROEMING, BRANTON F	805 THOMAS ST	COLLEYVILLE, TX	76034	805 THOMAS ST
DIQUINZIO, LORRAINE H	608 EUDALY DR	COLLEYVILLE, TX	76034	608 EUDALY DR
CHANDLER, TOM LOUIS	613 FIELD ST	COLLEYVILLE, TX	76034	613 FIELD ST
LALA, MARLENE	816 CENTRAL DR	COLLEYVILLE, TX	76034	816 CENTRAL DR
WESCOAT, BRYAN S	804 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	612 EUDALY DR
KIM & DEBORAH SHELTON TRUST	813 REGINA CT	COLLEYVILLE, TX	76034	813 REGINA CT
BANKS, JAMES	715 CENTRAL DR	COLLEYVILLE, TX	76034	715 CENTRAL DR
HALEY, JASON B	711 CENTRAL DR	COLLEYVILLE, TX	76034	711 CENTRAL DR
MCNARY PROPERTIES	1230 BROWN TR STE 107	BEDFORD, TX	76022	701 EUDALY DR
MOORE, KAREN JEAN	PO BOX 694	COLLEYVILLE, TX	76034	5412 SOUTH DR
GARCIA, ANNETTE	PO BOX 1466	COLLEYVILLE, TX	76034	609 EUDALY DR
BERNTSEN, JACQUELINE	604 FIELD ST	COLLEYVILLE, TX	76034	604 FIELD ST
DS & RS PROPERTIES LLC	2421 ARBOR GATE LN	COLLEYVILLE, TX	76034	5320 Pleasant Run RD
BLOODGOOD, CORNELIA	705 HILLSIDE RD	COLLEYVILLE, TX	76034	705 HILLSIDE RD
WILLIAMSON, PENNY S	713 THOMAS ST	COLLEYVILLE, TX	76034	713 THOMAS ST
CHACKO, RAIBU	817 REGINA CT	COLLEYVILLE, TX	76034	817 REGINA CT
BRUNKEN, JOHN E. JR.	7204 BELLE MEADE DR	COLLEYVILLE, TX	76034	712 CENTRAL DR
TUMPAK, SCOTT	809 REGINA CT	COLLEYVILLE, TX	76034	809 REGINA CT
YOUNG, CLINT	811 CENTRAL DR	COLLEYVILLE, TX	76034	811 CENTRAL DR
ALLEN, WALTRAUD	5600 MIRAMAR LN	COLLEYVILLE, TX	76034	812 CENTRAL DR
THOMAS MONROE PROPERTIES	PO BOX 806	COLLEYVILLE, TX	76034	612 FIELD ST
GARRETT, RUSSELL W	820 REGINA CT	COLLEYVILLE, TX	76034	820 REGINA CT
D & V WALKER PROPERTIES LLC	5501 NORMANDY DR	COLLEYVILLE, TX	76034	5226 PLEASANT RUN RD
HAMPTON, GEORGE	812 REGINA CT	COLLEYVILLE, TX	76034	812 REGINA CT
HASELTINE, MARILYN L	704 FIELD ST	COLLEYVILLE, TX	76034	704 FIELD ST
VENABLE, CLAUDE W	700 EUDALY DR	COLLEYVILLE, TX	76034	700 EUDALY DR
MISKO, SUSAN R	716 CENTRAL DR	COLLEYVILLE, TX	76034	716 CENTRAL DR
CLARKE PRODUCTS INC	820 CENTRAL DR	COLLEYVILLE, TX	76034	820 CENTRAL DR
PASCHAL, JEFFERY	613 HILLSIDE RD	COLLEYVILLE, TX	76034	613 HILLSIDE RD
HARRIS, FRANK H	5509 SOUTH DR	COLLEYVILLE, TX	76034	5509 SOUTH DR
2021VECO LLC	6406 CUTTER RIDGE CT	COLLEYVILLE, TX	76034	701 HILLSIDE RD
GRIFFIN, TIMOTHY S	828 REGINA CT	COLLEYVILLE, TX	76034	828 REGINA CT
PAYNE, KAREN M	608 FIELD ST	COLLEYVILLE, TX	76034	608 FIELD ST
MHOLTSCLOW REALTY LLC	3505 DEERWOOD CT	RICHARDSON, TX	75082	603 FIELD ST
WILLIAMSON, LAWRENCE	709 THOMAS ST	COLLEYVILLE, TX	76034	709 THOMAS ST
GONZALES, ANDREW J	603 SCENIC DR	IRVING, TX	75039	705 EUDALY DR
MCDONALD, CEACY SAMANTHA	814 CENTRAL DR	COLLEYVILLE, TX	76034	814 CENTRAL DR
VANDOR, CSABA	605 EUDALY DR	COLLEYVILLE, TX	76034	605 EUDALY DR
BELL, MICHAEL W	308 HARWOOD RD	BEDFORD, TX	76021	816 REGINA CT
MITCHELL, JEWELL O	800 THOMAS ST	COLLEYVILLE, TX	76034	800 THOMAS ST
CRANDALL, BRUCE	5412 PLEASANT RUN RD	COLLEYVILLE, TX	76034	5412 PLEASANT RUN RD
BOWMAN, DAVID	805 REGINA CT	COLLEYVILLE, TX	76034	805 REGINA CT
WARNER, RICHARD D	5408 SOUTH DR	COLLEYVILLE, TX	76034	5408 SOUTH DR
DEFREECE, MICHAEL	8903 DOUGLAS CT	OMAHA, NE	68114	804 REGINA CT
GABLE, MICHAEL	813 CENTRAL DR	COLLEYVILLE, TX	76034	813 CENTRAL DR
HUNKINS, RALPH H	808 REGINA CT	COLLEYVILLE, TX	76034	808 REGINA CT
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	5201 BRANSFORD RD
TURNER, CHRISTINE	713 CENTRAL DR	COLLEYVILLE, TX	76034	713 CENTRAL DR
RAINES, ESTHER DELEON	605 FIELD ST	COLLEYVILLE, TX	76034	605 FIELD ST
GRACIA, MACEDONIO	803 THOMAS ST	COLLEYVILLE, TX	76034	803 THOMAS ST
FIGUEROA FAMILY REVOCABLE TRUS	817 CENTRAL DR	COLLEYVILLE, TX	76034	817 CENTRAL DR
HIRSCH, JOACHIM	607 FIELD ST	COLLEYVILLE, TX	76034	607 FIELD ST
TIPTON, CAROL A	701 FIELD ST	COLLEYVILLE, TX	76034	701 FIELD ST
GARCIA, JOHN	616 EUDALY DR	COLLEYVILLE, TX	76034	616 EUDALY DR
TRAPHAGAN, CHAS K	801 THOMAS ST	COLLEYVILLE, TX	76034	801 THOMAS ST
REYNOLDS, GILES	714 CENTRAL DR	COLLEYVILLE, TX	76034	714 CENTRAL DR
COLLEYVILLE HEIGHTS	825 REGINA COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
PAINE, MARK	201 COUNTRY VIEW DRIVE	ROANOKE, TX	76262	APPLICANT

Public hearing notices were mailed on October 26, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-034
Applicant: Mark Paine
Owner: Don Welch
Location: 713 Field Street
Property Description: Tracts 6A & 6A2, Abstract 1203, in the Peterson Pate Survey
Present Zoning: R-10 Single Family Residential
Request: Consideration of a zoning change from R-10 Single Family Residential district to R-20 Single Family Residential district. The purpose is to rezone the property from R-10 to R-20 in order to better match the existing and proposed lots sizes for 2 single-family residential lots.

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Tuesday, November 13, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, December 4, 2018 & Tuesday, December 18, 2018 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 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 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. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

ORDINANCE O-18-2071

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.175 ACRES, ON LOTS 1 & 2, BLOCK A, PARK VIEW ESTATE, LOCATED AT 713 FIELD STREET, FROM THE R-10 SINGLE FAMILY RESIDENTIAL DISTRICT TO THE R-20 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 ZC18-034; 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 1.175 acres, Lots 1 & 2, Block A, Park View Estate, located at 713 Field Street, from the R-10 Single Family Residential District to the R-20 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 4th day of December 2018.

The second reading and public hearing being conducted on the 18th day of December 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 2, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whit L. Wyatt
City Attorney

Exhibit "A"- Zoning Map

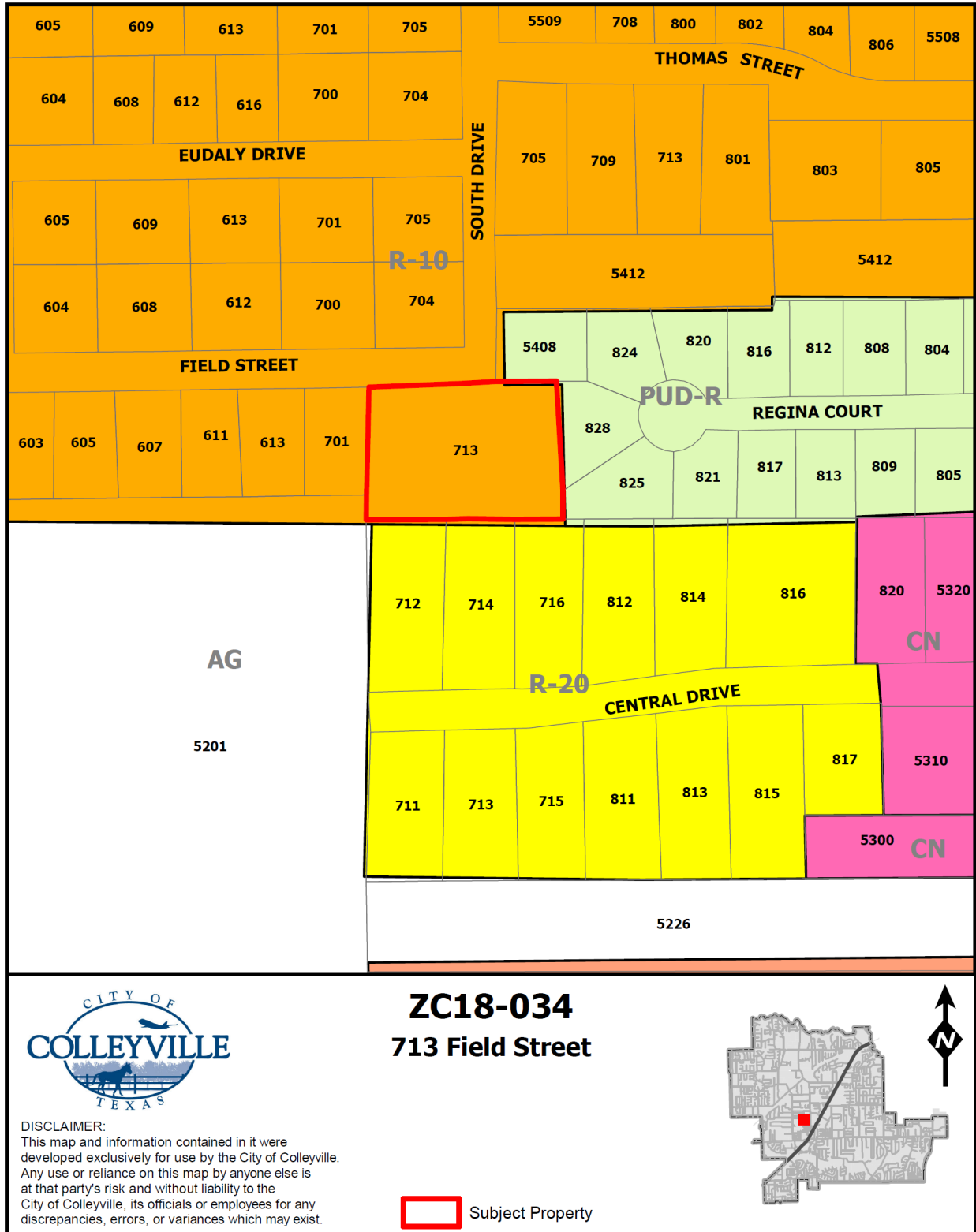
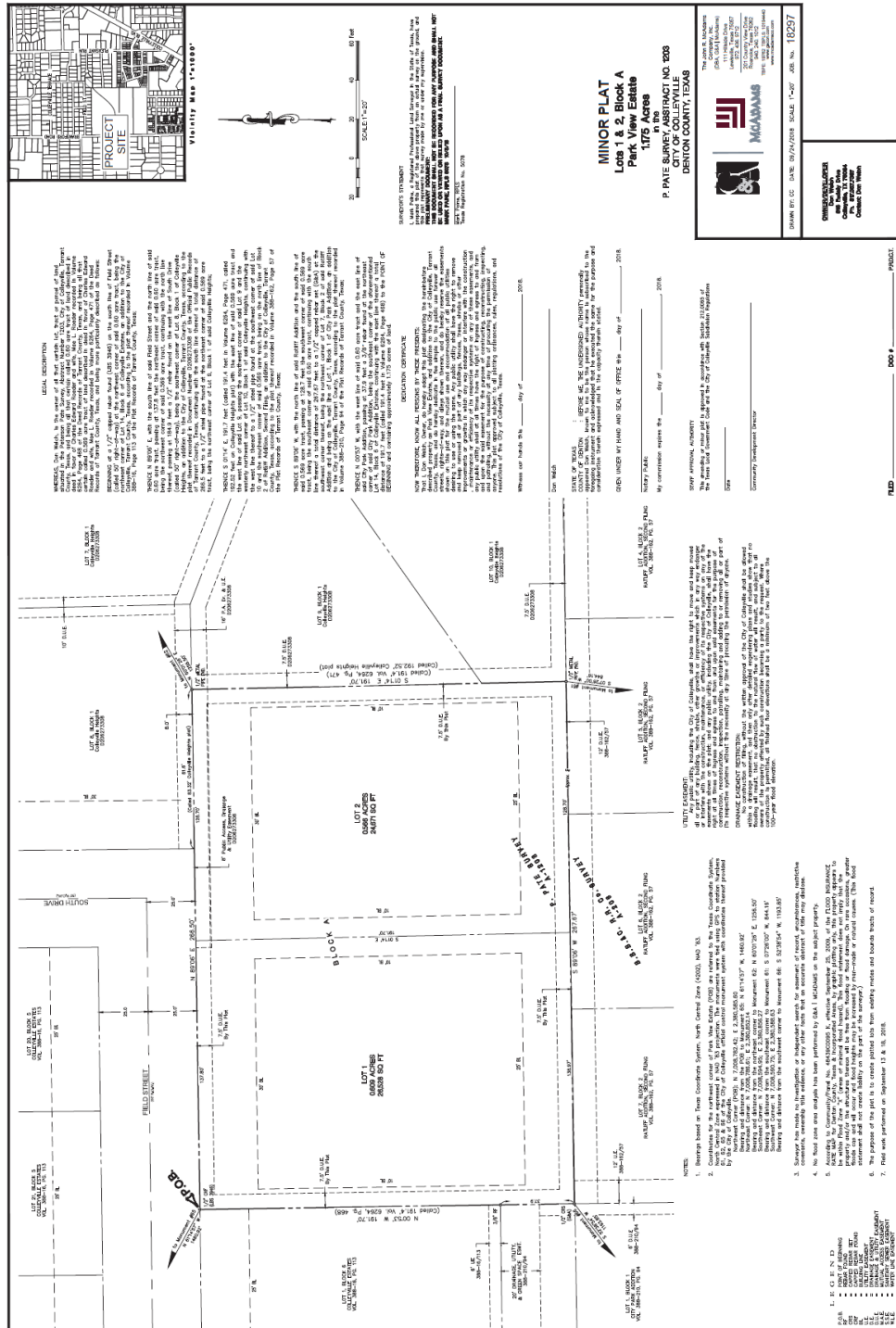


Exhibit “B”- Zoning Exhibit





City of Colleyville City Council Agenda Briefing

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

Agenda Number 8a
Type Ordinance
Department Engineering

Agenda Date 12/18/2018

Number Ordinance O-18-2072

Title

Consideration of amendments to the Colleyville Code of Ordinances, Chapters 2 and 86, related to telecommunications providers

Strategic Plan

1.4 Communicate thoroughly and strategically

Explanation

First Reading and Public Hearing

Effective September 1, 2017 S.B. 1004 adopted Chapter 284 of the Local Government Code concerning the installation of equipment, specifically wireless network equipment, in public right-of-way, providing a state-wide regulatory scheme and limiting individual cities' abilities to further regulate this equipment. These provisions are applicable to the installation of "network nodes" (equipment that enables wireless communications between the communications network and the user's equipment) and related equipment, and applies to both the "wireless service provider", who provides the service directly to the public, and to "network providers", which are entities who do not provide service to the end-user, but whom build the equipment on behalf of a wireless service provider.

On August 15, 2017, City Council adopted Ordinance O-17-2023 adopting the appropriate changes to the City's ordinances.

Recent Action: On September 26, 2018, the Federal Communications Commission ("FCC") adopted a Declaratory Ruling and Third Report and Order. The ruling takes action to preempt local control over the deployment of fifth generation ("5G") wireless infrastructure. Small cell deployments (also known as "network nodes") are the means to support the exploding demand for wireless broadband services.

Staff has worked with the City Attorney to finalize the amendments to the affected chapters in the City's Code of Ordinances.

Financial Impact

No substantial financial impact to the City.

Recommendation

Approve

Attachments

1. Ordinance O-17-2023
2. FCC News Release
3. Ordinance O-18-2072

ORDINANCE O-17-2023

AN ORDINANCE ADOPTING THE CITY OF COLLEYVILLE DESIGN MANUAL FOR THE INSTALLATION OF NODES AND NODE SUPPORT POLES IN THE CITY RIGHTS-OF-WAY, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE CHAPTER 284; AND DESIGNATING DESIGN DISTRICTS FOR THE INSTALLATION OF NODES AND NODES SUPPORT POLES, TO BE DESIGNATED THEREIN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Chapter 284 of the Local Government Code, effective September 1, 2017, provides a regulatory framework governing the installation of Nodes and Node Support Poles in the City's Right-of-Way; and

WHEREAS, pursuant to Chapter 284, Network Providers installing wireless equipment in the City's Right-of-Way must comply with the Design Manual adopted by the City for that purpose; and

WHEREAS, Chapter 284 authorizes the City to designate Design Districts and Historic Districts, wherein heightened aesthetic requirements may be applied to such equipment; and

WHEREAS, the City of Colleyville has determined that certain areas of the city which should be designated as design districts, for purposes of Chapter 284, in order to preserve the character and aesthetic qualities of these areas;

WHEREAS, the City Council, in the exercise of its legislative discretion, has concluded that the attached Design Manual should be approved;

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

Sec. 1. THAT the following areas of the City of Colleyville are hereby designated as Historic Districts and Design Districts for the installation of network nodes and node support poles, pursuant to Chapter 284 of the Local Government Code:

1. Tax Increment Finance Districts #1 and #1A
2. Precinct Line Road within the City limits
3. The Bidault House and property located at 1416 Glade Road

- Sec. 2. THAT the Colleyville Design Manual for the Installation of Network Nodes and Node Support Poles, attached hereto as Exhibit "A", is hereby adopted. All Network Providers seeking to install wireless equipment in the right-of-way of the City of Colleyville pursuant to Chapter 284 of the Local Government Code must comply with this Design Manual.
- Sec. 3. THAT all provisions of the ordinances of the City of Colleyville in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Colleyville not in conflict with the provisions of this Ordinance shall remain in full force and effect.
- Sec. 4. THAT if any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be judged to be invalid or unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of this Ordinance as a whole or any portion thereof other than the portion so decided to be invalid or unconstitutional.
- Sec. 5. THAT this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 1st day of August 2017.

The second reading and public hearing being conducted on the 15th day of August 2017.

PASSED AND APPROVED BY A VOTE OF 6 AYES, 0 NAYS, AND 0 ABSTENTIONS ON THIS THE 15TH DAY OF AUGUST 2017.

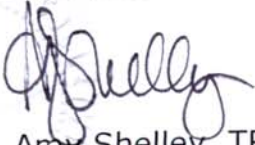
Mayor Richard Newton
Place 1, Tammy Nakamura
Place 4, George Dodson
Place 6, Mike Taylor

aye
aye
aye
aye

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

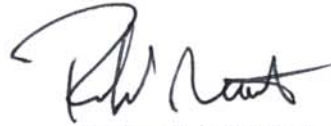
aye
aye
aye

ATTEST:



Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:



Whitt L. Wyatt
City Attorney



Design Manual

for the

Installation of Network Nodes and Node Support Poles

pursuant to Tex. Loc. Gov. Code, Chapter 284.

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SECTION 1. PURPOSE AND APPLICABILITY.

The City of Colleyville (“City”) recognizes that the State of Texas has delegated to the City the fiduciary duty, as a trustee, to manage the public right-of-way for the health, safety, and welfare of the public to Texas municipalities.

Purpose: Loc. Gov. Code, Chapter 284 allows certain wireless Network Providers to install in the public rights-of-way their wireless facilities, described and defined in Tex. Loc. Gov. Code, Chapter 284, Sec. 284.002 as “Micro Network Nodes”, “Network Nodes”, and “Node Support Poles”.

As expressly allowed by Tex. Loc. Gov. Code, Chapter 284, Section 284.108, and pursuant to its police power authority reserved in Sec. 284.301¹, the City enacts these Design Guidelines in order to meet its fiduciary duty to the citizens of the City, and to give assistance and guidance to wireless telecommunications providers to assist such companies in the timely, efficient, safe and aesthetically pleasing installation of technologically competitive equipment.

Applicability: This Design Manual is for siting and criteria for the installation Wireless Facilities, including Micro Network Nodes, Network Nodes, Node Support Poles and related ground equipment being installed pursuant to Loc. Gov. Code, Chapter 284

This Design Manual shall apply to any sitings, installations, collocations in, on, over or under the public rights-of-way of Network nodes, Node support poles, Micro network nodes, Distributed Antenna Systems, microwave communications or other Wireless Facilities, by whatever nomenclature, whether they are installed pursuant to Chapter 284, or installed pursuant to an agreement as agreed to and consented to by the City in its discretion, or installed as may otherwise be allowed by state law.

City Rights-of-Way Management Ordinance: A Network Provider shall comply with the City’s Rights-of-Way Management Ordinance except where in conflict with this Design Manual or Chapter 284, Subchapter C.

SECTION 2. DEFINITIONS.

The definitions as used in Tx. Loc. Gov. Code, Chapter 284, Sec. 284.002 shall be used in this Design Manual, unless otherwise noted in this Section 2, below.²

Abandon and its derivatives means the facilities installed in the right-of-way (including by way of example but not limited to: poles, wires, conduit, manholes, handholes, cuts, network nodes and node support poles, or portion thereof) that have been left by Provider in an unused or non-functioning condition for more than 120 consecutive calendar days unless, after notice to Provider, Provider has established to the reasonable satisfaction of the City that the applicable facilities, or portion thereof, is still in active use.

Antenna means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

Applicable codes means:

- (A) uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization; and
- (B) local amendments to those codes to the extent not inconsistent with Chapter 284.

City means the City of Colleyville, Texas or its lawful successor.

City Manager shall mean City Manager or designee

Chapter 284 means Tex. Loc. Gov. Code, Chapter 284.

Collocate and *collocation* mean the installation, mounting, maintenance, modification, operation, or replacement of network nodes in a public right-of-way on or adjacent to a pole.

Concealment or Camouflaged means any Wireless Facility or Pole that is covered, blended, painted, disguised, camouflaged or otherwise concealed such that the Wireless Facility blends into the surrounding environment and is visually unobtrusive as allowed as a condition for City advance approval under Chapter 284, Sec. 284.105 in Historic or Design Districts. A Concealed or Camouflaged Wireless Facility or Pole also includes any Wireless Facility or Pole conforming to the surrounding area in which the Wireless Facility or Pole is located and may include, but is not limited to hidden beneath a façade, blended with surrounding area design, painted to match the supporting area, or disguised with artificial tree branches.

Decorative pole means a streetlight pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal codes.

Design District means an area that is zoned, or otherwise designated by municipal code, and for which the city maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis.

Disaster emergency or *disaster* or *emergency* means an imminent, impending, or actual natural or humanly induced situation wherein the health, safety, or welfare of the residents of the city is threatened, and includes, but is not limited to any declaration of emergency by city state or federal governmental authorities.

Distributed Antenna System or DAS shall be included as a type of "Network Node."

Easement means and shall include any public easement or other compatible use created by dedication, or by other means, to the city for public utility purposes or any other purpose whatsoever. "Easement" shall include a private easement used for the provision of utilities.

Federal Communications Commission or FCC means the Federal Administrative Agency, or lawful successor, authorized to oversee cable television and other multi-channel regulation on a national level.

Highway right-of-way means right-of-way adjacent to a state or federal highway.

Historic district means an area that is zoned or otherwise designated as a historic district under municipal, state, or federal law.

Law means common law or a federal, state, or local law, statute, code, rule, regulation, order, or ordinance.

Local means within the geographical boundaries of the City.

Location means the City approved and lawfully permitted location for the Network Node.

Macro tower means a guyed or self-supported pole or monopole greater than the height parameters prescribed by Chapter 284, Section 284.103 and that supports or is capable of supporting antennas.

Mayor means the Mayor for the City.

Micro network node means a network node that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height, and that has an exterior antenna, if any, not longer than 11 inches.

Municipal park means an area that is zoned or otherwise designated by municipal code as a public park for the purpose of recreational activity.

Municipally owned utility pole means a utility pole owned or operated by a municipally owned utility, as defined by Section 11.003, Utilities Code, and located in a public right-of-way.

MUTCD means Manual of Uniform Traffic Control Devices.

Network node means equipment at a fixed location that enables wireless communications between user equipment and a communications network. The term:

(A) includes:

- (i) equipment associated with wireless communications;
- (ii) a radio transceiver, an antenna, a battery-only backup power supply, and comparable equipment, regardless of technological configuration; and
- (iii) coaxial or fiber-optic cable that is immediately adjacent to and directly associated with a particular collocation; and

(B) does not include:

- (i) an electric generator;
- (ii) a pole; or
- (iii) a macro tower.

Network provider means:

- (A) a wireless service provider; or
- (B) a person that does not provide wireless services and that is not an electric utility but builds or installs on behalf of a wireless service provider:
 - (i) network nodes; or
 - (ii) node support poles or any other structure that supports or is capable of supporting a network node.

Node support pole means a pole installed by a network provider for the primary purpose of supporting a network node.

Permit means a written authorization for the use of the public right-of-way or collocation on a service pole required from a municipality before a network provider may perform an action or initiate, continue, or complete a project over which the municipality has police power authority.

Pole means a service pole, municipally owned utility pole, node support pole, or utility pole.

Private easement means an easement or other real property right that is only for the benefit of the grantor and grantee and their successors and assigns.

Provider has the same meaning as “Network Provider.”

Public right-of-way means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the municipality has an interest. The term does not include:

- (A) a private easement; or
- (B) the airwaves above a public right-of-way with regard to wireless telecommunications.

Public right-of-way management ordinance means an ordinance that complies with Chapter 284, Subchapter C.

Service pole means a pole, other than a municipally owned utility pole, owned or operated by a municipality and located in a public right-of-way, including:

- (A) a pole that supports traffic control functions;
- (B) a structure for signage;
- (C) a pole that supports lighting, other than a decorative pole; and
- (D) a pole or similar structure owned or operated by a municipality and supporting only network nodes.

Small cell shall be included as a type of “Network Node.”

Street means only the paved portion of the right-of-way used for vehicular travel, being the area between the inside of the curb to the inside of the opposite curb, or the area between the two parallel edges of the paved roadway for vehicular travel where there is no curb. A “Street” is generally part of, but smaller in width than the width of the entire right-of-way, while a right-of-

way may include sidewalks and utility easements, a “Street” does not. A “street” does not include the curb or the sidewalk, if either are present at the time of a permit application or if added later.

SWPPP shall mean Storm Water Pollution Prevention Plan.

TAS means Texas Accessibility Standards.

Traffic Signal means any device, whether manually, electrically, or mechanically operated by which traffic is alternately directed to stop and to proceed.

Transport facility means each transmission path physically within a public right-of-way, extending with a physical line from a network node directly to the network, for the purpose of providing backhaul for network nodes.

Underground Requirement Area shall mean means an area where poles, overhead wires, and associated overhead or above ground structures have been removed and buried or have been approved for burial underground pursuant to municipal ordinances, zoning regulations, state law, private deed restrictions, and other public or private restrictions, that prohibit installing aboveground structures in a public right-of-way.

User means a person or organization which conducts a business over facilities occupying the whole or a part of a public street or right-of-way, depending on the context.

Utility pole means a pole that provides:

- (A) electric distribution with a voltage rating of not more than 34.5 kilovolts; or
- (B) services of a telecommunications provider, as defined by Chapter 284, Section 51.002, Utilities Code.

Wireless service means any service, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using a network node.

Wireless service provider means a person that provides wireless service to the public.

Wireless facilities mean “Micro Network Nodes,” “Network Nodes,” and “Node Support Poles” as defined in Texas Local Government Code Chapter 284.

SECTION 3. PROHIBITED AND PREFERRED LOCATIONS OF MICRO NETWORK NODE, NETWORK NODE, NODE SUPPORT POLE AND RELATED GROUND EQUIPMENT.

A. Prohibited or Restricted Areas for Certain Wireless facilities, except with Separate City Agreement or Subject to Concealment Conditions.

1. ***Municipal Parks and Residential Areas.*** In accordance with Chapter 284, Sec. 284.104 (a), a Network Provider may not install a Node Support Pole in a public right-of-way without the City's discretionary, nondiscriminatory, and written consent if the public right-of-way is in a Municipal park or is adjacent to a street or thoroughfare that is:

(1) not more than 50 feet wide of paved street surface, being the area measured as the shortest distance between the inside of the curb to the inside of the opposite curb, or the area measured as the shortest distance between the two parallel edges of the paved roadway for vehicular travel where there is no curb; and

(2) adjacent to single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.

1.1. In accordance with Chapter 284, Sec. 284.104 (b), a Network Provider installing a Network Node or Node Support Pole in a public right-of-way described above shall comply with private deed restrictions and other private restrictions in the area that apply to those facilities.

Each permit application shall disclose if it is within a Municipal Park and Residential Areas as described above.

2. ***Historic District and Design Districts.*** In accordance with Chapter 284, Sec. 284.105, a Network Provider must obtain advance written approval from the City before collocating Network Nodes or installing Node Support Poles in a Design District with Decorative Poles or in an area of the City zoned or otherwise designated as a Design District or Historic District.

2.1. As a condition for approval of Network Nodes or Node Support Poles in Design Districts with Decorative Poles or in a Historic District, the City shall require reasonable design or Concealment measures for the Network Nodes or Node Support Poles. Therefore, any request for installations in a Design District with Decorative Poles or in a Historic District, must be accompanied with proposed Concealment measures in the permit applications.

2.2. The City request that a Network Provider explore the feasibility of using Camouflage measures to improve the aesthetics of the Network Nodes, Node Support Poles, or related ground equipment, or any portion of the nodes, poles, or equipment, to minimize the impact to the aesthetics in Design Districts or in an Historic District.

2.3. Network Provider shall comply with and observe all applicable City, State, and federal historic preservation laws and requirements.

2.4. Each permit application shall disclose if it is within a Design District with Decorative Poles or in an area of the City zoned or otherwise designated as a Design District or Historic District.

3. **Historic Landmarks.** A Network Provider is discouraged from installing a Network Node or Node Support Pole within 300 feet of a historic site or structure or Historic Landmark recognized by the City, state or federal government (*see, for example, and not limited to* §442.001(3) of the Texas Government Code, and 16 U.S.C. §470), as of the date of the submission of the permit. It is recommended that each permit application disclose if it is within 300 feet of such a structure.

4. **Compliance with Undergrounding Requirements.** In accordance with Chapter 284, Sec. 284.107, a Network Provider shall comply with nondiscriminatory undergrounding requirements, including municipal ordinances, zoning regulations, state law, private deed restrictions, and other public or private restrictions, that prohibit installing aboveground structures in a public right-of-way without first obtaining zoning or land use approval.

4.1 Areas may be designated from time to time by the City as Underground Requirement Areas in accordance with filed plats, and or conversions of overhead to underground areas, as may be allowed by law.

4.2 Each permit application shall disclose if it is within an area that has undergrounding requirements.

B. Least preferable locations.

1. **Residential Areas and Parks.** A Network Provider is discouraged from installing a Network Node on an existing pole in a public right-of-way without written consent from the City Council if the public right-of-way is located in or adjacent to a street or thoroughfare that is adjacent to a municipal park or single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.

1.1 In accordance with Chapter 284, Sec. 284.104 (b) a Network Provider installing a Network Node or a Node Support Pole in a public right-of-way shall comply with private deed restrictions and other private restrictions in the area that apply to those facilities.

2. **Historic Districts and Design Districts.** A Network Provider is discouraged from installing a Network Node or a Node Support Pole in the public right-of-way in any area designated by the City as a Design Districts or in an area of the City zoned or otherwise designated as a Historic District unless such a Network Node or a new Node Support Pole is camouflaged.

C. Most preferable locations

1. *Industrial areas* if not adjacent to a Municipal Park, Residential area, Historic District or Design District.

2. *Highway Rights-of-Way* areas if not adjacent to a Municipal Park, Residential area, Historic District or Design District.

3. *Retail and Commercial areas* if not adjacent to a Municipal Park, Residential area, Historic District or Design District.

D. Designated Areas.

1. The City Council may designate an area as a Historic District or a Design District under Chapter 284.105 at any time.

2. Currently designated *Historic Districts* are:

(a) Historic District Number 1 is the area referred to as the Bidault House. Its boundaries are: the property at 1416 Glade Road.

3. Currently designated *Design District* areas are:

(a) Design District Number 1 is the area referred to as Tax Increment Finance Districts #1 and #1A. Its boundaries are: as shown on the City's official Tax Increment Finance map.

(b) Design District Number 2 is the area referred to as Precinct Line Road. Its boundaries are: the limits of Precinct Line Road within the city limits of the City of Colleyville.

4. The failure to designate an area in this Chapter shall not mean that such an area is not within a defined district, if so designated by the City Council. Future areas may be designated as one of these Districts at any time. Such a designation does not require a zoning case.

5. While not required under Chapter 284 to designate Underground Compliance Areas to prohibit above ground Wireless facilities, the City may also, from time to time, also designate Underground Compliance Areas.

Currently designated *Underground Compliance Areas* are:

(a) Underground Compliance Area Number 1 is the area referred to as _____. Its boundaries are: _____.

E. Exceptions

The City by its discretionary consent and agreement may grant exception to the above prohibited locations and sizes, but only in a non-exclusive, and non-discriminatory manner, as allowed or required by Chapter 284, Sec. 284.109 and Sec. 284.110.

F. Order of Preference regarding Network Node attachment to existing facilities and New Node Support Poles.

1. *Existing telephone or electrical lines between existing utility poles*. Micro Network Nodes shall only be lashed on existing telephone or electrical lines between existing utility poles

(electric poles or telephones poles), with notice to the pole owner as required by the Federal Pole Attachment Act, and not placed on Utility Poles, Node Support Poles or Service Poles.

2. *Existing Utility Poles* (electric poles or telephones poles), shall be the preferred support facility for Network Nodes and related ground equipment.

3. *Municipal Service Poles*:

a. *Non-decorative street lights* with a height of more than 20 feet.

b. *Traffic signal structures* when such installation will not interfere with the integrity of the facility and will not interfere with the safety of public and in accordance with an agreement as allowed by Chapter 284, Sec. 285.056 and Sec. 284.101 (a) (3), and (b).

c. *Street signage* shall be a low priority use for attachment of a Network Node.

d. *Other municipal Service pole* use is discouraged.

4. *New node support poles* shall be the least preferred type of allowed facility for attachment of Network Nodes.

5. *Ground Equipment*. Ground equipment should be minimal and the least intrusive.

SECTION 4. GUIDELINES ON PLACEMENT.

A. Generally.

In accordance with Chapter 284.102, a Network Provider shall construct and maintain Network Nodes and Node Support Poles in a manner that does not:

1. obstruct, impede, or hinder the usual travel or public safety on a public right-of-way;
2. obstruct the legal use of a public right-of-way by other utility providers;
3. violate nondiscriminatory applicable codes;
4. violate or conflict with the municipality's publicly disclosed public right-of-way management ordinance or this Design Manual.
5. violate the federal Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.).

B. General Requirements and Information:

1. *Size Limits*. Network Providers shall provide detailed drawings, with calculations to show strict conformity to the size limitations as set forth in Chapter 284, in accordance with, but not limited to Chapter 284, Sec. 284.002, size of a Micro

Network Node, Sec. 284.003, Size of Network Nodes, and Sec. 284.103, Max. pole height, with each application and with each request for a permit for each location.³

2. *State and Federal Rights-of-way permit.* If the project lies within a Highway Right-of-Way, the applicant must provide evidence of a permit from the State or Federal Government.

3. *Confirmation of non-interference with City Safety Communication Networks.*

a. The Network Provider needs to provide analysis that the proposed network node shall not cause any interference with City public safety radio system, traffic signal light system, or other city safety communications components in accordance with Chapter 284, Sec. 284.304.

b. It shall be the responsibility of the Network Provider to evaluate, prior to making application for permit, the compatibility between the existing City infrastructure and Provider's proposed Network Node. A Network Node shall not be installed in a location that causes any interference. Network Nodes shall not be allowed on City's public safety radio infrastructure.

4. *Improperly Located Network Node facilities, Node Support Poles and related ground equipment:*

a. Improperly Located Network Node facilities, Node Support Poles and related ground equipment shall not impede pedestrian or vehicular traffic in the Right-of-Way. If any Network Node facilities, Node Support Poles or ground equipment is installed in a location that is not in accordance with the plans approved by the City Manager and impedes pedestrian or vehicular traffic or does not comply or otherwise renders the Right-of-Way non-compliant with applicable Laws, including the American Disabilities Act, then Network Provider shall promptly remove the Network Node facilities, Node Support Poles or ground equipment.

b. Notice to Remove unauthorized facilities and relocate and penalty: After 30 days' notice to remove of Network Node facilities, Node Support Poles or ground equipment that is located in the incorrect permitted location, if not relocated the Network Provider shall be subject to a penalty of \$500 per day penalty until the Network Node facilities, Node Support Poles or ground equipment is relocated to the correct area within the permitted Location, regardless of whether or not the Network Provider's contractor, subcontractor, or vendor installed the Network Node facilities, Node Support Poles or ground equipment in strict conformity with the City Rights-of-way management ord., and other applicable ordinances concerning improperly located facilities in the rights-of-way.

C. Underground Requirement Areas.

1. In accordance with Chapter 284.107, a Network Provider shall, in relation to installation for which the City approved a permit application, comply with nondiscriminatory undergrounding requirements, including municipal ordinances, zoning

regulations, state law, private deed restrictions, and other public or private restrictions, that prohibit installing aboveground structures in a public right-of-way without first obtaining zoning or land use approval.

2. If a location is designated by the City to transits to be an Underground Requirement Area, then a Network Provider's permit for the location of the Micro Network Node, Network Node, Node Support Pole, and related ground equipment at such location will be revoked 90 days after the designation, with removal of said the Micro Network Node, Network Node, Node Support Pole, and related ground equipment at such location within 90 days of such designation, or as otherwise reasonably allowed by the City for the transition of other overhead facilities.

D. Network Node facilities placement:

1. *Right-of-Way:* Network Node facilities, Node Support Poles and related ground equipment shall be placed, as much as possible, within two feet of the outer edge of the Right-of-Way line to minimize any obstruction, impediment, or hindrance to the usual travel or public safety on a public right-of-way.

2. *Height above ground.* Network Node attachments to a pole shall be installed at least eight (8) feet above the ground in accordance with Chapter 284, Sec. 284.108, and if a Network Node attachment is projecting toward the street, for the safety and protection of the public and vehicular traffic, the attachment shall be installed no less than sixteen (16) feet above the ground.

3. *Protrusions.* In accordance with Chapter 284, Sec. 284.003 (a) (1) (C), Sec. 284.003 (a) (2) (C) and Sec. 284.003 (a) (3) (B) no protrusion from the outer circumference of the existing structure or pole shall be more than two (2) feet.

4. *Limit on number of Network Nodes per Site.* There shall be no more than one Network Node on any one Pole.

E. New Node Support Poles.

1. *New Node Support Poles Spacing.* New node support poles shall be spaced apart from existing utility poles or Node Support poles at the same as the spacing between utility poles in the immediate proximity, but no less than at a minimum 300 feet from a utility pole or another Node Support Pole to minimize the hazard of poles adjacent to road ways and to minimize effect on property values and aesthetics on the area.

2. *Height of Node Support Poles or modified Utility Pole.* In accordance with Chapter 284, Sec. 284.103 a Node support pole or modified Utility Pole may not exceed the lesser of:

- (1) 10 feet in height above the tallest existing utility pole located within 500 linear feet of the new pole in the same public right-of-way; or
- (2) 55 feet above ground level.

F. Ground Equipment.

1. *Ground Equipment near street corners and intersections:* Ground equipment should be minimal and the least intrusive. In accordance with Chapter 284.102 (1), to minimize any obstruction, impediment, or hindrance to the usual travel or public safety on a public right-of-way the maximum line of sight required to add to safe travel of vehicular and pedestrian traffic and in order to maximize that line of sight at street corners and intersections and to minimize hazards at those locations, ground equipment may not be installed within 250 feet of a street corner or a street intersection.

2. *Ground Equipment near Municipal Parks.* For the safety of Municipal park patrons, particularly small children, and to allow full line of sights near Municipal park property, the Network Provider shall not install Ground Equipment in a Right-of-Way that is within a Park or within 250 feet of the boundary line of a Park, unless approved by the City Manager and Parks Director in writing.

3. *Minimize Ground equipment density:* In accordance with Chapter 284, Sec. 284.102 (1) to enhance the safety requirements of line of sight of pedestrians, particularly small children, the City's designee may deny a request for a proposed Location if the Network Provider installs Network Node ground equipment where existing ground equipment within 300 feet already occupies a footprint of xxx [25?] sq. ft. or more.

G. Municipal Service Poles:

1. *In accordance with Agreement:* Installations on all Service Poles shall be in accordance with an agreement as allowed by Chapter 284, Sec. 285.056 and Sec. 284.101 (a) (3), and (b).

2. *Required industry standard pole load analysis:* Installations on all Service Poles shall have an industry standard pole load analysis completed and submitted to the municipality with each permit application indicating that the Service Pole to which the Network Node is to be attached will safely support the load, in accordance with Chapter 284.108.

3. *Height of attachments:* All attachments on all Service Poles shall be at least 8 feet above grade, in accordance with Chapter 284, Sec. 285.108 (a) (1) - (2) and if a Network Node attachment is projecting toward the street, for the safety and protection of the public and vehicular traffic, the attachment shall be installed no less than sixteen (16) feet above the ground.

4. *Installations on Traffic Signals:* Installations on all Traffic signal structures must not interfere with the integrity of the facility in any way that may compromise the safety of the public and must be in accordance with an agreement as allowed by Chapter 284, Sec. 285.056 and Sec. 284.101 (a) (3), and (b). Installation of Network Node facilities on any traffic signal structures shall:

- i. Be encased in a separate conduit than the traffic light electronics;
- ii. Have a separate electric power connection than the traffic signal structure; and
- iii. Have a separate access point than the traffic signal structure.

5. *Installations on Street signage:* Installations on all street signage structures must not interfere with the integrity of the facility in any way that may compromise the safety of the public. Installation of Network Node facilities on any street signage structures that has electrics shall:

- i. Be encased in a separate conduit than any City signage electronics;
 - ii. Have a separate electric power connection than the signage structure;
- and
- iii. Have a separate access point than the signage structure.

SECTION 5. GENERAL AESTHETIC REQUIREMENTS

A. Concealment.

1. Concealment of Network Nodes and Node support poles shall be required by the City in Design Districts with Decorative Poles and in Historic Districts pursuant to Chapter 284.105.

2. It is also the City's preference that all new node support poles be camouflaged, except those located in an area zoned or predominantly industrial area. Companies shall submit their proposal for camouflage with the permit application.

3. The Network Node facilities shall be concealed or enclosed as much as reasonably possible in an equipment box, cabinet, or other unit that may include ventilation openings. External cables and wires hanging off a pole shall be sheathed or enclosed in a conduit, so that wires are protected and not visible or visually minimized to the extent possible in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

B. New Node Support Pole Spacing.

New node support poles shall be at a minimum 300 feet from a utility pole or another Node Support Pole to minimize the hazard of poles adjacent to road ways and to minimize effect on property values and aesthetics on the area.

C. Minimize Ground Equipment Concentration.

In order to minimize negative visual impact to the surrounding area, and in accordance with Chapter 284, Sec. 284.102 (1) to enhance the safety requirements of line of sight of pedestrians, particularly small children, the City's designee may deny a request for a proposed Location if the Network Provider installs Network Node ground equipment where existing ground equipment within 300 feet already occupies a footprint of 25 sq. ft. or more to minimize effect on property values and aesthetics on the area.

D. Allowed Colors.

Colors in Historic Districts and Design Districts must be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284

Colors in Historic Districts and Design Districts must be approved by the City Manager from a palette of approved colors. Unless otherwise provided, all colors shall be earth tones or

shall match the background of any structure the facilities are located upon and all efforts shall be made for the colors to be inconspicuous. Colors in areas other than in Historic Districts and Design Districts shall conform to colors of other installations of telecommunication providers in the immediately adjacent areas.

SECTION 6. ELECTRICAL SUPPLY

A. Provider Responsible for Electricity. Network Provider shall be responsible for obtaining any required electrical power service to the Micro Network Node, Network Node facilities, Node Support Poles and ground equipment. The City shall not be liable to the Network Provider for any stoppages or shortages of electrical power furnished to the Micro Network Node, Network Node facilities, Node Support Poles or ground equipment, including without limitation, stoppages or shortages caused by any act, omission, or requirement of the public utility serving the structure or the act or omission of any other tenant or Network Provider of the structure, or for any other cause beyond the control of the City.

B. Generators Prohibited. Network Provider shall not allow or install generators or back-up generators in the Right-of-Way in accordance with Chapter 284, Sec. 284.002 (12) (B) (1).

SECTION 7. INSURANCE, INDEMNITY, BONDING AND SECURITY DEPOSITS.

1. Insurance, bonding and security deposits shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

2. Indemnity shall be in accordance with Chapter 284, Sec. 284.302, as provided for in Chapter 283, Sec. 283.057 (a) and (b) of the Texas Loc. Gov't Code.

SECTION 8. REQUIREMENTS IN REGARD TO REMOVAL, REPLACEMENT, REPLACEMENT, MAINTENANCE AND REPAIR

A. Removal or Relocation by Network Provider.

1. Removal and relocation by the Network provider of its Micro Network Node, Network Node facilities, Node Support Pole or related ground equipment at its own discretion, shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284

2. If the Network Provider removes or relocates a Micro Network Node, Network Node facilities, Node Support Pole or related ground equipment at its own discretion, it shall notify the City Manager in writing not less than 10 business days prior to removal or relocation. Network Provider shall obtain all Permits required for relocation or removal of its Micro Network Node, Network Node facilities, Node Support Poles and related ground equipment prior to relocation or removal.

3. The City shall not issue any refunds for any amounts paid by Network Provider for Micro Network Node, Network Node facilities, Node Support Poles or related ground equipment that have been removed.

B. Removal or Relocation Required for City Project.

1. Removal and Relocation of Network Provider's Micro Network Node, Network Node, Node Support Pole or related ground equipment, or portion thereof required for a City project shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284, Sec. 284.107, except as provided in existing state and federal law.

2. In accordance with Chapter 284, Sec. 284.107, except as provided in existing state and federal law, a Network Provider shall relocate or adjust Micro Network Node, Network Node, Node Support Pole and related ground equipment in a public right-of-way in a timely manner and without cost to the municipality managing the public right-of-way

3. Network Provider understands and acknowledges that the City may require Network Provider to remove or relocate its Micro Network Node, Network Node, Node Support Pole and related ground equipment, or any portion thereof from the Right-of-Way for City construction projects as allowed by state and federal law, including the common-law.

4. Network Provider shall, at the City Manager's direction, remove or relocate the same at Network Provider's sole cost and expense, except as otherwise provided in existing state and federal law, whenever the City Manager reasonably determines that the relocation or removal is needed for any of the following purposes: Required for the construction, completion, repair, widening, relocation, or maintenance of, or use in connection with, any City construction or maintenance project of a street or public rights-of-way to enhance the traveling public's use for travel and transportation.

5. If Network Provider fails to remove or relocate the Micro Network Node, Network Node, Node Support Pole or related ground equipment, or portion thereof as requested by the City Manager within 90 days of Network Provider's receipt of the request, then the City shall be entitled to remove the Micro Network Node, Network Node, Node Support Pole or related ground equipment, or portion thereof at Network Provider's sole cost and expense, without further notice to Network Provider.

6. Network Provider shall, within 30 days following issuance of invoice for the same, reimburse the City for its reasonable expenses incurred in the removal (including, without limitation, overhead and storage expenses) of the Micro Network Node, Network Node, Node Support Pole or related ground equipment, or portion thereof.

C. Removal Required by City for Safety and Imminent Danger Reasons.

1. Network Provider shall, at its sole cost and expense, promptly disconnect, remove, or relocate the applicable Micro Network Node, Network Node, Node Support Pole and related ground equipment within the time frame and in the manner required by the City Manager if the City Manager reasonably determines that the disconnection, removal, or relocation of any part of a Micro Network Node, Network Node, Node Support Pole and related ground equipment (a) is necessary to protect the public health, safety, welfare, or City property, (b) the Micro Network Node, Network Node, Node Support Pole and related ground equipment, or portion thereof, is adversely affecting proper operation of streetlights or City property, or (c) Network Provider

fails to obtain all applicable licenses, Permits, and certifications required by Law for its Micro Network Node, Network Node, Node Support Pole and related ground equipment, or use of any Location under applicable law in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

2. If the City Manager reasonably determines that there is imminent danger to the public, then the City may immediately disconnect, remove, or relocate the applicable Micro Network Node, Network Node, Node Support Pole and related ground equipment at the Network Provider's sole cost and expense in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

3. Network Provider shall, at its sole cost and expense, promptly disconnect, remove, or relocate the applicable Micro Network Node, Network Node, Node Support Pole and related ground equipment within the time frame and in the manner required by the City Manager if the City Manager reasonably determines that the disconnection, removal, or relocation of any part of a Micro Network Node, Network Node, Node Support Pole and related ground equipment (a) is necessary to protect the public health, safety, welfare, or City property, (b) the Micro Network Node, Network Node, Node Support Pole and related ground equipment, or portion thereof, is adversely affecting proper operation of streetlights or City property, or (c) Network Provider fails to obtain all applicable licenses, Permits, and certifications required by Law for its Micro Network Node, Network Node, Node Support Pole and related ground equipment, or use of any Location under applicable law. If the City Manager reasonably determines that there is imminent danger to the public, then the City may immediately disconnect, remove, or relocate the applicable Micro Network Node, Network Node, Node Support Pole and related ground equipment at the Network Provider's sole cost and expense.

4. The City Manager shall provide 90 days written notice to the Network Provider before removing a Micro Network Node, Network Node, Node Support Pole and related ground equipment under this Section, unless there is imminent danger to the public health, safety, and welfare.

5. Network Provider shall reimburse City for the City's actual cost of removal of Micro Network Node, Network Node, Node Support Pole and related ground equipment within 30 days of receiving the invoice from the City.

SECTION 9. INSTALLATION AND INSPECTIONS

A. Installation.

Network Provider shall, at its own cost and expense, install the Micro Network Node, Network Node facilities, Node Support Poles and related ground equipment in a good and workmanlike manner and in accordance with the requirements promulgated by the City Manager, as such may be amended from time to time. Network Provider's work shall be subject to the regulation, control and direction of the City Manager. All work done in connection with the installation, operation, maintenance, repair, modification, and/or replacement of the Micro Network Node, Network Node facilities, Node Support Poles and related ground equipment shall be in compliance with all applicable laws, ordinances, codes, rules and regulations of the City, applicable county, the state, and the United States ("Laws").

B. Inspections.

The City Manager, or designee, may perform visual inspections of any Micro Network Node, Network Node, Node Support Pole or related ground equipment located in the Right-of-Way as the City Manager deems appropriate without notice. If the inspection requires physical contact with the Micro Network Node, Network Node, Node Support Poles or related ground equipment, the City Manager shall provide written notice to the Network Provider within five business days of the planned inspection. Network Provider may have a representative present during such inspection.

SECTION 10. REQUIREMENTS UPON ABANDONMENT OF OBSOLETE MICRO NETWORK NODE, NETWORK NODE, NODE SUPPORT POLE AND RELATED GROUND EQUIPMENT.

Network Provider shall remove Micro Network Node, Network Node, Node Support Pole and related ground equipment when such facilities are Abandoned regardless of whether or not it receives notice from the City. Unless the City sends notice that removal must be completed immediately to ensure public health, safety, and welfare, the removal must be completed within the earlier of 90 days of the Micro Network Node, Network Node, Node Support Pole and related ground equipment being Abandoned or within 90 days of receipt of written notice from the City. When Network Provider removes, or Abandons permanent structures in the Right-of-Way, the Network Provider shall notify the City Manager and City Manager in writing of such removal or Abandonment and shall file with the City Manager and City Manager the location and description of each Micro Network Node, Network Node, Node Support Pole and related ground equipment removed or Abandoned. The City Manager may require the Network Provider to complete additional remedial measures necessary for public safety and the integrity of the Right-of-Way.

SECTION 11. GENERAL PROVISIONS.

1. As Built Maps and Records. Network Provider's as built maps and records shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

Network Provider shall maintain accurate maps and other appropriate records of its Network Node facilities, Node Support Poles and related ground equipment as they are actually constructed in the Rights-of-Way, including, upon request, the use of Auto CAD/GIS digital format. Network Provider will provide additional maps to the City upon request.

2. Courtesy and Proper Performance. Network Provider shall make citizen satisfaction a priority in using the Right-of-Way. Network Provider shall train its employees to be customer service-oriented and to positively and politely interact with citizens when dealing with issues pertaining to its Micro Network Node, Network Node, Node Support Pole and related ground equipment in the Right-of-Way. Network Provider's employees shall be clean, courteous, efficient, and neat in appearance and committed to offering the highest quality of interaction with the public. If, in the opinion of the City Manager or designee, Network Provider is not interacting in a positive and polite manner with citizens, he or she shall request Network Provider to take all remedial steps to conform to these standards.

3. Drug Policy. Drug policy of Network provider's personnel, and contractors in the rights-of-way shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

It is the policy of the City to achieve a drug-free workforce and workplace. The manufacture, distribution, dispensation, possession, sale, or use of illegal drugs or alcohol by Network Provider's employees, contractors, subcontractors, sub-Network Provider's, or vendors while on City rights-of-way is prohibited.

4. Allocation of Funds for Removal and Storage. The City has appropriated \$0 to pay for the cost of any removal or storage of Micro Network Node, Network Node, Node Support Pole and related ground equipment, as authorized under this Article, and no other funds are allocated.

5. Ownership. No part of a Micro Network Node, Network Node, Node Support Pole and related ground equipment erected or placed on the Right-of-Way by Network Provider will become, or be considered by the City as being affixed to or a part of, the Right-of-Way. All portions of the Micro Network Node, Network Node, Node Support Pole and related ground equipment constructed, modified, erected, or placed by Network Provider on the Right-of-Way will be and remain the property of Network Provider and may be removed by Network Provider at any time, provided the Network Provider shall notify the City Manager prior to any work in the Right-of-Way.

6. Tree Maintenance. Network Provider, its contractors, and agents shall obtain written permission from the City Manager before trimming trees hanging over its Micro Network Node, Network Node, or Node Support Pole, to prevent branches of such trees from contacting attached Micro Network Node, Network Node, or Node Support Pole. When directed by the City Manager, Network Provider shall trim under the supervision and direction of the Parks Director. The City shall not be liable for any damages, injuries, or claims arising from Network Provider's actions under this section.

7. Signage. Signage shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

Network Provider shall post its name, location identifying information, and emergency telephone number in an area on the cabinet of the Network Node facility that is visible to the public. Signage required under this section shall not exceed 4" x 6", unless otherwise required by law (e.g. RF ground notification signs) or the City Manager.

Except as required by Laws or by the Utility Pole owner, Network Provider shall not post any other signage or advertising on the Micro Network Node, Network Node, Node Support Pole, Service pole or Utility Pole.

8. Graffiti Abatement. As soon as practical, but not later than fourteen (14) calendar days from the date Network Provider receives notice thereof, Network Provider shall remove all graffiti on any of its Micro Network Node, Network Node, Node Support Pole, and related ground equipment located in the Right of Way. The foregoing shall not relieve the Network Provider from complying with any City graffiti or visual blight ordinance or regulation.

9. Restoration. Network Provider shall repair any damage to the Right-of-Way, or any facilities located within the Right-of-Way, and the property of any third party resulting from

Network Provider's removal or relocation activities (or any other of Network Provider's activities hereunder) within 10 calendar days following the date of such removal or relocation, at Network Provider's sole cost and expense, including restoration of the Right-of-Way and such property to substantially the same condition as it was immediately before the date Network Provider was granted a Permit for the applicable Location or did the work at such Location (even if Network Provider did not first obtain a Permit), including restoration or replacement of any damaged trees, shrubs or other vegetation. Such repair, restoration and replacement shall be subject to the sole, reasonable approval of the City Manager.

10. Network provider's responsibility. Network Provider shall be responsible and liable for the acts and omissions of Network Provider's employees, temporary employees, officers, directors, consultants, agents, Affiliates, subsidiaries, sub-Network Provider's and subcontractors in connection with the installations of any Micro Network Node, Network Node, Node Support Pole and related ground equipment, as if such acts or omissions were Network Provider's acts or omissions.

SECTION 13-19 RESERVED

SECTION 20. DESIGN MANUAL - UPDATES

Placement or Modification of Micro Network Node, Network Node, Node Support Pole and related ground equipment shall comply with the City's Design Manual at the time the Permit for installation or Modification is approved and as amended from time to time.

¹ Sec. 284.301. LOCAL POLICE-POWER-BASED REGULATIONS. (a) Subject to this chapter and applicable federal and state law, a municipality may continue to exercise zoning, land use, planning, and permitting authority in the municipality's boundaries, including with respect to utility poles.

(b) A municipality may exercise that authority to impose police-power-based regulations for the management of the public right-of-way that apply to all persons subject to the municipality.

(c) A municipality may impose police-power-based regulations in the management of the activities of network providers in the public right-of-way only to the extent that the regulations are reasonably necessary to protect the health, safety, and welfare of the public.

² The definitions as used in Tx. Loc. Gov. Code, Chapter 284, Sec. 284.002 shall be used in this Design Manual.

Tex. Loc. Gov. Code, Chapter 284, Sec. 284.002. DEFINITIONS. In this chapter:

(1) "Antenna" means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

(2) "Applicable codes" means:

(A) uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization; and

(B) local amendments to those codes to the extent not inconsistent with this chapter.

(3) "Collocate" and "collocation" mean the installation, mounting, maintenance, modification, operation, or replacement of network nodes in a public right-of-way on or adjacent to a pole.

(4) "Decorative pole" means a streetlight pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal codes.

(5) "Design district" means an area that is zoned, or otherwise designated by municipal code, and for which the city maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis.

(6) "Historic district" means an area that is zoned or otherwise designated as a historic district under municipal, state, or federal law.

(7) "Law" means common law or a federal, state, or local law, statute, code, rule, regulation, order, or ordinance.

(8) "Macro tower" means a guyed or self-supported pole or monopole greater than the height parameters prescribed by Section 284.103 and that supports or is capable of supporting antennas.

(9) "Micro network node" means a network node that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height, and that has an exterior antenna, if any, not longer than 11 inches.

(10) "Municipally owned utility pole" means a utility pole owned or operated by a municipally owned utility, as defined by Section 11.003, Utilities Code, and located in a public right-of-way.

(11) "Municipal park" means an area that is zoned or otherwise designated by municipal

code as a public park for the purpose of recreational activity.

(12) "Network node" means equipment at a fixed location that enables wireless communications between user equipment and a communications network. The term:

(A) includes:

- (i) equipment associated with wireless communications;
- (ii) a radio transceiver, an antenna, a battery-only backup power supply, and comparable equipment, regardless of technological configuration; and
- (iii) coaxial or fiber-optic cable that is immediately adjacent to and directly associated with a particular collocation; and

(B) does not include:

- (i) an electric generator;
- (ii) a pole; or
- (iii) a macro tower.

(13) "Network provider" means:

(A) a wireless service provider; or

(B) a person that does not provide wireless services and that is not an electric utility but builds or installs on behalf of a wireless service provider:

- (i) network nodes; or
- (ii) node support poles or any other structure that supports or is capable of supporting a network node.

(14) "Node support pole" means a pole installed by a network provider for the primary purpose of supporting a network node.

(15) "Permit" means a written authorization for the use of the public right-of-way or collocation on a service pole required from a municipality before a network provider may perform an action or initiate, continue, or complete a project over which the municipality has police power authority.

(16) "Pole" means a service pole, municipally owned utility pole, node support pole, or utility pole.

(17) "Private easement" means an easement or other real property right that is only for the benefit of the grantor and grantee and their successors and assigns.

(18) "Public right-of-way" means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the municipality has an interest. The term does not include:

(A) a private easement; or

(B) the airwaves above a public right-of-way with regard to wireless telecommunications.

(19) "Public right-of-way management ordinance" means an ordinance that complies with Subchapter C.

(20) "Public right-of-way rate" means an annual rental charge paid by a network provider to a municipality related to the construction, maintenance, or operation of network nodes within a public right-of-way in the municipality.

(21) "Service pole" means a pole, other than a municipally owned utility pole, owned or operated by a municipality and located in a public right-of-way, including:

- (A) a pole that supports traffic control functions;
- (B) a structure for signage;
- (C) a pole that supports lighting, other than a decorative pole; and

(D) a pole or similar structure owned or operated by a municipality and supporting only network nodes.

(22) "Transport facility" means each transmission path physically within a public right-of-way, extending with a physical line from a network node directly to the network, for the purpose of providing backhaul for network nodes.

(23) "Utility pole" means a pole that provides:

(A) electric distribution with a voltage rating of not more than 34.5 kilovolts; or

(B) services of a telecommunications provider, as defined by Section 51.002, Utilities Code.

(24) "Wireless service" means any service, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using a network node.

(25) "Wireless service provider" means a person that provides wireless service to the public.

³ Sec. 284.002. DEFINITIONS (8) "Micro network node" means a network node that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height, and that has an exterior antenna, if any, not longer than 11 inches.

Sec. 284.003. LIMITATION ON SIZE OF NETWORK NODES. (a) Except as provided by Section 284.109, a network node to which this chapter applies must conform to the following conditions:

(1) each antenna that does not have exposed elements and is attached to an existing structure or pole:

(A) must be located inside an enclosure of not more than six cubic feet in volume;

(B) may not exceed a height of three feet above the existing structure or pole; and

(C) may not protrude from the outer circumference of the existing structure or pole by more than two feet;

(2) if an antenna has exposed elements and is attached to an existing structure or pole, the antenna and all of the antenna's exposed elements:

(A) must fit within an imaginary enclosure of not more than six cubic feet;

(B) may not exceed a height of three feet above the existing structure or pole; and

(C) may not protrude from the outer circumference of the existing structure or pole by more than two feet;

(3) the cumulative size of other wireless equipment associated with the network node attached to an existing structure or pole may not:

(A) be more than 28 cubic feet in volume; or

(B) protrude from the outer circumference of the existing structure or a node support pole by more than two feet;

(4) ground-based enclosures, separate from the pole, may not be higher than three feet six inches from grade, wider than three feet six inches, or deeper than three feet six inches; and

(5) pole-mounted enclosures may not be taller than five feet.

(b) The following types of associated ancillary equipment are not included in the calculation of equipment volume under Subsection (a):

-
- (1) electric meters;
 - (2) concealment elements;
 - (3) telecommunications demarcation boxes;
 - (4) grounding equipment;
 - (5) power transfer switches;
 - (6) cut-off switches; and
 - (7) vertical cable runs for the connection of power and other services.
- (c) Equipment attached to node support poles may not protrude from the outer edge of the node support pole by more than two feet.
- (d) Equipment attached to a utility pole must be installed in accordance with the National Electrical Safety Code, subject to applicable codes, and the utility pole owner's construction standards.

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For Immediate Release**FCC FACILITATES DEPLOYMENT OF WIRELESS
INFRASTRUCTURE FOR 5G CONNECTIVITY*****Action Removes Regulatory Barriers to Infrastructure Investment***

WASHINGTON, September 26, 2018—Today, the Federal Communications Commission took another important step in its ongoing efforts to remove regulatory barriers that inhibit the deployment of infrastructure necessary for 5G and other advanced wireless services. This action, which builds upon those already taken by states and localities to streamline deployment, underscores the FCC's commitment to ensuring that the United States wins the global race to 5G.

The first part of the Commission's decision, a Declaratory Ruling, focuses primarily on local fees for the authorizations necessary to deploy small wireless facilities. Specifically, the Declaratory Ruling:

- Explains when a state or local regulation of wireless infrastructure deployment constitutes an effective prohibition of service prohibited by Sections 253 or 332(c)(7) of the Communications Act;
- Concludes that Section 253 and 332(c)(7) limit state and local governments to charging fees that are no greater than a reasonable approximation of objectively reasonable costs for processing applications and for managing deployments in the rights-of-way.
- Removes uncertainty by identifying specific fee levels for small wireless facility deployments that presumably comply with the relevant standard; and
- Provides guidance on when certain state and local non-fee requirements that are allowed under the Act—such as aesthetic and undergrounding requirements—may constitute an effective prohibition of service.

The second part of the Commission's decision, the Third Report & Order in the Wireless Infrastructure Docket:

- Establishes two new shot clocks for small wireless facilities (60 days for collocation on preexisting structures and 90 days for new builds);
- Codifies the existing 90 and 150 day shot clocks for wireless facility deployments that do not qualify as small cells that were established in 2009;
- Concludes that all state and local government authorizations necessary for the deployment of personal wireless service infrastructure are subject to those shot clocks; and
- Adopts a new remedy for missed shot clocks by finding that a failure to act within the new small wireless facility shot clock constitutes a presumptive prohibition on the provision of services.

Action by the Commission September 26, 2018 by Declaratory Ruling and Report and Order (FCC 18-133). Chairman Pai, Commissioners O’Rielly and Carr approving. Commissioner Rosenworcel approving in part and dissenting in part. Chairman Pai, Commissioners O’Rielly, Carr, and Rosenworcel issuing separate statements.

WT Docket No. 17-79; WC Docket No. 17-84

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

ORDINANCE O-18-2072

AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 86, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", ARTICLE III, "PUBLIC RIGHTS-OF-WAY", BY ADOPTING SECTION 86-52, "VARIANCES/EXEMPTIONS", TO AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO CONSIDER REQUESTS FOR VARIANCES OR EXEMPTIONS FROM THE PROVISIONS OF THIS ARTICLE OR THE DESIGN MANUAL, AND AMENDING SECTIONS 86-122 AND 86-124 TO PROVIDE REGULATIONS CONSISTENT WITH FEDERAL LAW RELATED TO THE INSTALLATION OF NETWORK NODES IN PUBLIC RIGHT-OF-WAY BY NETWORK PROVIDERS, AND AMENDING SECTION 86-125 TO ENSURE IT IS CONSISTENT WITH THE TERMS AND PROVISIONS OF THE CITY'S DESIGN MANUAL; PROVIDING A REPEALING CLAUSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council for the City of Colleyville finds that newly adopted federal regulates impact the City's ability to regulate the installation of wireless network nodes and related equipment in the City's rights-of-way by Network Providers; and

WHEREAS, the City Council for the City of Colleyville finds that it is necessary to amend its code of ordinances to adopt provisions that are consistent with both state and federal law.

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

Sec. 1. THAT the Code of Ordinances of the City of Colleyville, Texas is amended by amending Chapter 2, "Administration", amending Article II, "Finance", Division 1, "Generally", Section 2-26, "Fees and Charges for City Services", to read as follows:

Sec. 2-26. - Fees and charges for city services.

. . . .

(i) Development fees:

Permanent sign permits75.00

. . . .

Network Provider Fees:

Small cell application fee (This penalty shall not exceed and is capped by statutory limits)	\$500.00 (1-5 network nodes); \$100.00 (each additional network node); \$1,000.00 per pole
Small cell user fees (this penalty shall not exceed and is capped by statutory limits)	\$270.00 annually for each network node
Transport Facility monthly user fee (This fee shall not exceed and is capped by statutory limits)	\$28 multiplied by the number of the network provider's network nodes located in the public right-of-way for which the installed transport facilities provide backhaul, until the time the network provider's payment to the City exceeds its monthly aggregate per month compensation to the City

Sec. 2. THAT the Code of Ordinances of the City of Colleyville, Texas is amended by amending Chapter 86, "Streets, Sidewalks and Other Public Places", amending Article III, "Public Rights-of-Way", to read as follows:

ARTICLE III. PUBLIC RIGHTS-OF-WAY

...

Division 1. In General

....

Sec. 86-52. Variance/exemptions

- (a) A permittee or right-of-way user may request a variance from any of the requirements of this article by filing a written request with the city manager stating the requirement and the basis for the variance. The city manager may reject incomplete variance requests. The applicant shall bear its own expenses of the application process.
- (b) Any request for a variance from any right-of-way restoration requirement shall be made in writing, in advance of any contemplated work and shall be accompanied by digitally formatted detailed plans of the substituted reconstruction and/or repair of the excavated area, if applicable.

- (c) Any request for an exemption and/or variance from any penalty and/or fee, other than as provided in this article, shall be made in writing, and shall be accompanied by a written detailed request stating the reasons therefore.
- (d) Any request for an exemption and/or variance from any permit, and provision of the City's Design Manual, or any other requirement of this article shall be made in writing, stating in detail all reasons for the requested exemption and/or variance.
- (e) The City Manager shall grant or deny an application for a variance and/or exemption within ten days of receipt of the application for variance and/or exemption.

Sec. 86-122. Fees

- (a) Exemptions. Network Providers are exempted from the following fees provided for in this article:
 - (1) Permit application fee, including expedited application fee and permit expiration fee;
 - (2) Additional permit fee;
 - (3) Saturday inspection fee;
 - (4) Registration fee.
- (b) Network Provider Fees
 - (1) *Annual Network Node Rate.* Network Providers shall pay the City an annual Network Node Rate for each Location for which Network Provider has obtained Permit(s) for the installation of Network Nodes, regardless of whether or not a Network Provider installs Network Nodes in the Public Right-of-Way. The amount of the Annual Network Rate shall be set in Section 2-26 of the City's Code of Ordinances. The annual Network Node Public Right-of-Way Rate payment for the first year at any Location ("Initial Annual Network Node Payment") begins accruing when the permit is issued and is due 30 days after Network Provider obtains a Permit to install or collocate a Network Node at the Location. The Initial Annual Network Node Payment shall be pro-rated for the months remaining in the calendar year after the permit issuance date.

- (2) *Subsequent Years Annual Network Node Rate Due Date.* The annual Network Node Public Right-of-Way Rate for every year after the Initial Annual Network Node Payment shall be paid in advance on or before December 31 of each calendar year for each Network Node in the Public Right-of-Way for the next calendar year period.
- (3) *Annual Network Node Rate Adjustment.* The City may adjust the annual Network Node Public Right-of-Way Rate by an amount equal to one-half the annual change in the Consumer Price Index for All Urban Consumers for Texas, as published by the federal Bureau of Labor Statistics. The City shall provide written notice to each Network Provider of the new rate, and the rate shall apply to the first payment due to the municipality on or after the 60th day following that notice.
- (4) *Monthly Transport Fee.* To the extent Network Provider has Transport Facilities Permitted from the Network Nodes in the Public Right-of-Way it shall pay the City a monthly Transport Facilities fee on a quarterly basis, in the amount set in Section 2-26 of the City's Code of Ordinances, which begins accruing when the permit is issued. This Transport Facility fee is in addition to any annual Network Node Public Right-of-Way Rate payment required by Ch. 284, Section 284.053
- (5) *Application and Permit Fees.* Network provider shall pay the City the application and permit fees set forth in the City's Master Fee Schedule contemporaneously with the submittal of the application for the permits.

. . . .

Sec. 86-124. Compliance with Design Manual

A network provider shall comply with the city's Design Manual for the Installation of Network Nodes and Node Support Poles, as amended. Any applications submitted for installation of Network Nodes, Node Support Poles and related equipment, the plans and specifications of which do not comply with the Design Manual, and for which a variance or exception has not been granted, pursuant to Section 86-52 of this Article, will not be approved.

Sec. 86-125. Certificates of Operation

As part of the application process for the installation of network nodes, the Network Provider must certify that the proposed network node will be placed

into active commercial service by or for a network provider no later than the 60th day after the date the construction and final testing of the network node is completed.

An updated certification of active service must be submitted annually, by no later than December 31st, with or prior to payment of the applicable annual fee(s).

If the Network Provider is not in active commercial service for a period in excess of one-hundred and twenty (120) consecutive days, the equipment will be deemed abandoned and the permit will be revoked. The network provider will be required, within ninety (90) days from notification from the City, to remove the equipment at the network provider's sole expense.

Sec. 3. That all provisions of the ordinances of the City of Colleyville in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Colleyville not in conflict with the provisions of this ordinance shall remain in full force and effect.

Sec. 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

Sec. 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 18th day of December 2018.

The second reading and public hearing being conducted on the 15th day of January 2019.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, ON THIS THE 15TH DAY OF JANUARY 2019.

Mayor Richard Newton
Place 1, Tammy Nakamura
Place 2, Kathy Wheat
Place 4, George Dodson

____ Mayor Pro Tem Bobby Lindamood ____
____ Place 5, Chuck Kelley ____
____ Place 6, Callie Rigney ____

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney



City of Colleyville City Council Agenda Briefing

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

Agenda Number 9a

Agenda Date 12/18/2018

Number Ordinance O-18-2067

Type Ordinance

Department Community Development

Title

Consideration of amendments to the Land Development Code, specifically Chapter 3 – Land Use

Strategic Plan

4.3 Adopt best-practice planning and development processes

Explanation

Second Reading and Public Hearing

The Council identified the following potential changes:

1. Remove the statement "unless modified by the City Council" from the PUD open space regulation;
2. Including schools as exempted in Special Event permits;
3. Removing the maximum residential density column from the district setback chart;
4. Requiring dumpsters to be entirely behind a commercial building; and
5. Requiring a 1-foot setback for Perimeter Subdivision Fences from ROW line.

Further discussion is required for fencing along corner side yards and allowance for a rear yard setback encroachment for attached, open patio covers.

First Reading and Public Hearing

The City Council had instructed staff to review and propose amendments to each chapter within the City's Land Development Code (LDC). City staff has already reviewed the attached chapters with the City Council at a recent worksession meeting. The process for adopting amendments to the LDC include formal review and recommendation by the Planning and Zoning Commission, followed by formal review and approval by the City Council.

The attached chapters are a continuation of the formal adoption process. Any remaining chapters will be brought forward over the next several months until the entire Land Development Code has been reviewed.

Financial Impact

There is no fiscal impact to the City of Colleyville.

Recommendation

Approve

Attachments

1. Ch. 03 Land Use - Redline v5 (12.07.18)
2. Ordinance - O-18-2067

Chapter 3 Land Use

Rev. 04/15/2014

Section 3.1 – Purpose of This Chapter

The zoning regulations and districts herein established have been made in accordance with a comprehensive plan for the purpose of promoting health, safety, morals and general welfare of the City of Colleyville. They have been designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; 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, sewage, schools, parks and other public facilities. The zoning districts have been created with reasonable consideration, among other things, of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

Section 3.2 – Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the authority of *Chapter 211 – Municipal Zoning Authority of the Texas Local Government Code*, which authorizes a municipality to divide a municipality into districts and, within each district, regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land. This Chapter is also adopted under the authority of *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 3.3 – Variances and Appeals

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

Section 3.4 – Definitions

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

Section 3.5 – Establishment of Districts

- A. Official Zoning Map – The City is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Chapter. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Secretary, and bearing the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in Ordinance No. 0-77-248 of the City of Colleyville, Texas," together with the date of adoption of this Chapter.
1. The Official Zoning Map shall be made current from time to time to reflect the changes and amendments, if any, that are approved by the City Council. Any such notations to bring said map current shall include, but not be limited to, the following: Ordinance number of zoning change, date of minutes of passage of said ordinance, boundary of zoning change, zoning classification declared by changing ordinance, and the initial of the City Secretary amending the map. Any unauthorized change of whatever kind to the Official Zoning Map by any person shall be and the same is prohibited.

2. The Official Zoning Map is not intended to control the procedural prerequisites applicable and the ordinances should be looked to as the authoritative source for all zoning. The Official Zoning Map shall be located and displayed in the Colleyville City Hall.
- B. Replacement of Official Zoning Map – In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Council may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map and bring the Official Zoning Map up-to-date to reflect any and all amendments or changes in the same.
- C. Rules for Interpretation of District Boundaries – Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:
 1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.
 2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 3. Boundaries indicated as approximately following City Limits shall be construed as following City Limits.
 4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
 5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of streams, drainage courses, creeks, canals, lakes, or other bodies of water shall be construed to follow such centerlines.
 6. Boundaries indicated as parallel to, or extensions of, features indicated in paragraphs 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
 7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in other circumstances not covered by paragraphs 1 through 6 above, the Zoning Board of Adjustment shall interpret the district boundaries.
 8. Where a district boundary line divides a lot which was in single ownership at the time of passage of the original zoning ordinance, the Zoning Board of Adjustment may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed fifty (50') feet beyond the district line into the remaining portion of the lot to either side of said district line.

Section 3.6 – Application of District Regulations; Classification of New and Unlisted Uses; and Platting of Property Not Properly Zoned

- A. Application – The regulations set by this Chapter within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land and particularly except as hereinafter provided:
 1. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, re-constructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.
 2. No building or other structure shall hereafter be erected or altered:

- a. to exceed the height;
 - b. to accommodate or house a greater number of families;
 - c. to occupy a greater percentage of lot area;
 - d. to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provisions of this Chapter.
 3. No part of a yard, other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Chapter shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building except as specified in the "Off-Street Parking Requirements." of this Chapter.
 4. No yard or lot existing at the time of passage of this Chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of the original zoning ordinance shall meet at least the minimum requirements established by this Chapter.
 5. In every dwelling unit the density of occupancy shall not exceed 1.5 persons per room.
 6. All territory which hereafter is annexed to the City shall automatically be considered to be in the AG - Agricultural District, unless otherwise classified by the City Council after public hearing and upon recommendation from the Planning and Zoning Commission.
- B. Classification of New and Unlisted Uses – It is recognized that new types of land may develop and forms of land use not anticipated herein may seek to locate in the City. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land and use shall be made as follows:
1. The Administrative Official shall refer the question concerning any new or unlisted use to the Planning and Zoning Commission requesting an interpretation as to the proper zoning classification into which such use should be placed. The use interpretation question shall be determined as to the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage and the amount and nature thereof, (i.e., enclosed or open storage), anticipated employment, transportation requirements, the general degree of noise, odor, fumes, dust, toxic material and vibration likely to be generated, if any, and the general requirements for public utilities such as water and sanitary sewer.
 2. The Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various zoning districts, and determine the zoning district or districts within which such use should be permitted.
 3. The Planning and Zoning Commission shall transmit its findings and recommendations to the City Council as to the classification proposed for any new or unlisted use. The City Council shall approve the recommendation of the Planning and Zoning Commission, or make such other determination concerning the classification of such use as appropriate, based upon its findings of fact, and amend this Chapter to reflect said findings and decisions.
- C. Platting of Property not Properly Zoned – No plat of any residential or non-residential subdivision within the City, or that which is being annexed to the City, shall be approved unless and until the area covered by the proposed plat is or shall be zoned to the proper zoning classification by the City Council, upon recommendation from the Planning and Zoning Commission. A public hearing by the Planning and Zoning Commission on a proposed annexation, zoning classification, and plat approval, or any combination thereof, may be held simultaneously.

Section 3.7 – Non-conforming Uses, Lots and Buildings

- A. Intent – Within the districts established by this Chapter, or amendments that may later be adopted, there exist lots and uses of land, buildings and structures, uses of land and buildings in combination, and characteristics of use which were lawful before the original zoning ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Chapter or future amendment. It is the intent of this Chapter to permit these non-conformities to continue until they are

removed, but not to encourage their survival. It is further the intent of this Chapter that such non-conformities shall not be enlarged upon, expanded or extended, nor be used as ground for adding other buildings and structures or uses prohibited elsewhere in the same district.

Non-conforming uses are declared by this Chapter to be incompatible with permitted uses in the districts involved. A non-conforming use of a building or structure, a non-conforming use of land, or a non-conforming use of buildings and land in combination shall not be extended or enlarged after passage of this Chapter by attachment on a building or premises or by the addition of other uses of a nature which would be prohibited generally in the district involved.

To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Chapter and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

- B. Non-conforming Lots of Record – In any zoning district in which single-family dwellings or commercial buildings are permitted, a single-family dwelling or commercial building and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Chapter, notwithstanding limitations imposed by other provisions of this Chapter. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the ~~Zoning Board of Adjustment~~City Council per Chapter 1, Section 1.13.D and Sections 1.16.E.
- C. Non-conforming Uses of Land (or Land with Minor Building Only) – Where at the time of passage of this Chapter lawful use of land exists which would not be permitted by the regulations imposed by this Chapter, and where such use involves no individual structure with a replacement cost exceeding one thousand dollars (\$1,000), the use may be continued so long as it remains otherwise lawful, provided:
1. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of the original zoning ordinance;
 2. No such nonconforming use shall be moved in whole or in part to any portion of the same lot or parcel other than that occupied by such use at the effective date of adoption or amendment of the original zoning ordinance;
 3. If any such nonconforming use of land ceases for any reason for a period of more than ninety (90) consecutive days, any subsequent use of such land shall conform to the regulations specified by this Chapter for the district in which such land is located;
 4. No additional building not conforming to the requirements of this Chapter shall be erected in connection with such nonconforming use of land.
- D. Non-conforming Buildings – Where a lawful building exists at the effective date of adoption or amendment of this Chapter that could not be built under the terms of this Chapter by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the building, such building may be continued so long as it remains otherwise lawful, subject to the following provisions:
1. No such non-conforming building may be enlarged or altered in a way which increases its nonconformity, but any building or portion thereof may be altered to decrease its nonconformity or to comply with City building codes.

2. Should such non-conforming building or non-conforming portion of a building be destroyed by any means to an extent of more than fifty (50) percent of its replacement cost at time of destruction; it shall not be reconstructed except in conformity with the provisions of this Chapter, or when approved by the ~~Zoning Board of Adjustment~~ City Council per Section 1.13.C, after public hearing thereon, when the ~~Board's Council's~~ findings, having due regard for the property rights of persons affected, were considered in the light of public welfare and the character of the area surrounding the nonconforming building and the conservation and protection of property.
 3. Should such building be moved for any reason any distance whatever, it shall thereafter conform to the regulations of the district in which it is located after it is moved.
- E. Non-conforming Uses of Buildings or of Buildings and Premises in Combination – If lawful use involving individual buildings with a replacement cost of one thousand dollars (\$1,000.00) or more, or of buildings and premises in combination, exist at the effective date of adoption or amendment of this Chapter that would not be allowed in a particular district under the terms of this Chapter, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:
1. No existing building devoted to a use not permitted by this Chapter in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the building to a use permitted in the district in which it is located, or to comply with City building codes.
 2. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Chapter, but no such use shall be extended to occupy any land outside such building.
 3. If no structural alterations are made, except as required by the City's building codes, any non-conforming use of a building, or building and premises, may, as a ~~special exception/waiver~~, be changed to another non-conforming use provided that the ~~Zoning Board of Adjustment~~ City Council, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the ~~Zoning Board of Adjustment City Council~~ may require appropriate conditions and safeguards in accord with the provisions of this Chapter.
 4. Any building, or building and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed.
 5. When a non-conforming use of a building, or building and premises in combination, is discontinued or abandoned for six (6) consecutive months or for eighteen (18) months during any three-year period (except when government action impedes access to the premises), the building, or building and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
 6. Where non-conforming use status applies to a building and premises in combination, removal or destruction of the building shall eliminate the non-conforming status and any new construction shall be in accordance with the zoning regulations applicable to the district. Destruction for the purpose of this subsection is defined as damage to an extent of more than fifty (50) percent of the replacement cost at time of destruction. (O-00-1261 / 12/19/00)
- F. Repairs and Maintenance – On any non-conforming building or portion of a building containing a non-conforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not exceeding ten (10) percent of the current replacement cost of the non-conforming building or non-conforming portion of the building as the case may be, provided that the cubic content existing when it became non-conforming shall not be increased.

If a non-conforming building or portion of a building containing a non-conforming use becomes physically

unsafe or unlawful due to lack of repairs and maintenance, and is declared by any duly authorized City official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.

Nothing in this Chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

G. Changing Non-conforming Uses

1. Any non-conforming use may be changed to a conforming use and once such change is made, the use shall not thereafter be changed back to a non-conforming use.
2. The ~~Zoning Board of Adjustment~~City Council, per Section 1.13.C, may grant a change of use from one non-conforming use to another non-conforming use provided such change is to a use permitted in a zoning district where the original non-conforming use would be permitted or such change is to a use permitted in a more restrictive classification. However, such change of use and occupancy shall not tend to prolong the life of a non-conforming use. Upon review of the facts in accordance with the procedures for the ~~Zoning Board of Adjustment~~City Council, contained in *Chapter 1 – General Provisions* of this Land Development Code, the ~~Zoning Board of Adjustment~~City Council may establish a specific period of time for the return of the occupancy to a conforming use.
3. The ~~Zoning Board of Adjustment~~City Council, per Section 1.13.C, may approve the remodeling or enlargement of a non-conforming use when such an enlargement would not tend to prolong the life of the non-conforming use. Upon review of the facts, the ~~Zoning Board of Adjustment~~City Council may establish a specific period of time for the return of the occupancy to a conforming use in accordance with the procedures of the ~~Zoning Board of Adjustment~~City Council contained in *Chapter 1 – General Provisions* of this Land Development Code.

Section 3.8 AG – Agricultural District

- A. Agricultural District – The regulations set forth in this Section, or as set forth elsewhere in this Chapter when referred to in this Section, are the regulations of the AG - Agricultural District.
- B. Purpose and Intent – The purpose of the AG - Agricultural District is to provide for compatible land, building and structure uses primarily oriented to agricultural farming and ranching, and extremely low density residential purposes. The district's locational characteristics are usually confined to the outer fringe of developed urbanized areas and/or along, unprotected flood-prone areas. The district also serves as: 1) a transitional land use element pending future, more intensive urbanization; 2) open space for the protection and enhancement of scenic areas, vistas, and recreational uses, and 3) where unusual or problematic soils, topographic conditions, or sensitive ecological features are present that would normally not be conducive or appropriate to more intensive forms and patterns of urbanization

The primary intent of this district is a land use designated to aid in the protection of certain lands suitable for producing and supplying food and related agricultural farm and ranch products from more intense urbanization until such time as warranted by demand and supportive community facilities and services.

- C. Use Regulations – Land, buildings and structures may be used only for the purposes allowed in this Chapter.
- D. Permitted Principal Uses – The permitted principal uses allowed in this district as are designated in *Section 3.24.C - Schedule of Permitted Principal Uses*.
- E. Permitted Accessory Uses – Subject to the provisions of *Section 3.28 - Supplementary District Regulations*, accessory buildings, structures and uses customarily incidental to the "Permitted Principal Uses" are allowed, including but not limited to the following:
 1. Buildings, structures and uses accessory to permitted farming and ranching operations;

2. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses.
3. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. ~~All "at grade" swimming pools with a depth greater than twenty-four (24") inches and "above grade" swimming pools having a water depth twenty-four (24") inches or more, except for inflatable portable tot pools, shall be enclosed by a fence and gate not less than (4') feet nor more than eight (8') feet in height, and of such material and design to discourage unauthorized entry to the facility. Such pool(s) may be located in a required side or rear yard, but not within a required front yard not forward of the primary dwelling, and shall not be located closer than five (5') feet to any side or rear property line.~~
4. ~~Servants quarters for domestic servants employed on the premises or family members~~ Accessory dwellings provided the gross habitable square feet of floor area shall not exceed six hundred (600) square feet complies with regulations found in Section 3.27 of this chapter. Such quarters may be housed within the principal residential dwelling, above a residential garage, or be part of an accessory building on the same premises, and shall comply with minimum standards for light, health, safety, and occupancy in conformance with other applicable City codes and ordinances.
5. Lanais, gazebos, garden and patio shelters, and children's play-houses, provided the privacy enjoyed by adjacent residential dwellings is not impaired.
6. Non-commercial radio and television receiving antennae and non-commercial radio transmitting antennae limited in height to sixty (60) feet (measured from the ground line in front of the dwelling or use facing a public street), and further provided no electrical, radio or television signal interference is created which would adversely affect such audio or visual signals to nearby dwellings and other permitted uses;
7. Required off-street parking and loading spaces.
8. Home occupation uses as defined in *Chapter 2 – Definitions* of this Land Development Code.
9. Parking and storage of private boats(s), camper trailer(s), or other recreational vehicle(s), in conformance with the regulations for "Parking, Storage or Use of Major Recreational Equipment and Vehicles."
10. Signs, in conformance with *Chapter 7 – Sign Regulations* of this Land Development Code and other applicable City codes and ordinances.
11. Supplemental single-family dwelling for a farm employee and family when located on the same premises as the principal agricultural use, provided:
 - a. Such dwelling shall be used exclusively for the housing of a single-family employed full time on the premises in the conduct of operation or management of the principal agricultural use;
 - b. Such dwelling is under the same ownership as that of the agricultural use and is on the same land as the owner's principal place of residency;
 - c. The land area devoted to such dwelling conforms with the minimum requirements established in *Section 3.24 - Schedule of District Regulations* for single-family dwellings in an "RE" District, as if it were on a separate recorded lot; and
 - d. The total land area under common ownership comprising the agriculture use and related owner's and employee's residence is not less than twenty (20) acres.

~~F. Special Exception Uses — In order to allow for certain uses which, because of the unique or unusual character thereof, cannot be unconditionally permitted in this district, yet would or could be an appropriate~~

Commented [EW1]: Recommendation that the pool not extend past the front of the house

Commented [EW2]: Pool barrier requirements are codified in the adopted building codes

Commented [BB3]: New standards for Accessory Dwellings

Commented [BB4]: Deleted per Council direction

~~or compatible use under certain controlled circumstances and locations, the "Zoning Board of Adjustment" may, after public hearing thereon, authorize and grant the issuance of a "Special Exception" for such special exception uses as allowed in Section 3.24 - "Schedule of Permitted Principal Uses." The issuance of such "exception" by the "Board" shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time thereof, when appropriate, so as to properly protect any adjacent property, use, or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land or buildings granted.~~

GF. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the provisions for ~~—~~ "Classification of New and Unlisted Uses."

HG. Density; Area; Yard; Height; and Lot Coverage Requirement – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes, (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of *Section 3.24 - Schedule of District Regulations* and other applicable provisions of *Section 3.28 - Supplementary District Regulations*.

HH. Off Street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform ~~with~~to the "Off-Street Parking Requirements" and "Off-Street Loading Requirements" contained elsewhere in this Land Development Code.

JJ. Land Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the official zoning map affecting this district shall be accompanied by a land plan and supporting document therefor, in conformance with the provisions of *Chapter 1 – General Provisions* of this Land Development Code.

Section 3.9 RE – Single Family "Estate" Residential District

A. **RE-Single Family Estate Residential District** – The regulations set forth in this Section, or as set forth elsewhere in this Chapter when referred to in this section, are the regulations of the RE - Single-Family Residential Estate District.

B. **Purpose and Intent** – The purpose and intent of the RE - Single-Family Estate Residential District is to provide for compatible land, building, and structural uses primarily oriented to low density residential estate purposes, select agricultural uses, open space uses, and selected community facility uses. The locational characteristic of this district is generally confined to the outer fringe of the more intensely urbanized and developed areas and/or along unprotected flood prone areas. The district further serves as a transitional element between limited residential development and intense agricultural activities and of higher density urbanized areas of the city. Low density detached single-family residential dwellings and estate development, along with the aforescribed uses, comprise the principal elements of the district.

C. **Use Regulations** – Land, buildings and structures may be used only for the purposes allowed in this Section.

D. **Permitted Principal Uses** – The permitted principal uses allowed in this district are as designated in *Section 3.24 - Schedule of Permitted Principal Uses*.

E. **Permitted Accessory Uses** – Subject to the provisions of *Section 3.28 - Supplementary District Regulations*, accessory buildings, structures, and uses customarily incidental to the "Permitted Principal Uses" are allowed, including but not limited to the following:

1. Buildings, structures, and uses accessory to permitted farming and ranching operations;
2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. All "at grade" swimming pools with

a water depth greater than twenty-four (24") inches and "above grade" swimming pools having a water depth twenty-four (24") inches or more, except for inflatable portable tot pools, shall be enclosed by a fence and gate not less than four (4') feet nor more than eight (8') feet in height, and of such material and design to discourage unauthorized entry to the facility. Such pool(s) may be located in a required side or rear yard, but not within a required front yard forward of the primary dwelling on the lot, and shall not be located closer than five (5') feet to any side or rear property line.

Commented [EW5]: Pool barrier requirements are already codified in the adopted building codes

Commented [EW6]: Recommend that the pool does not extend past the front of the dwelling

3. Private residential garages, carports, and related storage buildings and greenhouses accessory to permitted residential uses.
4. ~~Servants quarters for domestic servants employed on the premises or family members. Accessory dwellings provided the gross habitable square feet of floor area shall not exceed six hundred (600) square feet complies with regulations found in Section 3.27 of this chapter.~~ ~~Servants quarters for domestic servants employed on the premises or family members provided the gross habitable square feet of floor area shall not exceed six hundred (600) square feet.~~ Such quarters may be housed within the principal residential dwelling, above a residential garage, or be part of an accessory building on the same premises, and shall comply with minimum standards for light, health, safety, and occupancy in conformance with other applicable City codes and ordinances.
5. Lanais, gazebos, garden and patio shelters, and children's play-houses, provided the privacy enjoyed by adjacent residential dwellings is not impaired.
6. Non-commercial radio and television receiving antennae and non-commercial radio transmitting antennae limited in height to sixty (60) feet (measured from the ground line in front of the dwelling or use facing a public street), and further provided no electrical, radio or television signal interference is created which would adversely affect such audio or visual signals to nearby dwellings and other permitted uses;
7. Required off-street parking and loading spaces.
8. Home occupation uses as defined in *Chapter 2 – Definitions* of this Land Development Code
9. Parking and storage of private boat(s), camper trailer(s) or other recreational vehicle(s), in conformance with the regulations for "Parking, Storage or Use of Major Recreational Equipment and Vehicles."
10. Signs, in conformance with *Chapter 7 – Sign Regulations* of this Land Development Code.
11. Private domestic greenhouses.
12. Private stables for the keeping of grazing animals, provided:
 - a. Significant ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way become a health hazard or nuisance to humans or animals;
 - b. Fences for pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the grazing animal(s) on the premises; and
 - c. The minimum space area of the lot upon which such grazing animal(s) may be kept, including pens, corrals, and stables, shall not be less than 15,000 square feet per each grazing animal over five hundred (500) pounds and not less than five thousand (5,000) square feet for any other grazing animal.

Commented [BB7]: New standards for Accessory Dwellings

~~F. **Special Exception Uses** — In order to allow for certain uses which, because of the unique or unusual character thereof, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the "Zoning Board of Adjustment" may, after public hearing thereon, authorize and grant the issuance of a "Special Exception" for such special exception uses as allowed in Section 3.24 – Schedule of Permitted Principal Uses. The issuance~~

~~of such "exception" by the "Board" shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time thereof, when appropriate, so as to properly protect any adjacent property, use or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land or buildings granted.~~

GF. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the provisions for the "Classification of New and Unlisted Uses."

HG. Density, Area, Yard, Height, and Lot Coverage Requirements – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of *Section 3.24 - Schedule of District Regulations* and other applicable provisions of *Section 3.28 - Supplementary District Regulations*.

H. Off-street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform ~~with~~^{to} the provisions of the "Off-Street Parking Requirements," and the "Off-Street Loading Requirements."

J. Land Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the Official Zoning Map affecting this district shall be accompanied by a land plan and supporting document therefore, in conformance with the provisions of *Chapter 1 – General Provisions* of this Land Development Code.

Section 3.10 ~~R-40~~ – Single Family Residential District

A. **~~R-40~~ – Single Family Residential District** – The regulations set forth in this Section, or as set forth elsewhere in this Chapter when referred to in this section, are the regulations of the ~~R-40~~ – Single Family Residential District.

B. **Purpose and Intent** – The purpose and intent of the ~~R-40~~ – Single Family Residential District is to provide for compatible land, building and structure uses primarily oriented to low density residential purposes, open space uses, and select community facility uses. The locational characteristics of this district are not confined to any specific or general area; however, they are most appropriate on the outer fringe of the more intensively urbanized parts of the community, and/or along protected flood prone areas. Land uses in this district are normally connected to an approved public or private sewage collection and treatment system, rather than individual septic tanks and subsurface drainage fields. Low density detached single family residential dwellings and development, along with the aforescribed uses, comprise the principal elements of the district.

C. **Use Regulation** – Land, buildings and structures may be used only for the purposes allowed in this Section.

D. **Permitted Principal Uses** – The permitted principal uses allowed in this district are as designated in *Section 3.24 - Schedule of Permitted Principal Uses*.

E. **Permitted Accessory Uses** – Subject to the provisions of *Section 3.28 - Supplementary District Regulations*, accessory buildings, structures, and uses customarily incidental to the "Permitted Principal Uses" are allowed, including but not limited to the following:

1. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses.
2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. ~~All "at grade" swimming pools with a water depth greater than twenty-four (24") inches and "above grade" swimming pools having a water depth twenty-four (24") inches or more, except for inflatable portable tot pools, shall be~~

~~enclosed by a fence and gate not less than four (4') feet nor more than six (6') feet in height, and of such material and design to discourage unauthorized entry to the facility. Such pool(s) may be located in a required side or rear yard, but not within a required front yard -but not forward of the primary dwelling on the lot, -and shall not be located closer than five (5') feet to any side' or rear property line.~~

Commented [EW8]: Pool barrier requirements are already codified in the adopted building codes

Commented [EW9]: Recommend that the pool cannot extend beyond the front of the existing dwelling

3. Lanais, gazebos, garden and patio shelters, and children's play-houses, provided the privacy enjoyed by adjacent residential dwellings is not impaired.
4. Noncommercial radio and television receiving antennae and noncommercial radio transmitting antennae limited in height to sixty (60') feet (measured from the ground line in front of the dwelling or use facing a public street), and further provided no electrical, radio or television signal interference is created which would adversely affect such audio or visual signals to nearby dwellings and other permitted uses;
5. Required off-street parking and loading spaces.
6. Home occupation uses as defined in *Chapter 2 – Definitions* of this Land Development Code.
7. Parking and storage of private boat(s), camper trailer(s), or other recreational vehicle(s), in conformance with the regulations for the "Parking, Storage or Use of Major Recreational Equipment and Vehicles."
8. Signs, in conformance with *Chapter 7 – Sign Regulations* of this Land Development Code
9. Private domestic greenhouses.
10. Private stables for the keeping of grazing animals, provided:
 - a. Significant ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way become a health hazard or nuisance to humans or animals;
 - b. Fences for pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the grazing animal(s) on the premises; and
 - c. The minimum space area of the lot upon which such grazing animal(s) may be kept, including pens, corrals, and stables, shall not be less than 15,000 square feet per each grazing animal over five hundred (500) pounds and not less than five thousand (5,000) square feet for any other grazing animal.

~~**F. Special Exception Uses** – In order to allow for certain uses which, because of the unique or unusual character thereof, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the "Zoning Board of Adjustment" may, after public hearing thereon, authorize and grant the issuance of a "Special Exception" for such special exception uses as allowed in Section 3.24 – "Schedule of Permitted Principal Uses." The issuance of such "exception" by the "Board" shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time thereof, when appropriate, so as to properly protect any adjacent property, use or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land or buildings granted.~~

GE. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the provisions of the regulation for the "Classification of New and Unlisted Uses."

HG. Density; Area; Yard; Height; and Lot Coverage Requirements – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as

pertains to this district, shall conform with the provisions of *Section 3.24 - Schedule of District Regulations* and other applicable provisions of *Section 3.28 - Supplementary District Regulations*.

H. Off-street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform ~~with~~to the provisions for “Off-Street Parking Requirements,” and “Off-Street Loading Requirements.”

J. Land Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the Official Zoning Map affecting this district shall be accompanied by a land plan and supporting document therefore, in conformance with the provisions of *Chapter 1 – General Provisions* of this Land Development Code.

Section 3.11 ~~R-30~~ **Single Family Residential District**

A. **R-30 ~~Single Family Residential District~~** – The regulations set forth in this Section, or as set forth elsewhere in this Chapter when referred to in this Section, are the regulations of the ~~R-30~~ **Single-Family Residential District**.

B. **Purpose and Intent** – The purpose and intent of the ~~R-30~~ **Single-Family Residential District** is to provide for compatible land, building, and structural uses primarily oriented to low density residential purposes, open space uses, and selected community facility uses. The locational characteristics of this district are generally found in the inner urbanized developed areas of the City. Land uses in this district are normally connected to an approved public or private sewage collection and treatment system, rather than individual septic tanks and subsurface drainage fields. Moderately low density detached single-family residential dwellings and development, along with the aforescribed uses, comprise the principal elements of the district.

C. **Use Regulation** – Land, buildings and structures may be used only for the purposes allowed in this Section.

D. **Permitted Principal Uses** – The permitted principal uses allowed in this district are as designated in *Section 3.24 - Schedule of Permitted Principal Uses*.

E. **Permitted Accessory Uses** – Subject to the provisions of *Section 3.28 - Supplementary District Regulations*, accessory buildings, structures, and uses customarily incidental to the “Permitted Principal Uses” are allowed, including but not limited to the following:

1. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses.
2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. ~~All “at-grade” swimming pools with a water depth greater than (24”) inches and “above grade” swimming pools having a water depth (24”) inches or more, except for inflatable portable tot pools, shall be enclosed by a fence and gate not less than (4’) feet nor more than (8’) feet in height, and of such material and design to discourage unauthorized entry to the facility. Such pool(s) may be located in a required side or rear yard, but not within a required front yard forward of the primary dwelling on the lot,~~ and shall not be located closer than (5’) feet to any side or rear property line.
3. Lanais, gazebos, garden and patio shelters, and children’s play-houses, provided the privacy enjoyed by adjacent residential dwellings is not impaired.
4. Noncommercial radio and television receiving antennae and noncommercial radio transmitting antennae limited in height to sixty (60’) feet (measured from the ground line in front of the dwelling or use facing a public street), and further provided no electrical, radio or television signal interference is created which would adversely affect such audio or visual signals to nearby dwellings and other permitted uses;

Commented [EW10]: Pool barrier requirements are already codified in the adopted building codes

Commented [EW11]: Recommend that the pool cannot extend beyond the front of the existing dwelling on the lot

5. Required off-street parking and loading spaces.
6. Home occupation uses as defined in *Chapter 2 – Definitions* of this Land Development Code.
7. Parking and storage of private boats(s), camper trailer(s), or other recreational vehicle(s), in conformance with the regulations for the "Parking, Storage or Use of Major Recreational Equipment and Vehicles."
8. Signs, in conformance with these regulations and other applicable City codes and ordinances.
9. Private domestic greenhouses.

~~F. Special Exception Uses – In order to allow for certain uses which, because of the unique or unusual character thereof, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the "Zoning Board of Adjustment" may, after public hearing thereon, authorize and grant the issuance of a "Special Exception" for such as allowed in Section 2.24 - "Schedule of Permitted Principal Uses." The issuance of such "special exception uses" by the "Board" shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time thereof, when appropriate, so as to properly protect any adjacent property, use, or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land or buildings granted.~~

~~GE. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the provisions for the "Classification of New and Unlisted Uses."~~

~~HG. Density, Area, Yard, Height, and Lot Coverage Requirement – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes, (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of Section 3.24 - "Schedule of District Regulations" and other applicable provisions of Section 3.28 - "Supplementary District Regulations."~~

~~JH. Off-street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform with the provisions of the "Off-Street Parking Requirements" and "Off-Street Loading Requirements."~~

~~JL. Land Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the "Official Zoning Map" affecting this district shall be accompanied by a land plan and supporting document therefore, in conformance with the provisions of Chapter 1 – ~~General~~ General Provisions of this Land Development Code regarding "Petition for Zoning District Change: Land Plan and Supporting Documents Required."~~

Section 3.12 ~~R-20~~ – Single Family Residential District

- A. R-20 – Single Family Residential District – The regulations set forth in this Section, or as set forth elsewhere in this Chapter when referred to in this Section, are the regulations of the ~~R-20~~ – Single-Family Residential District.
- B. Purpose and Intent – The purpose and intent of the ~~R-20~~ – Single-Family Residential District is to provide for compatible land, building, and structural uses primarily oriented to medium-low density residential purposes, open space uses, and selected community facility uses. The locational characteristics of this district are generally found in the inner urbanized developed areas of the city, adjacent to shopping facilities. Land uses in this district are normally connected to an approved public or private sewage collection and treatment system, rather than individual septic tanks and sub-surface drainage fields. Moderately low density detached single-family residential dwellings as exist in the inner area of the city comprise the principal elements of the district. It is further the intent to use this district and its regulations to accommodate and recognize the existence of small lot conventional single-family development, which presently exists in the city.

- C. Use Regulations – Land, buildings and structures may be used only for the purposes allowed in this Section.
- D. Permitted Principal Uses – The permitted principal uses allowed in this district are as designated in *Section 3.24 - Schedule of Permitted Principal Uses*.
- E. Permitted Accessory Uses – Subject to the provisions of *Section 3.28 - Supplementary District Regulations*, accessory buildings, structures, and uses customarily incidental to the “permitted principal uses” are allowed, including but not limited to the following:
1. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses.
 2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. ~~All “at grade” swimming pools with a water depth greater than twenty-four (24”) inches and “above grade” swimming pools having a water depth twenty-four (24”) inches or more, except for inflatable portable tot pools, shall be enclosed by a fence and gate not less than four (4’) feet nor more than eight (8’) feet in height, and of such material and design to discourage unauthorized entry to the facility. Such pool(s) may be located in a required side or rear yard, but not within a required front yard forward of the primary dwelling on the lot, and shall not be located closer than five (5’) feet to any side or rear property line.~~
 3. Lanais, gazebos, garden and patio shelters, and children’s play-houses, provided the privacy enjoyed by adjacent residential dwellings is not impaired.
 4. Noncommercial radio and television receiving antennae and noncommercial radio transmitting antennae limited in height to sixty (60) feet (measured from the ground line in front of the dwelling or use facing a public street), and further provided no electrical, radio or television signal interference is created which would adversely affect such audio or visual signals to nearby dwellings and other permitted uses.
 5. Required off-street parking and loading spaces.
 6. Home occupation uses as defined in *Chapter 2 – Definitions* of this Land Development Code.
 7. Parking and storage of private boat(s), camper trailer(s), or other recreational vehicle(s), in conformance with the regulations for “Parking, Storage or Use of Major Recreational Equipment and Vehicles.”
 8. Signs, in conformance with *Chapter 7 – Sign Regulations* of this Land Development Code.
 9. Private domestic greenhouses.

~~F. Special Exception Uses – In order to allow for certain uses which, because of the unique or unusual character thereof, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the “Zoning Board of Adjustment” may, after public hearing thereon, authorize and grant the issuance of a “Special Exception” for such special exception uses as allowed in *Section 3.24 – “Schedule of Permitted Principal Uses.”* The issuance of such “exception” by the “Board” shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time thereof, when appropriate, so as to properly protect any adjacent property, use or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land or buildings granted.~~

~~F. R-10 Single-Family Residential District Historic Designation All lots within the City of Colleyville with the R-10 designation shall conform to the standards of the R-20 zoning district.~~

Commented [EW12]: Pool barrier requirements are already codified in the adopted building codes

Commented [EW13]: Recommend that the pool cannot extend beyond the front of the existing dwelling on the lot

Commented [BB14]: This will address the existing R-10 properties

- G. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the provisions for the “Classification of New and Unlisted Uses.”
- H. Density; Area; Yard; Height; and Lot Coverage Requirements – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of *Section 3.24 - “Schedule of District Regulations”* and other applicable provisions of *Section 3.28 - “Supplementary District Regulations.”*
- I. Off-street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform ~~with~~ the provisions for “Off-Street Parking Requirements,” and “Off-Street Loading Requirements.”
- J. Land Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the Official Zoning Map affecting this district shall be accompanied by a land plan and supporting document therefore, in conformance with the provisions contained in *Chapter 1 – General Provisions* of this Land Development Code.

Section 3.13 ~~R_15~~ – Single Family Residential District

- A. R-15 – Single Family Residential District – The regulations set forth in this Section, or as set forth elsewhere in this Chapter when referred to in this Section, are the regulations of the ~~R_15~~ – Single-Family Residential District.
- B. Purpose and Intent – The purpose and intent of the ~~R_15~~ – Single-Family Residential District is ~~to~~ provide for compatible land, building, and structural uses primarily oriented to medium-low density residential purposes, open space uses, and selected community facility uses. The locational characteristics of this district are generally found in the inner urbanized developed core of the city and/or adjacent to shopping facilities. Land uses in this district are normally connected to an approved public or private sewage collection and treatment system, rather than individual septic tanks and sub-surface drainage fields. Medium low density detached single-family residential buildings as exist in the inner core area of the city on typically small lots, along with the aforescribed uses, comprise the principal elements of the district. It is further the intent to use this district and its regulations to accommodate and recognize the existence of small lot conventional single-family development, which presently exists in the city, but not to create new-zoned areas for such conventional small lots.
- C. Use Regulations – Land, buildings and structures may be used only for the purposes allowed in this Section.
- D. Permitted Principal Uses – The permitted principal uses allowed in this district are as designated in *Section 3.24 - Schedule of Permitted Principal Uses*.
- E. Permitted Accessory Uses – Subject to the provisions of *Section 2.28 - Supplementary District Regulations*, accessory buildings, structures, and uses customarily incidental to the “permitted principal uses” are allowed, including but not limited to the following:
 - 1. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses.
 - 2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. ~~All “at-grade” swimming pools with a water depth greater than twenty-four (24”) inches and “above-grade” swimming pools having a water depth twenty-four (24”) inches or more, except for inflatable portable tot-pools, shall be enclosed by a fence and gate not less than four (4’) feet nor more than eight (8’) feet in height, and of~~

~~such material and design to discourage unauthorized entry to the facility. Such pool (s) may be located in a required side or rear yard, but not within a required front yard forward of the primary dwelling on the lot, and shall not be located closer than five (5') feet to any side or rear property line.~~

Commented [EW15]: Pool barrier requirements are already codified in the adopted building codes

Commented [EW16]: Recommend that the pool cannot extend beyond the front of the existing dwelling on the lot

3. Lanais, gazebos, garden and patio shelters, and children's play-houses, provided the privacy enjoyed by adjacent residential dwellings is not impaired.
4. Noncommercial radio and television receiving antennae and noncommercial radio transmitting antennae limited in height to sixty (60') feet (measured from the ground line in front of the dwelling or use facing a public street), and further provided no electrical, radio or television signal interference is created which would adversely affect such audio or visual signals to nearby dwellings and other permitted uses;
5. Required off-street parking and loading spaces.
6. Home occupation uses, as defined in *Chapter 2 – Definitions* of this Land Development Code.
7. Parking and storage of private boat(s), camper trailer(s), or other recreational vehicle(s), in conformance with the regulations for the "Parking, Storage or Use of Major Recreational Equipment and Vehicles."
8. Signs, in conformance with *Chapter 7 – Sign Regulations* of this Land Development Code.
9. Private domestic greenhouses.

~~F. R-10 Single-Family Residential District Historic Designation: All lots within the City of Colleyville with the R-10 designation shall conform to the standards of the R-15 zoning district.~~

Commented [BB17]: This will address the existing R-10 properties. {At the worksession this was moved to the R-20 district}

~~G. Special Exception Uses – In order to allow for certain uses which, because of the unique or unusual character thereof, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the "Zoning Board of Adjustment" may, after public hearing thereon, authorize and grant the issuance of a "Special Exception" for such special exception uses as allowed in Section 3.24 – "Schedule of Permitted Principal Uses." The issuance of such "exception" by the "Board" shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time thereof, when appropriate, so as to properly protect any adjacent property, use or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land or buildings granted.~~

- G. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the regulations for the "Classification of New and Unlisted Uses."
- H. Density, Area, Yard, Height, and Lot Coverage Requirements – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of Section 3.24 "Schedule of District Regulations" and other applicable provisions of Section 3.28 - "Supplementary District Regulations."
- I. Off-street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform withto the provisions for "Off-Street Parking Requirements," and "Off-Street Loading Requirements."
- J. Land Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the Official Zoning Map affecting this district shall be accompanied by a land plan and supporting document therefore, in conformance with the provisions of *Chapter 1 – General Provisions* of this Land Development Code.

Section 3.14 RD – Two-Family Residential District

- A. ~~RD — Two-Family Residential District~~ – The regulations set forth in this Section, or as set forth elsewhere in this Chapter when referred to in this Section, are the regulations of the RD — Two-Family Residential District.
- B. Purpose and Intent – The purpose and intent of the RD — Two-Family Residential District is to provide for compatible land, building, and structure uses primarily oriented to medium-low density two-family residential purposes, open space usage, and selected community facility uses. The locational characteristics of this district are generally, but not always, found in the inner urbanized developed core of the city around shopping centers and neighborhood service facilities, plus as a transitional element between low density, single family districts and higher density multiple family districts. Land uses in this district are normally connected to an approved public or private sewage collection and treatment system, rather than individual septic tanks and sub-surface drainage fields. Dwellings containing two-family dwelling units, plus the aforescribed uses, comprise the principal elements of the district. ~~The intent of this district is not to allow single-family detached dwellings.~~
- C. Use Regulations – Land, buildings and structures may be used only for the purposes allowed in this Section.
- D. Permitted Principal Uses – The permitted principal uses allowed in this district are as designated in *Section 3.24 - Schedule of Permitted Principal Uses*.
- E. Permitted Accessory Uses – Subject to the provisions of *Section 3.28 - Supplementary District Regulations*, accessory buildings, structures, and uses customarily incidental to the “permitted principal uses” are allowed, including but not limited to the following:
1. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses.
 2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. ~~All “at-grade” swimming pools with a water depth greater than twenty-four (24”) inches and “above-grade” swimming pools having a water depth twenty-four (24”) inches or more, except for inflatable portable tot pools, shall be enclosed by a fence and gate not less than four (4’) feet nor more than eight (8’) feet in height, and of such material and design to discourage unauthorized entry to the facility. Such pool (s) may be located in a required side or rear yard, but not within a required front yard.~~ forward of the primary dwelling on the lot; and shall not be located closer than five (5’) feet to any side or rear property line
 3. Lanais, gazebos, garden and patio shelters, and children’s play-houses, provided the privacy enjoyed by adjacent residential dwellings is not impaired.
 4. Noncommercial radio and television receiving antennae and noncommercial radio transmitting antennae limited in height to sixty (60’) feet (measured from the ground line in front of the dwelling or use facing a public street), and further provided no electrical, radio or television signal interference is created which would adversely affect such audio or visual signals to nearby dwellings and other permitted uses;
 5. Required off-street parking and loading spaces.
 6. Home occupation uses, as defined in *Chapter 2 – Definitions* of this Land Development Code.
 7. Parking and storage of private boat(s), camper trailer(s), or other recreational vehicle(s), in conformance with the requirements for “Parking, Storage or Use of Major Recreational Equipment and Vehicles.”
 8. Signs, in conformance with *Chapter 7 – Sign Regulations* of this Land Development Code.
 9. Private domestic greenhouses.

Commented [BB18]: The vast majority of properties zoned RD are developed with single-family residences

Commented [EW19]:

Commented [EW20R19]: Pool barrier requirements are already codified in the adopted building codes

Commented [EW21]: Recommend that the pool cannot extend beyond the front of the existing dwelling on the lot

- ~~F. Special Exception Uses – In order to allow for certain uses which, because of the unique or unusual character thereof, can not be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the “Zoning Board of Adjustment” may, after public hearing thereon, authorize and grant the issuance of a “Special Exception” for such special exception uses as allowed in Section 2.24 – “Schedule of Permitted Principal Uses.” The issuance of such “exception” by the “Board” shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time thereof, when appropriate, so as to properly protect any adjacent property, use or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land or buildings granted.~~
- F. Single-Family Residential Uses – When a property with RD zoning is developed with a single-family residential use, the property shall conform to the standards of the R-20 Single Family Residential zoning district.
- G. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the provisions for the “Classification of New and Unlisted Uses.”
- H. Density, Area, Yard, Height, and Lot Coverage Requirements – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of Section 3.24 - “Schedule of District Regulations” and other applicable provisions of Section 3.28 - “Supplementary District Regulations.”
- I. Off-street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform with the provisions for the “Off-Street Parking Requirements,” and “Off-Street Loading Requirements.”
- J. Land Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the Official Zoning Map affecting this district shall be accompanied by a land plan and supporting document therefore, in conformance with the provisions of Chapter 1 – General Provisions of this Land Development Code.

Commented [BB22]: Added per Council direction to address single-family residential development

Section 3.15 RMF – ~~Multi-family-Family~~ Residential District

- A. RMF – ~~Multi-family-Family~~ Residential District – The regulations set forth in this Section, or as set forth elsewhere in this Chapter when referred to in this Section, are the regulations of the RMF – ~~Multi-family-Family~~ Residential District.
- B. Purpose and Intent – The purpose and intent of the RMF – ~~Multi-family-Family~~ Residential District is to provide for compatible land, building, and structure uses primarily oriented to medium density multi-family residential purposes, open space uses, select community facility uses, and under special conditions, single-family uses. The locational characteristics of this district are generally, but not always, found in the inner urbanized developed core of the city around shopping centers and neighborhood service facilities, near employment centers, at the intersections of major and secondary thoroughfare streets, and as a transitional element between lower density and more intense nonresidential land uses. Land uses in this district are normally connected to an approved public or private sewage collection and treatment system, rather than individual septic tanks and sub-surface drainage fields. Garden apartment buildings and condominiums, and low-density townhouses, plus the aforescribed uses, comprise the principal elements of the district.
- C. Use Regulations – Land, buildings and structures may be used only for the purposes allowed in this Section.
- D. Permitted Principal Uses – The permitted principal uses allowed in this district are as designated in Section 3.24 - Schedule of Permitted Principal Uses.
- E. Permitted Accessory Uses – Subject to the provisions of Section 3.28 - Supplementary District

Regulations, accessory buildings, structures, and uses customarily incidental to the "permitted principal uses" are allowed, including but not limited to the following:

1. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses.
2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. ~~All "at-grade" swimming pools with a water depth greater than twenty-four (24") inches and "above grade" swimming pools having a water depth twenty-four (24") inches or more, except for inflatable portable tot-pools, shall be enclosed by a fence and gate not less than four (4') feet nor more than eight (8') feet in height, and of such material and design to discourage unauthorized entry to the facility. Such pool-(s) may be located in a required side or rear yard, but not within a required front yard forward of the primary dwelling on the lot, and shall not be located closer than five (5') feet to any side or rear property line~~
3. Lanais, gazebos, garden and patio shelters, and children's play-houses, provided the privacy enjoyed by adjacent residential dwellings is not impaired.
4. Noncommercial radio and television receiving antennae and noncommercial radio transmitting antennae limited in height to (60) feet (measured from the ground line in front of the dwelling or use facing a public street), and further provided no electrical, radio or television signal interference is created which would adversely affect such audio or visual signals to nearby dwellings and other permitted uses;
5. Required off-street parking and loading spaces.
6. Parking and storage of private boat(s), camper trailer(s), or other recreational vehicle(s), in conformance with the regulations for "Parking, Storage or Use of Major Recreational Equipment and Vehicles."
7. Signs, in conformance with *Chapter 7 – Sign Regulations* of this Land Development Code.
8. Private domestic greenhouses.
9. Outdoor storage areas or storage buildings for boats, trailers, and other recreational equipment, automobiles, or household effects - for the exclusive use of the site occupants, provided these accessory uses are screened in general conformity with the requirements for "Fences, Free Standing Walls, and Screening Materials."
10. An office area not containing more than (2) percent of the gross floor area of the main building in a multifamily development used exclusively for administration purposes for said development only.
11. Coin-operated vending machines in a principal or accessory building for newspapers, candy, tobacco, soft drinks, ice and similar services for use by the site occupants and guests of permitted uses in this district.
12. Social and recreation buildings for use by the site occupants and guests of permitted uses in this district.
13. Group dining quarters within a principal building.

~~F. Special Exception Uses — In order to allow for certain uses which, because of the unique or unusual character thereof, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the "Zoning Board of Adjustment" may, after public hearing thereon, authorize and grant the issuance of a "Special Exception" for such special exception uses as allowed in Section 3.24 – "Schedule of Permitted Principal Uses." The issuance of such "exception" by the "Board" shall be contingent upon reasonable and appropriate conditions and~~

Commented [EW23]: Pool barrier requirements are already codified in the adopted building codes

Commented [EW24]: Recommend that the pool cannot extend beyond the front of the existing dwelling on the lot

~~safeguards, including the length of time thereof, when appropriate, so as to properly protect any adjacent property, use or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land or buildings granted.~~

F. Single-Family Residential Uses – ~~When a property with MF zoning is developed with a single-family residential use, the property shall conform to the standards of the R-20 Single Family Residential zoning district.~~

Commented [BB25]: Added per Council direction to address single-family residential development

G. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the provisions for the - "Classification of New and Unlisted Uses."

H. Density, Area, Yard, Height, and Lot Coverage Requirements – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of *Section 3.24 - "Schedule of District Regulations"* and other applicable provisions of *Section 3.28 - "Supplementary District Regulations."*

I. Off-street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform ~~with~~to the provisions of the "Off-Street Parking Requirements," and ~~and~~ "Off-Street Loading Requirements."

J. Site Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the Official Zoning Map affecting this district, or for a "Special Use Permit" to be issued in this district, shall be accompanied by a site plan and supporting document therefore, unless otherwise waived by the City Planning and Zoning Commission or Zoning Board of Adjustment, in conformance with the provisions of *Chapter 1 – General Provisions* of this Land Development Code.

K. Open Space Required – Unless waived by the Planning and Zoning Commission, the RMF ~~– Multi-family~~ Family Residential District shall conform to the Open Space Requirements as set forth in the provision for "Open Space Requirements," "Maximum Residential Density Permitted; and Density Increase Bonuses," and "Guarantee of Common Open Space."

L. Planned Single Family Use in RMF Zoning Districts by Special Use Permit

Commented [BB26]: Not needed; single-family residential development to be allowed by right

~~1. Purpose and Intent – the purpose and intent of the grant of a special use permit for single family use in a R-MF Zoning District is to provide for the use in said zoning district of land, buildings and structures, for an appropriate combination of residential uses, accessory uses and special uses and to accommodate uses of land in multifamily zoning districts for single family purposes when said use is pursuant to a plan designed to encourage the most appropriate and aesthetic uses of land having due regard for the special arrangement of buildings, land uses, open spaces, circulation transportation patterns and consideration of special site and topographical features, which are controlled and the actual development becomes incorporated into the grant of the special use permit.~~

~~2. Allowable Uses – land, buildings or structures within an area zoned R-MF on which a special use has been granted may be used for any appropriate combination of principal uses, accessory uses, and special uses as permitted in residential zoning districts. However, the Planning and Zoning Commission and the City Council reserve the right to prohibit and exclude certain uses within any planned district, when, in their opinion, the inclusion of certain uses would or could cause or create an adverse impact within or to an adjacent development, or be an otherwise inappropriate use within the development or detrimental to persons or property within the adjacent districts thereto.~~

~~3. Permitted Uses – the land, buildings and structures within an RMF Zoning District upon which a special use permit has been granted may be used in any single purpose or mixed type of residential dwellings, including but not limited to the attached single family dwelling on conventional subdivision type lots, attached dwellings such as duplexes and townhouses, "cluster housing", patio homes, atrium homes, zero lot line homes, (with a maximum of one side wall of the dwelling in common with a side property line). Additionally, accessory uses customary and incidental and secondary to any allowed foregoing use are allowed in the district.~~

- ~~4. Prohibited Uses – uses not expressly permitted in residential zoning districts of this Chapter are expressly prohibited in any R-MF District with special use permit unless otherwise authorized and approved by the City Planning and Zoning Commission and the City Council.~~
- ~~5. Minimum Lot Size Requirements; Minimum Yard Requirements; Maximum Building Heights; and Maximum Lot Coverage – the maximum height, lot width, lot depth, floor area ratio and lot area, and the minimum off-street parking and loading requirements for a special use permit in RMF Zoning District shall comply with or be more restrictive than the standard established in RMF Zoning Districts. The Planning and Zoning Commission and City Council may alter such requirements when in their opinion the proposed development densities and land use arrangements shown on the site plan would result in the more innovative siting of buildings and facilities which would improve the usefulness of yard areas and the relationship to traffic circulation, admittance of light and air to buildings, fire protection and useable open space.~~
- ~~6. Off-Street Parking and Loading Requirements – off-street parking and loading requirements pertaining to uses allowed in this district shall conform with the provisions of the "Off-Street Parking Requirements," and "Off-Street Loading Requirements."~~
- ~~7. Site Plan and Supporting Documents Required – any application for a change in zoning district boundaries on the "official zoning map" to establish a special use permit in an RMF Zoning District shall be accompanied by a site plan and supporting documents therefore, in conformance with the provisions of Chapter 1 – General Provisions of this Land Development Code.~~
- ~~8. Nature of Amending Ordinance Approving a Special Use Permit in RMF Zoning Districts – in approving any request for a special use permit in RMF Zoning Districts, the City Council shall, on the recommendation of the Planning and Zoning Commission, incorporate in the amending ordinance reference to the approved site plan, supporting documents and other conditions or restrictions imposed on the project by the commission including those of Council, and said information, conditions and restrictions shall constitute controls and limitations upon the development and use of the property. The approval and adoption of the amending ordinance by the Council shall result in the appropriate change to the "Official Zoning Map." However, the zoning change does not constitute recording of a "final plat", nor authorize the issuance of building permits and "certificates of occupancy," until such time as a "final plat," and supporting legal and construction documents have been prepared and submitted for City Council approval on all or part of the proposed development, in conformance with the requirements and procedures of the City Subdivision Regulation Ordinance and the requested zoning change.~~
- ~~9. Requirements for "Final Plat," Submission Following Grant of Special Use Permit – within a maximum of six (6) consecutive months, following the approval of the special use permit in the RMF Zoning District by the City Council, the applicant shall file with the City Planning and Zoning Commission a "final plat" and necessary supporting documents of all or a part of the site in conformance with the City's Subdivision Regulations Ordinance. In its discretion and for good cause, the Planning Commission may extend for six (6) months the period of filing for the "final plat," upon written request by the applicant. Should the applicant fail to submit a "final plat" within the six-month period following the City Council approval of the Special Use Permit, or by the termination date of the filing of the extension granted by the Planning and Zoning Commission, the Commission may initiate proceedings to amend the official zoning map by removing all or part of the Special Use Permit in the RMF Zoning District from the official zoning map. The City Council may uphold the Commission's recommendation and proceed to advertise and hold public hearings thereon, or may elect to continue the special use permit in the R-MF Zoning District.~~
- ~~10. Compliance with Development Schedule – an application for a planned unit development district shall be accompanied by a development schedule indicating the appropriate date on which construction is expected to begin and the rate of anticipated development to completion. The development schedule, if adopted and approved by the City Council, shall become a part of the development plan and shall be adhered to by the owner, developer and his successors in interest. The development schedule shall be reviewed annually by the City Manager or his designee and he shall report to the Planning and Zoning Commission the actual development accomplished as compared with the~~

~~development schedule. The Planning and Zoning Commission may, if in its opinion the owner or owners of property are failing or have failed to meet the approved schedule, initiate proceedings to amend the official Zoning Map by removing all or part of the special use permit in the RMF Zoning District from the official zoning map. Upon the recommendation of the Planning and Zoning Commission and for good cause shown by the owner and developer, the City Council may also extend the development schedule or adopt such new development schedule as may be indicated by the facts and conditions of the case.~~

Section 3.16 MH – Mobile Home Residential District

- A. MH – Mobile Home Residential District – The regulations set forth in this Section, or as set forth elsewhere in this Chapter when referred to in this Section, are the regulations of the MH – Mobile Home Residential District.
- B. Purpose and Intent – The purpose and intent of the MH – Mobile Home Residential District is to provide for the orderly, safe, and healthful development of mobile home parks and mobile home subdivisions. Since mobile homes are recognized as a special form of housing, the intent of this district is to provide appropriate standards as to compatible land uses, density, minimum mobile home park or subdivision size, and other relevant requirements pertaining to the design, construction, alterations, and extensions of mobile home parks and mobile home subdivisions. Land uses in this district are normally connected to an approved public or private sewage collection and treatment system, rather than individual septic tanks and sub-surface drainage fields.
- C. Use Regulation – Every mobile home park or mobile home subdivision hereafter constructed, enlarged, altered, extended, or created shall comply with all regulations set forth under this Section.
- D. Permitted Principal Uses – The permitted principal uses allowed in this district are as designated in *Section 3.24 - Schedule of Permitted Principal Uses*.
- E. Permitted Accessory Uses – Subject to the provisions of *Section 3.28 - Supplementary District Regulations*, accessory buildings, structures, and uses customarily incidental to the “permitted principal uses” are allowed, including but not limited to the following:
1. Private residential garages, carports and related storage buildings and greenhouses accessory to permitted residential uses.
 2. Private swimming pools, wading pools, and game courts (lighted or unlighted), provided that: if lighted, the lighting shall be so directed and shielded so as not to shine directly on any adjacent residential property; and further provided that any such pool or game court is for the private use of the site occupants and their guests, and not operated as a business. ~~All “at grade” swimming pools with a water depth greater than twenty-four (24”) inches and “above grade” swimming pools having a water depth twenty-four (24”) inches or more, except for inflatable portable tot pools, shall be enclosed by a fence and gate not less than four (4’) feet nor more than eight (8’) feet in height, and of such material and design to discourage unauthorized entry to the facility. Such pool (s) may be located in a required side or rear yard, but not within a required front yard~~ **forward of the primary dwelling on the lot**, and shall not be located closer than five (5’) feet to any side or rear property line.
 3. Lanais, gazebos, garden and patio shelters, and children's play-houses, provided the privacy enjoyed by adjacent residential dwellings is not impaired.
 4. Non-commercial radio and television receiving antennae and non-commercial radio transmitting antennae limited in height to sixty (60’) feet (measured from the ground line in front of the dwelling or use facing a public street), and further provided no electrical, radio or television signal interference is created which would adversely affect such audio or visual signals to nearby dwellings and other permitted uses;
 5. Required off-street parking and loading spaces.
 6. Home occupation uses, as defined by *Chapter 2 – Definitions* of this Land Development Code.

Commented [EW27]: Pool barrier requirements are already codified in the adopted building codes

Commented [EW28]: Recommend that the pool cannot extend beyond the front of the existing dwelling on the lot

7. Parking and storage of private boat(s), camper trailer(s), or other recreational vehicle(s), in conformance with the requirements for the "Parking, Storage or Use of Major Recreational Equipment and Vehicles."
8. Signs, in conformance with *Chapter 7 – Sign Regulations* of this Land Development Code.
9. Private domestic greenhouses.
10. Pool cabanas, laundry buildings, restroom/shower buildings, park office building, and other similar uses accessory to a Mobile Home Park or Mobile Home Subdivision.

~~F. Special Exception Uses – In order to allow for certain uses which, because of the unique or unusual character thereof, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the "Zoning Board of Adjustment" may, after public hearing thereon, authorize and grant the issuance of a "Special Exception" for such special exception uses as allowed in Section 3.24 - "Schedule of Permitted Principal Uses." The issuance of such "exception" by the "Board" shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time thereof, when appropriate, so as to properly protect any adjacent property, use or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land or buildings granted.~~

~~GE. Prohibited Uses – Any use not expressly authorized and permitted herein is expressly prohibited in this district, unless otherwise allowed in conformance with the provisions for the "Classification of New and Unlisted Uses."~~

~~HG. Density, Area, Yard, Height, and Lot Coverage Requirements – The requirements regulating the maximum permissible residential density, minimum lot size, minimum yard sizes (front, side and rear), maximum building height (stories and feet), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of Section 3.24 - "Schedule of District Regulations" and other applicable provisions of Section 3.28 - "Supplementary District Regulations."~~

~~IH. Off-street Parking and Loading Requirements – Off-street parking and loading requirements pertaining to uses allowed in this district shall conform with the provisions for the "Off-Street Parking Requirements" and "and" "Off-Street Loading Requirements."~~

~~J. Site Plan and Supporting Documents Required – Any application for a change in zoning district boundaries on the Official Zoning Map affecting this district, or for a "Special Use Permit" to be issued in this district, shall be accompanied by a site plan and supporting document therefor, unless otherwise waived by the Planning and Zoning Commission or Zoning Board of Adjustment, in conformance with the provisions of Chapter 1 – General Provisions of this Land Development Code.~~

Section 3.17 CPO - Professional Office Commercial District

A. Purpose – This district is designed to be compatible adjacent to or near residential areas and so as to provide office services needed by homeowners on a usual basis. The lot size maximum is small to encourage small-scale developments, and hours of operation do not permit businesses to be open at night.

B. Permitted Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

C. Special Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

D. Site Requirements

Colleyville, Texas, Land Development Code

Minimum lot size: — 7, 200 s.f.	Minimum setbacks:	Max. Building height in stories: — 2 st.
Maximum lot size: 1 acre	front: 40 ft.	Max. building height in feet: — 35 ft.
Minimum lot width at front setback line: 100 ft.	side abutting residential: 25 ft. side abutting non-residential: 15 ft.	Max. building height adj. to residential district: see Sec. 24
Minimum lot depth: 120 ft.	rear abutting residential: 25 ft.	
Maximum lot coverage: 40%	rear abutting non-residential: 10 ft.	

E. Supplementary Requirements

General:	Landscaping Plans:	Off-Street Parking:
- outdoor storage is not permitted	- required as per Chapter 4	- as required by Sec. 3.29
- uses adjacent to single family uses must be screened as per Sec. 3.26	Commercial Bldg. Design Std.	Site Plans:
- may be operated in daytime only	- each site must have a minimum of — 25 points as per Chapter 56 — as required per Chapter 6	- plans must be submitted in accordance with Sec. 3.31

Section 3.18 CN - Neighborhood Commercial District

A. Purpose – This district is designed to be compatible adjacent to or near residential areas and to provide goods needed by homeowners on a usual basis. The lot size maximum is small to encourage small-scale developments, and hours of operation do not permit businesses to be open at night.

B. Permitted Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

C. Special Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

D. Site Requirements

General Requirements:	PRIMARY USE & STRUCTURE:	Accessory Use & Structure:
Minimum lot size: 10,000 s.f.	Minimum setbacks:	Permitted per Sec. 3.24 & 3.2827
Maximum lot size: 1 acre	front: 40 ft.	
Minimum lot width at front setback line: 100 ft.	side abutting residential: 25 ft.	
Minimum lot depth: 120 ft.	side abutting non-residential: 15 ft.	
Maximum lot coverage: 40%	rear abutting residential: 25 ft.	
	rear abutting non-residential: 10 ft.	
	Max. Building height in stories: 2 st.	
	Max. building height in feet: 35 ft.	
	Max. building height adj. To residential district: see Sec. 24	

E. Supplementary Requirements

General:	Landscaping Plans:	Off-Street Parking:
- outdoor storage is not permitted	- required per Chapter 4	- as required by Sec. 3.29
- uses adjacent to single family uses must be screened as per Sec. 24	Commercial Bldg. Design Std.	Site Plans:
- may be operated in daytime only	- each site must have a minimum of — 25 points per Chapter 65 — as required per Chapter 6	- plans must be submitted in accordance with Sec. 3.31

Section 3.19 CC1 - Village Retail District

A. Purpose – This district is oriented to general commercial retail goods and services as well as some office, entertainment and community facility uses. While the district is designed to encourage “clustering” stores, the site requirements allow for a smaller scale than a shopping center type development. It is likely that Village Retail centers will be built without a major anchor store and be located near but not at major street intersections.

B. Permitted Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

C. Special Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

D. Site Requirements

General Requirements:	PRIMARY USE & STRUCTURE:	Accessory Use & Structure:
Minimum lot size: 15,000 s.f.	Minimum setbacks:	Permitted per Sec. 3.24 & 3.2827
Maximum lot size: 5 acres	front: 40 ft.	
Minimum lot width at front setback line: 150 ft.	side abutting residential: 25 ft.	
Minimum lot depth: 120 ft.	side abutting non-residential: 15 ft.	
Maximum lot coverage: 50%	rear abutting residential: 25 ft.	
	rear abutting non-residential: 10 ft.	
	Max. Building height in stories: 2 st.	
	Max. building height in feet: 35 ft.	
	Max. building height adj. To residential district: see Sec. 3.24 (A&B)	

E. Supplementary Requirements

General:	Landscaping Plans:	Off-Street Parking:
- outdoor storage is not permitted	- required as per Chapter 4	- as required by Sec. 3.29
- uses adjacent to single family uses must be screened as per Sec. 24	Commercial Bldg. Design Stds.	Site Plans:
- may be operated 24 hours/day	- each site must have a minimum of 30 points as defined by Chapter 56 as required per Chapter 6	- plans must be submitted in accordance with Sec. 3.31

Section 3.20 CC2 - Shopping Center District

A. Purpose – This district is oriented to general commercial goods and services as well as office, entertainment and community facility uses. By nature, shopping center tracts are large-scale usually accommodating a large anchor store and several smaller stores. These tracts are generally located at major street intersections.

B. Permitted Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

C. Special Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

D. Site Requirements

General Requirements:		<u>PRIMARY USE & STRUCTURE</u>	Accessory Use & Structure
Minimum lot size:	20,000 s.f.	Minimum setbacks:	Permitted per Sec. 3.24 & 3.28 27
Maximum lot size:	none	front: 40 ft.*	
Minimum lot width at front setback line:	150 ft.	*see Sec. 23 (D) for special "urban Village" front yard setback.	
Minimum lot depth	120 ft.	side abutting residential: 25 ft.	
Maximum lot coverage	60%	side abutting non-residential: 15 ft.	
		rear abutting residential: 25 ft.	
		rear abutting non-residential: 10 ft.	
		Max. Building height in stories: 2 st.	
		Max. building height in feet: 35 ft.	
		Max. building height in PUD: 4 st.	
		Max. building height adj. To residential district: see Sec. 3.24 (A&B)	

E. Supplementary Requirements

General: - outdoor storage is not permitted - uses adjacent to single family uses must be screened as per Sec. 3.24 - may be operated 24 hours/day	Landscaping Plans: - required as per Chapter 4 Commercial Bldg. Design Stds. each site must have a minimum of 25 points as defined by Chapter 56 as required per Chapter 6	Off-Street Parking: - as required by Sec. 3.29 Site Plans: - plans must be submitted in accordance with Sec. 3.31
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Section 3.21 CC3 - Highway Commercial District

A. Purpose – This district would permit uses that do not fit within the retail or manufacturing categories. Service and retail uses associated with outdoor storage, noise, especially auto repair and service and others would be permitted. The minimum lot size is less than the Shopping Center District to allow for more flexibility of uses. It is anticipated that most of these districts would not be located near residential districts.

B. Permitted Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

C. Special Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

D. Site Requirements

General Requirements:		<u>PRIMARY USE & STRUCTURE:</u>	Accessory Use & Structure:
Minimum lot size:	10,000 s.f.	Minimum setbacks:	Permitted as per Sec. 3.24 & 3.28 27
Maximum lot size:	none	front: 40 ft.	
Minimum lot width at front setback line:	150 ft.	side abutting residential: 25 ft.	
Minimum lot depth	120 ft.	side abutting non-residential: 15 ft.	
Maximum lot coverage	70%	rear abutting residential: 25 ft.	
		rear abutting non-residential: 10 ft.	
		Max. Building height in stories: 2 st.	
		Max. building height in feet: 35 ft.	
		Max. building height adj. to residential	

district: see Sec. 3.24 (A&B)

E. Supplementary Requirements

General: - outdoor storage is permitted - uses adjacent to single family uses must be screened as per Sec. 3.24 - may be operated 24 hours/day.	Landscaping Plans: - required as per Chapter 4 Commercial Bldg. Design Stds: each site must have a minimum of 20 points as defined by Chapter 56 <u>as required per Chapter 6</u>	Off-Street Parking: - as required by Sec. 3.29 Site Plans: - plans must be submitted in accordance with Sec. 3.31
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Section 3.22 ML - Light Manufacturing District

A. **Purpose** – This district would permit uses that involve the fabrication of products or have outdoor storage, noise, odors or other objectionable aspects that would not be compatible in retail or service areas. This district is limited to those uses that are not retail in nature or in some cases those that need outdoor space.

B. Permitted Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

C. Special Uses

1. See Table 3.24.B - Schedule of Permitted Principle Uses

D. Site Requirements

General Requirements: Minimum lot size: 10,000 s.f. Maximum lot size: none Minimum lot width at front Setback line: 100 ft. Minimum lot depth: 120 ft. Maximum lot coverage: 60%	PRIMARY USE & STRUCTURE: Minimum setbacks: front: 40 ft. side abutting residential: 25 ft. side abutting non-residential: 15 ft. rear abutting residential: 25 ft. rear abutting non-residential: 10 ft. Max. Building height in stories: 2 st. Max. building height in feet: 35 ft. Max. building height adj. To residential district: see Sec. 3.24 (A&B)	Accessory Use & Structure: Permitted per Sec. 3.24 & 3.29 27
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E. Supplementary Requirements

General: - outdoor storage is permitted - uses adjacent to single family uses Must be screened as per Sec. 3.24 - may be operated 24 hours/day.	Landscaping Plans: - required as per Chapter 4 Commercial Bldg. Design Stds: each site must have a minimum of 30 points as defined by Chapter 56 <u>as required per Chapter 6</u>	Off-Street Parking: - as required by Sec. 3.29 Site Plans: - plans must be submitted in accordance with Sec. 3.31
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Section 3.23 PUD – Planned Unit Developments

(Ord. O-05-1529 / 06/21/05)

A. **Purpose** - The purpose of a Planned Unit Development (PUD) is to provide for greater flexibility and discretion in the approval of residential, non-residential and mixed use developments by encouraging creative, efficient and aesthetically desirable residential and commercial projects that are superior to what could be accomplished in other zoning districts through the use of increased open spaces, greenbelts, or

by providing enhanced amenities or features within the development that will be of special benefit to the property owners or to the community.

- B. Ordinance Required and Effect on Official Zoning Map – Every Planned Unit Development approved under the provisions of this section shall be considered an amendment to the Land Development Code and Official Zoning Map of the City of Colleyville, Texas. In approving any request for a Planned Unit Development district, the City Council shall, upon recommendation of the Planning and Zoning Commission, incorporate in the approving ordinance reference the approved site plan, supporting documents and include other conditions or restrictions imposed on the project by the Commission, including those of the Council. The approval and adoption of the amending ordinance by the City Council shall result in the appropriate change to the “Official Zoning Map.”
- C. General Development Standards – The standards and requirements set forth in the Land Development Code shall be applicable to every Planned Unit Development, except where a new or different standard or requirement has been set forth in the ordinance establishing the PUD district. Such standards or requirements may be in addition to or in lieu of a development standard contained in the Land Development Code. The ordinance creating the Planned Unit Development may establish these requirements specifically in the ordinance or by reference to another zoning district.
- D. Classification of Planned Unit Developments – The approving ordinance establishing a Planned Unit Development shall include one of the following classifications, which shall also be shown on the Official Zoning Map using the applicable letter symbol.

Planned Unit Development Classifications		
PUD Classification	Planned Unit Development- Residential	Planned Unit Development - Commercial
Map Symbol	PUD-R	PUD-C
Classifications Defined	Planned developments containing primarily residential dwelling units, which may be grouped into clusters and may have a higher density than a conventional single family project of the same acreage, shall be classified as Planned Unit Development – Residential. A PUD-R may also contain a portion of non-residential uses.	Planned developments containing primarily non-residential uses, such as commercial, office, professional services, retail, institutional and industrial uses, or combinations thereof, shall be classified as Planned Unit Development – Commercial. A PUD-C may also contain a portion of residential uses.

- E. Permitted Uses – The uses permitted in a Planned Unit Development shall be enumerated in the approving ordinance with land use descriptions consistent with the Table of Permitted Uses, contained elsewhere in this Land Development Code. A Planned Unit Development may allow a combination of land uses, a specific use, or a class of generic uses, such as single family residential, office, retail, commercial or educational facilities, or a reference to another zoning district.
- F. Prohibited Uses – Uses not expressly permitted in the ordinance approving the Planned Unit Development shall be prohibited.
- G. Maximum Residential Density – The maximum residential density permitted in a PUD-R district, or in a PUD-C district where residential uses are proposed, shall not exceed 1.8 dwelling units per gross net acre. For the purpose of this regulation, the density calculation shall include all residential areas of the project and one-half of any abutting street situated adjacent to the project. This calculation shall exclude all proposed non-residential acreage and street rights-of-way from the gross-net acreage.
- ~~H. Density Bonus – A proposal for a PUD-R or a PUD-C containing a residential density exceeding 1.8 dwelling units per acre may be considered where the amount of open space area provided exceeds the minimum open space requirement or where additional amenities are provided within the open space area. A PUD proposal which contains a density exceeding 1.8 dwelling units per acre shall only be acceptable in an area consistent with sound land use planning, such as a transitional area situated between a non-~~

~~residential area and less dense residential developments, or near a major street intersection, or for smaller parcels with unique topographical features that make less dense development economically difficult.~~

Commented [BB29]: No density bonus desired

- I. ~~Minimum Residential Lot Size~~ — Notwithstanding Paragraph G above regarding maximum density, ~~the minimum lot size in a PUD-R district shall be 13,000 square feet, with an average lot size of 16,000 square feet. No lot shall have less than 100 feet of width at the building line. The minimum lot size in a Planned Unit Development district shall be stated in the approving ordinance.~~

Commented [BB30]: The PUD ordinance will determine minimum lot standards for area dimension (size, width & depth)

- J. Open Space Requirements – All requests for approval of a Planned Unit Development shall include provisions for open space areas in conformance with the following:

1. *Residential Areas* – For all residential uses, common open space land, comprising not less than twenty percent (20%) of the gross residential project area, shall be provided for the primary use of the occupants of the residential units.
2. *Non-Residential Areas* – For all non-residential uses, open space land, comprising not less than twenty percent (20%) of the non-residential area, shall be provided. Said open space area may be the same area as the landscaped area required elsewhere in this Land Development Code.
3. *Definition of Common Open Space*. For the purpose of this section, common open space is defined as follows:
 - a. Common Open Space may include:
 - i. land area of the development used for aesthetic, leisure and recreational purposes, that is accessible to and permanently reserved for the common use and enjoyment of the occupants of the development,
 - ii. golf courses, parks, and public open space areas adjacent to the development, which are readily accessible,
 - iii. low-impact passive uses include conservation of open land in its natural state (for example, woodland, fallow field, or meadow), neighborhood squares, common areas, picnic areas, community gardens, walking trails, bikeways, other kinds of pathways, and similar low-impact passive recreational uses, or
 - iv. active recreation uses including recreational playing fields, playgrounds, tennis courts, neighborhood pools, and clubhouse structures.
 - b. Common Open Space shall not include:
 - i. land areas reserved for the exclusive use and benefit of an individual owner or tenant,
 - ii. public or private street right-of-way, parkways, alleys, driveways, parking or loading areas,
 - iii. religious institutions or private school sites, or
 - iv. street medians or islands.
2. *Open Space Design Requirements*.
 - a. An application for a Planned Unit Development that includes a common open space area shall include a written description or a plan of amenities, such as landscaped areas, trees and shrubs, sidewalks and trails, benches, pavilions, and play areas, to be included in the open space areas.
 - b. The maximum amount of common open space used for storm water detention or retention purposes shall not exceed twenty-five (25%) of the common open space area. If the open space area contains a retention pond, the pond shall include at least one (1) aeration device, such as a fountain, waterfall or underwater device.
 - c. Common open space areas adjacent to street rights-of-way shall be a minimum depth of twenty-five (25) feet and shall be landscaped to include the retention or planting of one (1) three (3") inch caliper tree per each fifty (50) feet of street frontage, which may be clustered or distributed within the open space area.

3. **Guarantee of Common Open Space.** In order to guarantee the preservation and maintenance of the common open space, one of the following methods shall be required:
- a. **Public Open Space** – Common open space may be conveyed to the City or other public agency, provided the public agency accepts the conveyance and agrees to maintain the common open space and any buildings, structures or other improvements.
 - b. **Private Open Space** – Common open space may be conveyed to a homeowner's association or property owner's association, provided the declaration of covenants and restrictions that govern the association include, but is not limited to, the following:
 - i. the establishment of the association is made before any lot in the development is sold or any building occupied,
 - ii. membership in the association is mandatory for each building or property owner and any successive owner and give the association the power to compel contributions from residents of the development to cover their proportionate shares of the costs associated with the maintenance and upkeep of the common open space areas,
 - iii. ownership and maintenance of the common open space is guaranteed by a restrictive covenant, which is permanent, running with the land for the benefit of the occupants of the development and state that the association is totally responsible for the maintenance of the common open space and any improvements,
 - iv. submittal of a draft copy of the proposed covenants at the time of preliminary platting, which will ensure the guarantees stated in this section and provides for restricting the use of common spaces for the designated purposes, and
 - v. the plat contains a note stating that the common open space shall be maintained by the home owners association
- K. **Special Submittal and Exhibit Requirements** – To facilitate the review and public hearing process, all applications for a Planned Unit Development shall include the following documents and exhibits:
- 1. **Application** – These forms are furnished by the Administrative Official.
 - 2. **Application Fee** – No application shall be processed or scheduled for public hearing until the application fee has been paid.
 - 3. **Statement of Planning Objectives** – The developer shall provide a written statement of planning objectives which describes the nature and character of the proposed development, any proposed development standards, and the rationale behind the assumptions and choices made by the applicant, including use and ownership of any open spaces, etc.
 - 4. **Legal Description** – A written metes and bounds description of the total site area proposed for the Planned Unit Development.
 - 5. **Development Schedule** – A development schedule indicating the target dates for the start and completion of the project, including any key dates of phasing of the project. The development schedule, if adopted and approved by the City Council, shall be incorporated into the approving ordinance, which shall be adhered to by the owner, developer and his successors in interest.
- If upon review by the Administrative Official, the owner or owners of property fail to meet the approved schedule, the Planning and Zoning Commission or City Council may initiate proceedings under Chapter 1 – General Provisions of this Land Development Code regarding "Amendments, Frequency of Petition and Site Plan Requirements: Zoning and Special Use Permits," to amend the Planned Development District by removing all or part of the Planned Development District from the Official Zoning Map and placing the area involved in another appropriate zoning district. Upon the recommendation of the Planning and Zoning Commission and for good cause shown by the owner and developer, the City Council may also extend the development schedule or adopt such new development schedule as may be indicated by the facts and conditions of the case.
- 6. **Site Plan** – The Site Plan, which may be conceptual and general in nature, but in sufficient detail appropriate for the type of development being proposed and shall at a minimum include the following items, where applicable:
 - a. Proposed layout, indicating the approximate size and dimensions of all residential and non-residential lots
 - b. Proposed land uses and building locations

- c. General elevation drawings of all non-residential structures indicating building height
- d. Landscaping, lighting, fencing and screening of common areas
- e. General locations of existing tree clusters
- f. Location and construction type of perimeter fencing
- h. Design of ingress and egress with description of any special pavement treatments
- i. Calculations and location of off-street parking and loading facilities
- j. Location and type of all commercial signage and lighting, including pole heights, for parking lots and common areas
- k. Location and description of subdivision signs and landscaping at entrance areas
- l. Street names on all proposed streets

Exception: A Planned Unit Development application may be submitted and approved without a Site Plan, if the approving ordinance contains sufficient written detail to establish all site criteria.

- 7. **Drainage Analysis** – The applicant shall submit a Preliminary Drainage Analysis to determine the need for drainage facilities. The Preliminary Drainage Analysis shall be prepared in accordance with drainage analysis requirements contained in *Chapter 14 – Engineering Design Standards* of the Land Development Code.

- L. **Optional Preliminary Plat Submittal** – To expedite a development proposal, a developer may submit a separate application for a Preliminary Plat, which meets all of the requirements specified in Chapter 8 of this Land Development Code for a Preliminary Plat submittal, and which may be processed and reviewed concurrently with a PUD application, provided that no Preliminary Plat application shall be approved prior to the approval of the PUD application. The developer shall request a waiver of the 30 day time limit for Preliminary Plat approval where such applications run concurrently with a PUD application.

M. **Approval Process**

- a. **Application** – An application for a Planned Unit Development shall be submitted and processed using the same requirements used for submittal of a rezoning request, which shall be reviewed and considered in accordance with the procedures specified in Chapter One of this Land Development Code.
- b. **Conditions Related to Approval** – In establishing a Planned Unit Development, each application shall be evaluated by the Planning and Zoning Commission and City Council as to its probable effect on the adjacent property and the community. The Planned Unit Development may be approved or denied as the findings indicate appropriate. The Planning and Zoning Commission may recommend and the City Council may approve safeguards or conditions of approval to reduce the effect on adjacent or surrounding properties, which may include any or all of the following site conditions:

- | | |
|-------------------------------------|---|
| i. Accessory buildings | xi. Lot sizes and dimensions |
| ii. Building and structure heights | xii. Outside storage and display |
| iii. Drainage | xiii. Pedestrian circulation |
| iv. Exterior construction materials | xiv. Public street access |
| v. Exterior lighting | xv. Refuse and waste storage |
| vi. Fire protection measures | xvi. Screening or buffer areas |
| vii. Hours of operation | xvii. Signs |
| viii. Land uses | xviii. Vehicle traffic, circulation, and parking lots |
| ix. Landscaping and open space | xix. Other conditions deemed appropriate |
| x. Lot coverage, density & setbacks | xx. Project phasing and development schedule |

- c. **Modification of a PUD requirement** – The Planning and Zoning Commission may recommend and the City Council may approve a proposal for a Planned Unit Development that includes a provision which modifies any requirement contained in these Planned Unit Development regulations.
- d. **Amending a Planned Unit Development** – Changes to a Planned Unit Development or to its approved Site Plan shall be processed in the same manner as the original request. However, the administrator of this Code may approve minor modifications in an approved Concept Plan, provided the modifications:
 - i. Do not alter the basic physical relationship of the property to adjacent property;
 - ii. Do not change the permitted land uses;

- iii. Do not increase the maximum density, floor area, height; or,
- iv. Do not reduce the minimum yards or setbacks.

N. Effect of this Section on Existing Planned Unit Developments – Previously approved PUD amending ordinances to the City's preceding zoning ordinance and Land Development Code, including accompanying plans and supporting documents, shall remain in full force and effect with respect to this Chapter and shall not be made to comply with the provisions of this Chapter. Where a prior ordinance fails to provide specific information regarding minimum lot sizes, lot width, lot depth, set backs, building heights and maximum lot coverage, the requirements contained in Section 3.24.G shall prevail.

Section 3.24 Schedule of Permitted Uses

- A. General Requirement and Symbols Used – Land and buildings may be used in accordance with Table 3.24.C, *Schedule of Permitted Principal Uses* and the additional requirements of this section. The following symbols are used in Table 3.24.C, *Schedule of Permitted Principal Uses*:
1. *Permitted Uses* – A "P" in a cell indicates that the use is allowed by right as the principal use in the applicable zoning district in accordance with Table 3.24.C, *Schedule of Permitted Principal Uses*.
 2. *Specific Uses* – An "S" in a cell indicates that the use may be allowed with the approval by the City Council of a Special Use Permit following the applicable review and approval procedures.
 3. *Prohibited Uses* – An empty cell indicates that the land use is prohibited in the applicable zoning district, unless otherwise allowed with the approval by the City Council of an ordinance establishing a Planned Unit Development District, or authorized by a Special Use Permit, or in conformance with the provisions contained in Section 3.6.B-*Classification of New and Unlisted Uses*.

Table 3.24.B- - Schedule of Permitted Principal Uses

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards or Section Ref.	Parking Group	
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
A. RESIDENTIAL ACCOMODATION USES																		
Single Family Detached Dwelling	P	P	P	P	P	P	P	P	P								8	3
Duplex – Attached Dwelling							P	P									8	2
Townhome – Attached Dwellings								P									8	4
Multi-family – Attached Dwellings								P									8	4
HUD Code Manufactured Housing									P								8	2
Assisted Living Facilities	PUD only															2	17	
Bed and Breakfast Lodging	S	S	S	S	S	S	S	S									1,8	18
Private (HOA) Recreational Facilities		P	P	P	P	P	P	P	P								9	5
B. ACCESSORY USES																		
Accessory Building	P	P	P	P	P	P	P	P	P								Sec. 3.27	n.a.
Carport	S	S	S	S	S	S	S	S	S								Sec. 3.27.C	n.a.
Home Occupations Uses	P	P	P	P	P	P	P	P	P								8	n.a.
Servants or Caretakers Quarters <u>Accessory Dwelling</u>	P	P	S	S	S										S		16	1
C. AGRICULTURAL USES																		
Commercial equestrian boarding stable and school	P	S															17	25
Crop Farming	P	P																n.a.
Livestock raising and breeding	P	P															12	n.a.
Private horse stables for domestic use	P	P	P	S	S													n.a.
Roadside produce stands (year round)	S	S	P	P	P	P	P	P	P									n.a.
D. UTILITY USES																		
Electrical Substations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S			21

Commented [BB31]: Only applies to AG & RE districts

Public Utility Supply and Storage Yards	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	
Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Solid Waste Disposal Sites															S		24	
Telecommunications Towers	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	3	21	
Water Pumping Stations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	
Wind Driven Generators	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		n.a.	
E. PUBLIC AND INSTITUTIONAL USES																		
Colleges or Universities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		12	
Community Centers or Recreation Centers	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		5	
Government Buildings, Offices and Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		8	
Fire Stations / Police Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		16	
Golf Courses – Public Owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		22	
Government Maintenance Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25	
Libraries										P	P	P	P	P	P		9	
Museums										P	P	P	P	P	P		8	
Post Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		10	
Parks and Open Space Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25	
Public Maintenance and Storage Buildings	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		25	
Private Schools – Elementary and Secondary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		13	
Private Schools – High School	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		14	
Public Schools – Elementary and Secondary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		13	
Public Schools – High School	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		14	
Religious Institutions	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		18	
F. OFFICE USES																		

Commented [BB32]: Not a desired use

Commented [BB33]: Not appropriate in residential districts

Accountant's Offices																P	P	P	P	P	S		8
Table 3.24.B- - Schedule of Permitted Principal Uses																							
Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards	Parking Group						
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML								
Advertising Agencies											P	P	P	P	P	S							8
Attorney Offices											P	P	P	P	P	S							8
Chiropractic Clinics											P	P	P	P	P	S							8
Emergency Clinic (24 hrs.)													S	P	P	S	10						6
Engineering, Architect's, and Surveyor's Offices											P	P	P	P	P	S							8
General Business Offices not elsewhere listed											P	P	P	P	P	S							8
Insurance Agencies											P	P	P	P	P	S							8
Management and Public Relations Services Offices											P	P	P	P	P	S							8
Optometrist Office											P	P	P	P	P	S							8
Psychologist Offices											P	P	P	P	P	S							8
Physician's or Dentist's Offices											P	P	P	P	P	S	5						7
Real Estate Agency Offices											P	P	P	P	P	S							8
Security Broker Offices											P	P	P	P	P	S							8
Telemarketing Offices													P	P	P	S							5
Title Abstract Offices											P	P	P	P	P	S							8
Trade or Business Schools													S	S	S	P							15
Travel Agency / Airline Ticket Offices											P	P	P	P	P	S							8
G. RETAIL AND SERVICE USES																							
Alcoholic Beverage Sales – (Beer and Wine Only) – Off-Premises Consumption													S	S	S			13					n.a.
Alcoholic Beverage Sales – On-premises Consumption													S	S	S			13					n.a.
Package Store Sales – Off-premises Consumption													S	S	S			13					n.a.
Alcohol or Drug Treatment Center											S	S	S	S	S	S							24

Commented [BB34]: Permitted in restaurant that meets 60/40 alcohol food ratio (no more than 60% of total receipts for alcohol)

Antique Stores														P	P	<u>P</u>			7
Table 3.24.B- - Schedule of Permitted Principal Uses																			
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group	
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML				
Apparel and Accessory Stores												P	P	<u>P</u>				7	
Arts and Crafts Stores and Hobby Shops												P	P	<u>P</u>				7	
Bakery Stores												P	P	<u>P</u>				7	
Banks, Credit Unions and Financial Institutions											P	P	P	<u>P</u>				8	
Barber Shops, Beauty Shops and Day Spas											P	P	P	<u>P</u>		10		7	
Bicycle Shops												P	P	<u>P</u>				7	
Book, Stationary or Greeting Card Shops												P	P	P				7	
Camera or Music Stores												P	P	<u>P</u>				7	
Carnivals and Circuses												S	S					24	
Cemeteries or Mausoleums										S	S	S	S	S	S			24	
Charitable Donation Station												S	S	S				24	
Civic, Social or Fraternal Organizations										S	S	P	P					7	
Convenience Stores with gasoline sales												S	S	S	S			7	
Copy Centers/Print Shops										S	S	P	P	P	P			7	
Dance Studios, and Martial Arts Studios, and Cheerleading & Gymnastics Facilities										S	S	P	P	<u>P</u>	<u>P</u>			7	
Day Care Centers										S	S	S	S	S		17		11	
Department Stores												P	P	<u>P</u>				7	
<u>Dog Boarding with indoor kennels</u>													<u>P</u>	<u>P</u>	<u>P</u>	<u>4</u>		<u>8</u>	
<u>Dog Boarding with outdoor kennels</u>													<u>S</u>	<u>S</u>	<u>S</u>			<u>8</u>	
<u>Dog Grooming</u>													<u>P</u>	<u>P</u>	<u>P</u>			<u>8</u>	
Dry Cleaner Pick-up Stations											S	P	P	<u>P</u>				7	
Dry Cleaners (up to 5,000 s. f. w/on-site laundry)												P	P	<u>P</u>				7	

Equipment Rental and Leasing Stores																S	P		7
Florist Shops											P	P	P	P					7
Food Catering													P	P	P				8
Funeral Homes													S	S	S				24
Furniture and Appliance Stores													P	P	P				9
General Retail Store (not listed elsewhere)													S	S	S				7

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Grocery Stores												P	P	P		18	7	
Hardware, electrical & plumbing w/o outside display											P	P	P	P				
Hardware , electrical & plumbing with outside display													S	P	P			
Hospitals												S	S	S			24	
Hotels and Motels												S	P	P			19	
Interior-Home Decoration Stores										P	P	P	P	P			7	
Jewelry Stores											P	P	P	P			7	
Locksmiths											S	S	P	P	P		8	
Mailing and Shipping Stores											P	P	P	P	P		7	
Meat or Fish Market												P	P	P			7	
Nurseries and Greenhouses with outside display													S	P	P		16	
Pawn Shops															P	S	7	
Pet Stores												P	P	P			7	
Pharmacy											S	P	P	P			7	
Photography Studios										P	P	P	P	P	P		8	

Commented [BB35]: Catch-All Category

Purchasing and/or resale of precious metals including jewelry, gem stones, gold, silver, and platinum and not licensed as a Pawn Shop by the State of Texas												\$	\$	\$	S		7
Restaurants, Cafes and Cafeterias												P	P	P			5
Restaurants with drive-in or drive-thru service													P	P			5
Second hand goods shop												S	S	S			7
Self-service Laundries											S	S	S	S			7
Short Term Loans (Title/Payday)																S	7
Second-hand-goods-shop												\$	\$	\$			7
Self-service-Laundries												\$	\$	\$	\$		7

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML		
Sporting Goods Store												P	P	P			
Shoe Repair Shops											P	P	P	P			8
Tailor and Alteration Shops											P	P	P	P			8
Veterinarian Clinic with indoor kennels													P	P	P	4	8
Veterinarian Clinic with outdoor kennels													S	P	P		8
Video Rental and Sales Stores												P	P	P			7
Wedding Chapels												S	S	S	S		24

H. RECREATIONAL AND ENTERTAINMENT USES

Adult Entertainment Establishments	See section 22-5 Code of Ordinances																5
Amusement Centers (indoors)												\$ P	\$ P	P	S		247
Archery and Firearms Ranges														S	S	6	24

Commented [JR36]: City Attorney reviewing this use

Commented [BB37]: New use

Commented [BB38]: New use

Billiard Parlors														S	S	<u>S</u>		17	23
Commercial Recreation (outdoor)	S												S	S	S	S	S		24
Fitness Centers													<u>S</u>	P	P	P	<u>P</u>		7
Golf Courses – Privately Owned	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	P	P	P	P	P	P	P		22
Golf Driving Ranges													<u>S</u>	P	P	<u>S</u>	<u>S</u>		22
Miniature Golf Courses														P	P	<u>S</u>			20
Roller or Ice Skating Rinks													<u>S</u>	S	S				24
Theaters														P	P	<u>P</u>	<u>S</u>	7	18
I. AUTOMOTIVE AND TRANSPORTATION USES														<u>S</u>	<u>S</u>			<u>17</u>	<u>23</u>
Airports and Heliports	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24
Auto Alarm / Stereo / Window Tinting Stores															P	P	P	13	7
Auto Lube Shops															S	P	P	13	9
Automotive and Motor Vehicle Sales															S	S	S	13	8

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Auto Parts and Accessory Stores												P	P	P	P	13	7	
Auto, Truck or Trailer Rental													S	S	S	13	8	
Auto Upholstery Shops														P	P	13	9	
Auto Parking Lots and Garages (free standing)										S	S	S	S	S	S		n.a.	
Auto Repair Shop													S	S	S	13	9	
Boat and Water-craft Sales and Service													S	S	S	13	8	
Bus or Passenger Train Stations												S	S	S	S		24	

Car Wash (self service and automatic)																		S	P		9
Commuter Transit Stations														S	S			S	S		24
Gasoline Service Stations																		S	S	13	7
LPG / CNG Dispensing Stations																		S	S		24
Motorcycle Sales and Service																		S	S	13	8
Paint and Body Shops																		S	S	13	9
Park and Ride Facilities														S	S			S	S		24
Railroad or Motor Freight Terminals																		S	S		24
Recreational Vehicle Sales and Service																		S	S	13	8
Tire and Battery Stores																		S	S	13	7
Truck and Heavy Equipment Sales and Service																		S	S	13	8
Vehicle Storage Yards or Facilities														S	S			S	S		24

J. HEAVY COMMERCIAL, INDUSTRIAL & MANUFACTURING USES

Appliance Repair Shops																		S	S		8
Building Material Sales with outside storage																		S	P		7

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District										Non-Residential Districts							Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML				
Commercial Laundry															S	S			24
Contractor Office with storage yard															S	S			24
Contractor Office without storage yard															P	P			8
Electronic Assembly or Manufacturing																P			25
Exterminator Shop															S	S			24

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Food Packaging and Manufacturing																	S		24
Furniture and Cabinet Manufacturing																	P		25
Office Showroom																	P		25
Oil and Gas Extraction	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	See Ch. 3.1	24
Plumbing, HVAC and Electrical Trades Shops																	P	P	8
Printing and Publishing - Commercial																	P		8
Plumbing, HVAC and Electrical Trades Shops																	P	P	8
Printing and Publishing - Commercial																	P		8
Research and Development Labs																	P		8
Scientific Instrument Assembly and Manufacturing																	P		8
Self Storage Facilities (mini-warehouse)																	S		24
Upholstery and Furniture Repair Shops																	P	P	8
Warehouse and Distribution Facilities																	S		24
Wood, Paper or Leather Products																	P		25
Manufacturing not elsewhere listed																	S		24
Welding or Machine Shop																	P		25
<u>Wholesale Store/Supply</u>																	<u>P</u>		<u>25</u>
<u>Wholesale Store/Supply with outdoor storage</u>																	<u>S</u>		<u>24</u>

Commented [BB39]: Duplicate listings

Commented [BB40]: New Uses

C. Special Land Use Standards – The following Special Land Use: Standards, which are referenced in the Special Land Use Standards column of Table 3.24.B, Schedule of Permitted Principal Uses, refer to additional standards and requirements that are applicable to the listed land use.

1. Bed and Breakfast – A Certificate of Occupancy (C.O.) is required prior to occupancy of the premises as a bed & breakfast. The C.O. shall be obtained after an inspection has determined that the structure is in compliance with all applicable current codes and ordinances of the City of Colleyville and the following additional conditions:
 - a. The structure is structurally sound.
 - b. There are no clear and present dangers as to fire and fire safety.
 - c. The plumbing is in compliance with the currently adopted code requirements for the zoning district in which it is located.
 - d. The electrical system is in compliance with the currently adopted Electrical Code for the zoning district in which it is located.
 - e. Smoke detectors shall be placed in each individual bedroom which is offered for public use and smoke detectors shall also be placed in any hallway adjacent thereto.
 - f. Signs, not exceeding one and one-half (1-1/2) square feet, shall indicate only the address and the establishment name.
 - g. Off-street parking shall be located behind the front building line of the structure and shall be screened from public view, and shall be provided in the following manner: one space per bedroom offered for temporary rental in addition to that required for the zoning district in which it is located.
 - h. The total rental bedroom area of the structure shall not exceed twenty-five (25) percent of the total floor area of the dwelling.

Also, in order to continue operation:

- i. Annual inspections shall be required for each bed and breakfast facility to ensure ongoing compliance with the requirements of this Section.
- ii. Food service shall comply with all provisions of the City Code.
- iii. The structure shall comply with all current City Codes, including, but not limited to Building Codes, Plumbing Codes, Electrical Codes, Fire and Safety Codes, and others as may from time to time be adopted.
- ix. The length of stay for any guest is limited to fifteen (15) consecutive days.

2. Assisted Living Facilities – A facility operated under a certificate of compliance document issued by the Texas Department of Aging and Disability Services, in which food, shelter, and person assistance or supervision are provided for a period of at least 14 days for four or more aged adults who do not require hospitalization or skilled or intermediate nursing care.

Commented [BB41]: Move to Ch. 2 - Definitions

3. Telecommunication Towers – Construction shall be of monopole design only; and

- a. the distance between the base of the tower and any Agricultural (Ag) or residential district or use shall be not less than two (2) times the height of the tower; and
- b. the site plan shall meet all other commercial development requirements of the City such as site plan review, landscaping, setbacks; and
- c. a minimum of one paved parking space shall be provided at the site of the structure.

4. Veterinarian Clinic with indoor kennels – A facility containing indoor kennels shall be subject to the following conditions.

- a. The entire business must be conducted within a soundproofed building. Noise and odors created by activities within the building shall not be discernible beyond the property line.
- b. No animals shall be kept outside the building.

5. Medical and veterinary clinics – Outpatient services only.

6. Archery & firearm ranges – An SUP required in every zoning district, except CN & CC, for sales activity over 9 mo. per year.

7. Movie Theater Uses: A movie theater shall not contain more than six primary projection screens and two secondary executive viewing rooms and shall not exceed 28,500 square feet in total building size. For purpose of this regulation, a secondary executive viewing room shall not exceed a maximum of fifty (50) seats. (O-04-1454 / 4-16-04) (O-05-1538 / 09/06/05)
8. Home Occupation Uses:
- a. No person other than members of the family residing on the premises shall be engaged in such occupation;
 - b. The use of the dwelling unit or accessory building for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
 - c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one (1) square foot in area, non-illuminated, and mounted flat against the wall of the principal building.
 - d. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street on a driveway or other hard surface all weather area;
 - e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses of any adjacent or nearby site occupant. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
 - f. Home occupation uses and activities shall be limited to the following: seamstress; accounting; bookkeeping and tax services; notary public; insurance and real estate; small-scale production of cosmetics and household sundries; private educational, music and dance tutoring; arts, crafts and home hobby shops; garage, yard and patio sales of short temporary duration; mail order brokerage; and other similar activities --- but excluding medical and law offices, auto repair, beauty shops, pet grooming services, kennels and other such activities.
 - g. If a home occupation is deemed to become a nuisance as described in 'e' above, the Administrative Official may halt the use of the home occupation.
9. Private (HOA) Recreational Facilities – Buildings or structures in which members of a neighborhood association may gather for social, educational or cultural activities that are intended to serve the site occupants and guests thereof.
10. Emergency Clinics – Outpatient services only.
11. Livestock Raising and Breeding – A Special Use Permit is required for swine farming.
12. Alcoholic Beverage and Package Store Sales – A Special Use Permit is required for the sale of alcoholic beverages. A package store shall require the approval of a separate Special Use Permit. Any existing Special Use Permit for the sale of alcoholic beverages for off-premise consumption shall only be for beer and/or wine as specified in the approving ordinance and shall not be considered as approval for a package store as defined in Chapter Two. Also refer to Chapter 6 of the Code of Ordinances for additional regulations regarding alcoholic beverage sales.
13. Vehicle Repair – Vehicle repair, including the repair of other motorized vehicles, are permitted in accordance with the Schedule of Permitted Uses, subject to the following conditions.
- a. All repairs and servicing shall be conducted within an enclosed building.
 - b. A business that conducts vehicle repair and is located on property adjacent to a residential use shall provide an six~~eight~~-foot tall solid screen along the property line adjacent to the residential use.

Commented [BB42]: Regulations deemed not needed

Commented [BB43]: Clarification of uses, permitted & non-permitted

Commented [EW44]: Recommended language for clarity of activities allowed

Commented [BB45]: New proposed regulation

Commented [BB46]: Move to Ch. 2 - Definitions

Commented [BB47]: A review of Ch. 6 needed to modify the alcohol to food ratio for total receipts

- c. Except for wrecked vehicles, no more than two vehicles per bay or repair/inspection station that have been accepted for repair or servicing shall be parked/stored outside after regular business hours.
- d. Wrecked or dismantled vehicles waiting for repair shall not be visible from the street or other residential property and shall be stored in an enclosed building or within a completely enclosed area behind a six~~eight~~-foot tall solid masonry screening fence.

Commented [EW48]: Recommended provisions

- 14. ~~Servants or Caretaker Family or Servants Quarters~~ Accessory Dwelling – A secondary dwelling for use by family members or domestic servants employed on the premises or ~~Servants quarters for domestic servants employed on the premises or family members~~ provided the gross habitable square feet of floor area shall not exceed six hundred (600) square feet ~~complies with regulations found in Section 3.27 of this chapter~~ 5% of the lot area. Such quarters may be housed within the principal residential dwelling, above a residential garage, or be part of an accessory building on the same premises, and shall comply with minimum standards for light, health, safety, and occupancy in conformance with other applicable City codes and ordinances.

Commented [EW49]: Recommend change in heading for this section

Commented [EW50]: Same language but relocated to beginning of paragraph

Commented [BB51]: New standards for Accessory Dwellings

- 15. Day Care Centers – A facility operated with a state license for the purpose of providing care, protection and guidance to more than twelve children under the age of fourteen years of age for less than a 24-hour period. This term does not include kindergartens and public and private educational facilities or any facility offering care to individuals for a full 24-hour period.

Commented [BB52]: Move to Ch. 2 - Definitions

- 16. Grocery Stores – A special use permit is required for the use of gasoline pumps in conjunction with a grocery store.

- 17. Billiard Parlor – Compliance with Chapter 10 of the Code of Ordinances is required for a Billiard Parlor.

- 18. Wind Driven Generators – No wind driven generator shall be constructed without approval of a special use permit per Section 3.24 of the Land Development Code.

- a. All wind driven generator towers shall be of a monopole design. All wiring shall be buried underground by means of a conduit system.
- b. A wind driven generator may be considered on lots measuring a minimum of 1.5 acres.
- c. The maximum height of a wind driven generator shall be no greater than 50 feet, measured from the existing ground level to the highest point of the blades.
- d. All wind energy structures, including tower and rotor, shall stand independent of any building or structure and shall have a minimum setback from any property line, right-of-way, power line, or other improvement of 1.5 times the height of the wind energy structure. It shall also be located entirely in the rear yard and shall not be located in any required setback.
- e. The maximum noise level shall not exceed 50 dB(a), measured from the property line, adjacent to any residentially zoned property, and 60 dB(a) adjacent to all other zoning districts.
- f. A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.
- g. The wind tower must either (a) have a locked anti-climb device installed on the tower; or (b) be completely enclosed by a locked, protective fence at least 6 feet in height.
- h. No signage or advertisements shall be allowed on the wind tower.
- i. A maximum of one wind energy system, including the tower, shall be permitted per lot.
- j. A wind driven generator, found to be non-productive or unused, for a period exceeding 180 days, shall be immediately removed from the premise and the site returned to its prior condition, at the expense of the property owner.

- 19. Portable Storage Structures – A portable storage structure is any container, storage unit, shed-like container or other portable structure, other than an accessory building as defined in Chapter Two of the Land Development Code, complying with all building codes and Land Development Code requirements, that can or is used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building.

The use of portable storage structures are allowed under the following conditions:

- a. Seven Day Provision: Portable storage structures placed on private property for a period of not more than seven (7) days are hereby exempt from these regulations provided the view of any

vehicular traffic is not impeded in any way. A permit shall be required per the provisions of sub-section "b". However, there shall be no fee required for structures that are placed for seven (7) or fewer days.

- b. A temporary use permit for a portable storage structure shall be obtained from the Community Development Department prior to placement for any portable storage structure.
- c. There shall be no more than one (1) portable storage structure per property.
- d. The portable storage structure shall be no larger than ten (10) feet wide, twenty (20) feet long and ten (10) feet high.
- e. Notwithstanding the requirements of sub-sections "k" and "l" below, a portable storage structure shall not remain at a property in any zoning district in excess of thirty (30) consecutive days, and shall not be placed at any one property in a zoning district in excess of thirty (30) days in any calendar year.
- f. The portable storage structure shall be set back a minimum of five (5) feet from all property lines.
- g. The portable storage structure shall be set back a minimum of five (5) feet from the nearest wall of a building.
- h. Where a side facing garage or a garage that is located behind the principal structure exists, the portable storage structure shall be located behind the front line of the principal structure.
- i. The portable storage structure shall be placed on an asphalt or concrete surface. A gravel surface is permitted if the portable storage structure is located behind the principal structure.
- j. The portable storage structure shall not be placed upon any street or within any rights-of-way. Exception: Portable storage structures located in mixed-use, townhome, multifamily, or similar residential developments may locate within existing, striped on-street parking spaces provided there are no public safety or vehicular traffic issues caused by the location of the structure.
- k. Portable storage structures associated with construction of a new principal building at a site where a new building permit has been issued are permitted for the duration of construction and shall be removed from the site within fourteen (14) days of the end of construction. Portable storage structures associated with new construction are exempt from the aforementioned conditions.
- l. Portable storage structures associated with any construction that is not part of the construction of a new principal building, and only in conjunction with the issuance of a building permit, may be placed for a maximum period of 180 days or upon completion of construction, whichever occurs first. The fee assessment for a portable storage structure associated with this sub-section shall be as follows:

0 to 30 days:	standard fee
30 to 60 days:	double the standard fee
60 to 90 days:	three times the standard fee
90 to 120 days:	four times the standard fee
120 to 180 days:	six times the standard fee
- m. Any waivers to the conditions of this section shall be considered by the Zoning Board of Adjustment Special Use Permit (SUP) in accordance with Chapter One Section 3.25 Special Use Permit of the Land Development Code.

Commented [BB53]: Revised for SUP approval

D. Temporary Buildings and Uses (O-04-1497 / 12/21/04)

1. Temporary Use Permit – The Building Official may approve a permit for a temporary use specified in this Section for limited periods of time, provided evidence is furnished by the applicant that adequate measures are taken to satisfy public safety concerns and related site criteria concerns. All temporary

uses shall be subject to the regulations contained in this Section. The building official may recommend a temporary use permit application be considered by the City Council where it has been determined by the building official that the proposed temporary use may have significant public interests. A temporary use permit, as herein prescribed, shall not be required for neighborhood block parties held in conjunction with the annual National Night Out neighborhood celebration or for events approved by a municipal department where said event is conducted on municipally owned property.

a. *Revocation:* The Building Official may revoke a temporary use permit if determined that:

- i. The applicant has misrepresented any material fact on the application, or supporting materials.
- ii. The temporary use fails or ceases to comply with applicable standards or criteria for issuance of a permit.
- iii. The operation of the temporary use violates any statute, law, ordinance or regulation.
- iv. The operation of the temporary use constitutes a nuisance or poses a real or potential threat to the health, safety or general welfare of the public.

2. Permit Conditions – The Building Official is hereby authorized to prescribe reasonable conditions upon a temporary use permit to protect the public health, safety, and general welfare of the community, with particular attention to areas adjacent to or in the vicinity of the permitted temporary use. Such conditions may include specific performance standards, noise mitigation measures, lighting restrictions, limitation on hours of operation, odor control measures, off-street parking requirements, traffic restrictions, or other standards designed to minimize adverse impacts on surrounding properties. In the event that a sponsor is dissatisfied with the Building Official's decision, the sponsor may appeal the decision to the City Council.

3. Construction Offices and Sales Offices – The Building Official may approve a permit for a temporary building for use as a construction office or a sales office for new home or lot sales in any zoning district during the construction phase of a permanent building or new subdivision, provided such temporary buildings comply with the following requirements:

- a. No temporary used as a construction office or a sales office shall encroach within five (5) feet of a property line or encroach within the visibility triangle required in Section 3.26 of this Land Development Code.
- b. A temporary building used as a construction office during the construction of a permanent building shall be removed within ten (10) days after the issuance of the certificate of occupancy of the permanent building, weather permitting, ~~weather permitting~~.
- c. A temporary building used as a real estate sales office shall be removed within ten (10) days after ninety (90%) percent of the lots within the subdivision have been sold.
- d. A temporary construction office or real estate sales office shall sit on a blocked foundation acceptable to the Building Official. No temporary construction office or real estate sales office shall be used that rests only on the wheels.
- e. A model home may be used as a temporary real estate sales office and shall be exempt from paragraphs a, b, c, and d above.

4. Community Special Events – Outdoor events of public interest which are anticipated to attract less than 500 persons in attendance at any one time for a period of eight consecutive hours or more, such as business activities, carnivals, circuses, and similar temporary events or special fund-raising events, ~~sponsored by a public entity, civic or non-profit organization located within the City.~~ Events sponsored by the City or a school shall be exempt from the requirements of this section. Special Events shall comply with the following:

- a. Application and site plan for a Special Event shall be submitted at least ten (10) business days in advance of the proposed event
- b. Events located in parking lots which cause the loss of existing parking spaces shall require the submittal of written approval from the owner

Commented [BB54]: Added per Council request from 1st reading

c. ~~A Special Event shall not extend greater than any time period over twothree (23) consecutive days.~~

Commented [BB55]: Revised per Council direction

d. ~~There shall be at least one-hundred eighty (180) calendar days between events before another permit can be obtained by the business or organization. Any entity that is directly or indirectly affiliated with the previous permit holder shall require the minimum separation between permits. There shall be no more than four (4) special events allowed per location per calendar year. There shall be at least thirty (30) calendar days between events before another permit can be obtained for the location.~~

Commented [BB56]: Revised per Council direction

5. **Tents** – A temporary use or special event which includes the use of a tent shall require a separate permit in accordance with the standards contained in the Colleyville Fire Code.
6. **Temporary Asphalt or Concrete Batch Plant** – The Building Official shall approve a permit for a temporary asphalt or concrete batch plant to provide construction materials for the site on which the temporary batch plant is located during the construction phase of a permanent building, new residential subdivision or other project as authorized by the city manager, provided such temporary use comply with the following requirements:
 - a. The temporary batch plant shall receive an approved air quality permit from the State of Texas, and evidence must be presented at the time of application for the temporary use permit.
 - b. The temporary batch plant shall follow all State of Texas storm water run-off requirements. A copy of any required State documents must be on the site of the temporary batch plant at all times.
 - c. A location map, drawn to scale, shall be provided and indicate the following: the location of the batch plant on the subject property along with a defined plant boundary, the location of all related equipment including but not limited to batching equipment and containers, storage areas, hazardous materials storage if applicable. Another drawing, drawn to scale, shall be provided showing the closest habitable residences, schools and religious institutions. The minimum distances shall be 300 feet measured in a direct line from the boundary of the temporary batch plant, as indicated on the application, to the property boundary of the protected use.
 - d. The material delivery route shall be provided indicating routes for raw material delivery with details on the type and numbers of trucks per day. Said route shall require final approval by the City Manager or his/her designee.
 - e. The hours of operation shall follow the construction hours of operation as required in the Colleyville Code of Ordinances.
 - f. A letter of permission shall be provided by the property owner stating that the temporary batch plant will be used to provide concrete/asphalt for the same site where it is located and no other project(s). The letter must also state that the site will be left in good or better condition.
 - g. The application must state the amount of time that the temporary batch plant will be in operation. The permit duration shall not exceed 30 days from the date of issuance. ~~The Administrative Official may extend the permit for an additional 30 days with good cause. Only one permit may be issued for a given parcel of property within a 12 month period.~~
 - i. The Public Works Director shall determine if additional materials testing is required and may determine the testing personnel required. Any cost of testing shall be paid by the applicant.
 - j. The batch plant shall not be used as a batching facility for any other site other than the site on which it is located and no concrete, asphalt and/or any raw materials may be sold from said plant.

- k. Any appeal or waiver from the requirements of this section shall require final approval by the City Council.

E. Outdoor Storage: Screening and Hours of Operations

Zoning Districts		Outdoor Storage Allowed	Screening Requirements Adjacent to Single Family	Hours of Operation	Commercial Building Design Standards
CPO	Professional Office Commercial	No	8'	Daytime only	30 pts.
CN	Neighborhood Commercial	No	8'	Daytime only	30 pts.
CC1	Village Retail	No	8'	24 hours	30 pts.
CC2	Shopping Center	No	8'	24 hours	30 pts.
CC3	Highway Commercial	Yes	8'	24 hours	30 pts.
ML	Light Manufacturing - Industrial	Yes	8'	24 hours	30 pts.

Commented [BB57]: Revised to match each district

Commented [BB58R57]: No longer needed

F. District Regulation Notes {renumber as needed}

- ~~A. Where abutting a lot zoned or used for residential purposes (RE through MH) maximum building height shall not exceed requirements shown in Figure 1 "Height Zones for Commercial Districts Adjoining Residential Districts". The roofline within that 50 feet shall have a maximum height of 16' at the eave and the roof design shall be of a residential style.~~
- ~~B. No structure shall be erected in any zoning district in excess of the specified maximum building height either in the number of stories or feet, whichever is less, unless an exception to said maximum building height is contained in this Chapter, except as noted in note "C" below.~~
- ~~C. Heights of four (4) stories may be permitted in CC2 (Shopping Center) district if combined with a Planned Unit Development (PUD).~~
- ~~D. To achieve the "urban village" design, front yards may be varied to as little as 10' from the front property line if required parking is setback not less than forty feet (40') from the front property line.~~
- ~~E. Where abutting a lot zoned or used for residential purposes (RE through MH) there shall be a twenty-five (25') foot side yard.~~
- ~~F. Side or rear yards not required where no windows or other openings for light or entry face the yard, and not adjacent to single family.~~
- ~~G. There shall be a ten foot (10') side yard set-back, unless an ordinance approving a planned unit development for the property in question specifies a different side yard set-back; however, where abutting a lot zoned for commercial or industrial use, no side yard shall be required, provided there are no window or other openings for light or entry in the encroaching walls facing the side yard.~~
- ~~H. There shall be a ten (10') foot side yard set-back, unless an ordinance approving a planned unit development for the property in question specifies a different side yard set-back.~~
- ~~I. Where abutting a lot zoned or used for residential purposes (RE through MH) there shall be a twenty-five (25') foot rear yard.~~
- ~~J. There shall be a minimum twenty-five (25) foot rear yard set-back, unless an ordinance approving a planned unit development for the property in question specifies a different rear yard set-back; however, the rear yard set-back may be reduced to ten feet (10'), provided there are no window or other openings for light or entry in the encroaching walls facing the rear yard.~~
- ~~K. Where abutting a lot zoned or used for residential purposes there shall be a minimum twenty-five (25') foot rear yard set-back, unless an ordinance approving a planned unit development for the property in question specifies a different rear yard set-back, however, the rear yard set-back may be reduced to ten feet (10') where abutting a lot zoned or used for non-residential purposes.~~
- ~~L. All regulations may vary when above districts are used as a base district for a PUD.~~

Commented [BB59]: These notes not needed, not included on the chart

Commented [BB60]: Not needed with removal of PUD lined from chart

Commented [BB61]: Not needed with removal of PUD lined from chart

Commented [BB62]: Not needed with removal of PUD lined from chart

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SECTION 3.24.G - SCHEDULE OF DISTRICT REGULATIONS

MAXIMUM RESIDENTIAL DENSITY; MINIMUM LOT SIZE REQUIREMENTS; MINIMUM YARD REQUIREMENTS;
MAXIMUM BUILDING HEIGHT; MAXIMUM LOT COVERAGE; OUTDOOR STORAGE; SCREENING
AND HOURS OF OPERATION

(See District Regulations Notes following Section 3.24.F for explanation of letters in charts)

Zoning Districts	Max. Res. Density	Minimum Lot Size Requirements						Minimum Yard Requirements				Max. Building Height		Max. Lot Coverage	
		Area (sq. ft.)		Min. Width in feet	Min. Depth in feet	Max. Lot Size	Front (feet)	Each Side (feet)	Rear (feet)	Stories	Feet	Percent			
		Per Family	Total												
Classification	DU/AC														
AG Agricultural	0.3	130,680	130,680	200'	300'	n.a.	40'	25'	40'	2.5	35'	20%			
RE S. F. "Estate" Residential	0.5	80,000	80,000	200'	300'	n.a.	40'	25'	40'	2.5	35'	20%			
R-40 Single Family Residential	1.25	40,000	40,000	150'	150'	n.a.	40'	15'	25'	2.5	35'	20%			
R-30 Single Family Residential	1.5	30,000	30,000	125'	125'	n.a.	35'	10'	25'	2.5	35'	25%			
R-20 Single Family Residential	2.1	20,000	20,000	100'	125'	n.a.	30'	10'	25'	2.5	35'	30%			
R-15 Single Family Residential	3	15,000	15,000	100'	125'	n.a.	30'	10'	25'	2.5	35'	30%			
R-D Two Family Residential	8	4,000	8,000	70'	115'	n.a.	25'	10'	25'	2.5	30'	50%			
R-MF Multi-Family Residential (zoned after June 16, 1981)	8	2,700	18,000	70'	115'	n.a.	25'	10'	25'	2.0	30'	50%			
R-MF Multi-Family Residential (zoned before June 16, 1981)	18	1,500	10,000	70'	115'	n.a.	25'	10'	25'	3.0	30'	75%			
MH Mobile Home (Minimum size of mobile home park - 40 spaces)	2.1	20,000	20,000	100'	125'	n.a.	30'	10'	25'	2.5	30'	30%			
C-PO Professional Office Commercial	n.a.	n.a.	7,200	100'	120'	1 acre	40'	15' (E/F)	10' (F/I)	2.0	35'	40%			
CN Neighborhood Commercial	n.a.	n.a.	10,000	100'	120'	1 acre	40'	15' (E/F)	10' (F/I)	2.0	35'	40%			
CC1 Village Retail	n.a.	n.a.	15,000	150'	120'	5 acres	40' (D)	15' (E/F)	10' (F/I)	2.0	35'	50%			
CC2 Shopping Center	n.a.	n.a.	20,000	150'	120'	none	40' (D)	15' (E/F)	10' (F/I)	2.0	35'	60%			
CC3 Highway Commercial	n.a.	n.a.	10,000	150'	120'	none	40'	15' (E/F)	10' (F/I)	2.0	35'	70%			
ML Light Manufacturing	n.a.	n.a.	10,000	100'	120'	none	40'	15' (E/F)	10' (F/I)	2.0	35'	60%			
PUD-C Planned Unit Dev. - Residential	n.a.	n.a.	13,000	100'	120'	n.a.	30'	10' (D)	25' (D)	3.0	30'	30%			
PUB-C Planned Unit Dev. - Commercial	n.a.	n.a.	7,200	70'	115'	n.a.	40'	10' (S)	(K)	3.0 (C)	35'	50%			
PDB-C Planned Unit Dev. - Industrial	n.a.	n.a.	10,000	70'	115'	n.a.	40'	10' (S)	(K)	3.0	30'	30%			

* Maximum residential density is the number of dwelling units per acre, not including streets, alleys, or public space. R-MF zoned after June 16, 1981 - four units per building maximum.

** 16,000 s.f. average

*All regulations may vary when above districts are used as a base district for a PUD

Section 3.25 Special Use Permit

(O-02-1331 / 02-19-2002)

The purpose of a Special Use Permit is to allow a use not normally allowed in a zoning district, which could be of benefit in a particular case to the general welfare, provided adequate development standards, and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood. Upon proper application and payment of the applicable fee, the City Council, after public hearing and proper notice to all parties affected and after recommendation from the Planning and Zoning Commission, may authorize a Special Use Permit for a use not allowed by right in *Section 3.24 "Schedule of Permitted Principal Uses"* in accordance with the following criteria.

1. Procedures – Every Special Use Permit application shall be reviewed and considered using the same procedures for reviewing and considering a rezoning application as specified in *Chapter 1 – General Provisions* of this Land Development Code.
2. Site Plan – The applicant must submit a site plan in the form and manner specified by the Administrative Official, showing the details of the proposed use and its relationship to surrounding properties.
3. Additional Information – The City Council and the Planning and Zoning Commission, in considering and determining its recommendation to the City Council on any request for a Special Use Permit, may require from the applicant, plans, information, operating data and expert evaluation concerning the location and function and characteristics of any building, structure or use proposed.
4. Conditions of Approval – The City Council may impose such safeguards, requirements and conditions as it deems are necessary to properly protect any surrounding property, surrounding use, or neighborhood character and to insure the appropriate conduct of the special permitted use, including, without limitation, imposing development standards, requiring public facility improvements and means of ingress and egress of public streets, establishing conditions of operation, establishing time limits, establishing location, arrangement and construction of any uses or structures, adopting regulations to protect the general welfare and adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view of other undesirable or hazardous conditions. All conditions imposed by the City Council shall be complied with prior to the issuance of a Certificate of Occupancy.
5. Revocation Upon Failure to Develop – A special use permit approved by the Council shall become null and void one year from the date of approval by the City Council unless a building permit or certificate of occupancy, whichever is applicable, has been obtained on the property within said one year period. The City Council may in its adopting ordinance, shorten or lengthen the time in which a building permit or certificate of occupancy must be issued in order to preserve the special use permit. Any Special Use Permit in existence upon the passage of this ordinance shall become null and void one year after the passage of this ordinance, unless a building permit or certificate of occupancy, whichever is applicable, has been issued within said year.

Exception: The ordinance authorizing a Special Use Permit may provide for an alternate expiration period.

6. Termination and Abandonment of Use – In the event the building, premises or land uses authorized by a Special Use Permit are terminated or abandoned for a period of six (6) months or longer, the use of the same shall thereafter conform to the regulations applicable to the zoning district, unless a new and separate Special Use Permit is approved for continuation of the use.
7. Modification – No building or premises authorized by a Special Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amendment to the Special Use Permit is approved by the City Council using the procedures specified in *Chapter 1 – General Provisions* of this Land Development Code.
8. Violation – It shall be unlawful for property owner or tenant to violate any terms or conditions of the ordinance approving the Special Use Permit.

Section 3.25.1 Large Commercial Buildings

(O-00-1249 / 11/08/00)

Commented [BB64]: Section to be moved to Chapter 6: Commercial Design Standards

A. ~~Applicability~~ — The criteria in this Section shall be applicable to the construction of any new large commercial building proposed for construction on or after November 8, 2000. These criteria shall not be applicable to the following:

1. ~~The use, re-use, modification or consolidation of existing commercial buildings developed prior to November 8, 2000, or to the expansion of commercial buildings existing as of November 8, 2000, provided expansion does not exceed ten percent (10%) of the existing building footprint, including the cumulative amount of all prior expansions, or~~
2. ~~Buildings constructed within the limits of the PUD-C established by ordinance O-99-1141.~~

B. ~~General Provision~~ — No new large commercial building shall be permitted for construction within the city of Colleyville, except where allowed as follows:

1. ~~Large Commercial Building shall be allowed by right in the ML — Light Manufacturing District.~~
2. ~~Large Commercial Building shall be allowed with approval of a Planned Unit Development Commercial.~~
3. ~~No large commercial building shall be permitted within a previously approved Planned Unit Development Commercial, unless the approving ordinance contains a specific provision for a large commercial building as provided in this Section. The requirements and procedures for a Planned Unit Development Commercial contained elsewhere in the Colleyville Land Development Code and the additional requirements set forth in this Section shall be used in the review of an application for a large commercial building. The City Council may establish such terms and conditions as are necessary to protect life, health, property, public peace and the general welfare of the public and the adjacent properties. For purpose of this regulation, a commercial building which contains a building footprint of forty thousand (40,000) square feet, or more, shall be declared a large commercial building and be subject to these criteria.~~

C. ~~Application and Development Requirements~~ — Every large commercial building must comply with the requirements of this Section. All site plan reviews required by the Colleyville Land Development Code or applications for a rezoning request for a Planned Unit Development Commercial for a large commercial building shall include all the information outlined as follows:

1. ~~Site Plan~~ — A site plan, drawn to scale, showing the property boundary, all proposed buildings, water features, creek channels, the 100-year flood plain, outdoor display areas, proposed driveways, parking lots, landscaped areas, loading and delivery docks, refuse and recycling facilities and other physical features which may influence the development of the site.
2. ~~Elevation Drawings~~ — Building elevation drawings, drawn to scale, indicating the type and percentage of each exterior building wall material.

D. ~~Development Requirements~~

1. ~~Building Height, Set Back Requirements and Maximum Lot Coverage~~ — The minimum front, side and rear building set back lines, maximum building height, and maximum lot coverage for a 40,000 square foot building footprint shall be in accordance with the following schedule:

Minimum Building Line Set Backs, Maximum Height and Maximum Lot Coverage for a 40,000 s.f. Large Commercial Building			
Minimum Building Set Back	Front:	40 ft.	(1)-(2)
	Side:	40 ft.	(1)-(2)
	Rear:	40 ft.	(1)-(2)
Maximum Building Height		35 ft.	
Maximum Lot Coverage		40%	

Notes:

- (1) ~~The minimum building set back line adjacent to a public street shall be increased one foot for each additional increment of 2,000 s.f. of building footprint over 40,000 square feet of building footprint.~~
- (2) ~~The minimum building set back line adjacent to a residential-zoned property shall be a minimum of 50 feet and shall be increased one foot for each additional increment of 1,000 s.f. of building footprint over 50,000 square feet of building footprint with a maximum building setback of 250 feet. If a public road stands between the residential-zoned property and the commercial establishment, the road width may be included in the setback calculation if the setback exceeds 100 feet.~~
- (3) ~~The setback requirements between two commercial-zoned properties shall conform with the CC2 zoning requirements as outlined in the Land Development Code.~~

~~2. Façade Articulation — All large commercial buildings shall have facades which comply with the following requirements:~~

- a. ~~Horizontal Articulation — No building façade which faces a public street shall extend horizontally greater than three (3) times the height of the wall without having an off-set of not less than fifteen (15%) percent of the wall's height as shown on the attached Exhibit "A", and such off-set shall continue for a minimum distance equal to at least twenty-five (25%) percent of the length of the longest adjacent plane.~~
- b. ~~Vertical Articulation — No building façade which faces a public street shall extend horizontally for a distance greater than three (3) times the height of the wall unless the wall contains at least one of the following features and every front building façade shall have no less than two of the following features:~~
 - (1) ~~Parapets which change the roof line. The parapet height shall be a minimum of fifteen (15%) percent of the wall's height, and such height change shall continue for a minimum distance equal to at least twenty-five (25%) percent of the length of the longest adjacent plane.~~
 - (2) ~~Overhanging eaves, extending no less than three (3) feet past the supporting walls.~~
 - (3) ~~Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run.~~
 - (4) ~~Three or more roof slope planes.~~
 - (5) ~~A covered walkway along a minimum of fifty (50%) percent of the front façade length.~~

~~3. Side and Rear Facade Features — Side and rear building facades, which do not face a public street, shall include a minimum of three architectural changes, such as (1) a changing plane not less than five (5) feet in width and eighteen (18) inches in depth, (2) a surface material change of not more than thirty (30) feet in length, as measured horizontally, or (3) a combination of these elements.~~

~~4. Building Design — In addition to the building façade requirements contained herein, the site plan and building elevation plans shall comply with the requirements of Chapter 6 — Building Design of the Colleyville Land Development Code, except where modified by the requirements in this Section. The minimum building design score shall be 30 points.~~

~~5. Exposed Columns — Exposed structural support columns shall be constructed of, or clad in, the same masonry material as the principal structure. Architecturally significant columns (e.g. fluted, etc.) may be permitted.~~

~~6. Exterior Surface Materials — A minimum of ninety (90%) percent of each exterior wall surfaces, excluding door and window openings, shall be constructed of clay-fired brick, native stone, cast stone, or a combination of these materials. Tilt-up concrete construction is permitted, provided the~~

exterior surface is covered with clay-fired brick, native stone, cast stone, or a combination of these materials. Stucco and EIFS (Exterior Installation Finished System) are permitted for not more than ten (10%) percent of the exterior surface. Concrete block, split-faced block or cinder block shall not be acceptable, except where a wall surface faces an adjacent non-residential building. Proposals for surface materials with similar durability and appearance of clay-fired brick, native stone, or cast stone may be considered.

7. ~~Exterior Surface Colors~~ — The exterior surfaces shall be of a natural finish, provided the colors are subtle, or neutral colors. Trim and accent areas may be painted and feature brighter colors, including primary colors, but not more than ten (10%) percent of the wall surface area. High intensity or fluorescent colors are prohibited.
8. ~~General Landscaping Requirement~~ — The landscaping of the development shall comply with the requirements of Chapter 4 — Landscaping and Buffering of the Land Development Code, except where modified by the requirements of this Section. All ground surfaces not used for buildings, sidewalks, roadways or other impermeable surfaces shall be covered with live grass, turf, shrubbery, trees, ground cover, flowering plants or appropriate mulching. In order to insure for a variety of plant materials the following minimum requirements for grass, shrubs, and trees shall be provided:
 - a. ~~Minimum Landscaping Coverage~~: Not less than twenty percent (20%) of the total land area of the development shall be, landscaped. At least fifty percent (50%) of the total landscaped area shall be located in the street yard(s). The overall minimum percentage of required landscaping may not be reduced by the application of landscaping enhancement credits.
 - b. ~~Trees~~: Landscaping shall include the retention or planting of one (1) three-inch (3") caliper overstory shade tree per each forty (40) feet of street frontage. These trees to be planted within the landscaped buffer adjacent to each street frontage.
9. ~~Landscape Buffer and Screening Wall Adjacent to Residential Property~~ — Along the entire length of the common property line adjacent to residential property there shall be a landscape buffer, a minimum of forty (40) feet in width, and a solid screening wall constructed of clay-fired brick, native stone, cast stone, or a combination of these materials, not less than eight (8) feet in height nor more than ten (10) feet in height. The landscape buffer and the solid screening wall shall be provided along the entire length of any property line adjacent to any residential property. The landscaped buffer shall contain lawn grass or ground cover and be maintained as a permanent landscaped area. There shall be no buildings, parking areas, driveways, sidewalks or structures contained within the required buffer. The landscaping buffer shall include the retention or planting of one (1) three-inch (3") caliper overstory shade tree per each forty (40) feet of common property line with an adjacent residential property. Said screening wall shall be constructed generally along the common property line with the residential property, but its terminus shall not encroach nearer than twenty-five (25') to a street right-of-way.
10. ~~Landscape Buffer and Screening Adjacent to Public Streets~~ — There shall be a minimum forty (40) foot wide landscape buffer adjacent to all street rights-of-way. There shall be no buildings, parking areas, driveways, sidewalks or structures, except permanent signs, contained within the required landscape buffer. A driveway or sidewalk may cross the buffer to provide access to the site. Within the landscaped buffer, there shall be either one or a combination of the following landscaping features:
 - a. ~~Earthen Berms~~: A minimum of thirty (30) inches in height with a maximum side slope of three feet to one foot of rise as shown on the attached Exhibit "B". The berm shall not extend parallel to the street right-of-way, but shall meander in a serpentine fashion and shall be entirely vegetated with lawn grass or groundcover.
 - b. ~~Shrubs~~: A row of shrubs consisting of individual shrubs planted not more than thirty-six (36) inches on center which will form a solid continuous visual screen of not less than thirty (30) inches in height within a two-year period after planting as shown on the attached Exhibit "C". Shrubs shall be maintained so as to not exceed six (6) feet in height. The shrub row shall be located along the portion of the landscaped buffer that is the furthest from the street right-of-way.

- c. ~~Low Solid Wall:~~ A solid wall constructed of clay-fired brick, native stone, cast stone, or a combination of these materials, not less than thirty (30) inches in height as shown on the attached Exhibit "D". Said wall shall be constructed generally parallel to and twenty (20) feet from the street right-of-way. The solid wall shall not constitute more than thirty (30) percent of the length of the abutting street frontage.
11. ~~Parking Lot Landscaping~~ — Parking areas shall contain a minimum of one (1) landscaped island/landscaped island per sixteen (16) parking spaces. No landscaped island shall be less than three-hundred (300) square feet. Every landscaped island shall include one (1) three-inch (3") caliper shade tree with the remaining area covered with grass, shrubs or ground cover. Landscaped planting areas shall be located so that no parking space shall be more than seventy-five (75) feet from the trunk of a shade tree. Where a landscaped island is adjacent to a landscaped buffer, the parking spaces adjacent to the landscaped island shall be paved with a pervious material pave-stone. The parking lot landscaping requirements contained in the paragraph shall not be applicable to the interior parking spaces of a parking garage.
12. ~~Parking Lot Walkways~~ — There shall be a pedestrian walkway a minimum of eight (8) feet in width for every four rows of parking within the parking area. Said walkway shall be constructed parallel to the parking rows as shown on the attached Exhibit "B". The walkway shall be paved with a hard surface.
13. ~~Curbing of Landscaped Areas~~ — All landscaped islands and landscaped areas shall be protected from vehicular encroachment by concrete curbs a minimum of six (6) inches in height.
14. ~~Permanent Ground Signs~~ — The development shall comply with the provisions of Chapter 7 — Sign Regulations of the Colleyville Land Development Code, except that only one monument sign per street frontage shall be allowed. The maximum height of the monument sign structure shall be eight (8) feet. The maximum area of the monument sign structure shall be one-hundred (100) square feet. Only external illumination shall be allowed. Each side of the monument sign structure shall contain an architectural feature of clay-fired brick, native stone, cast stone or a combination of these materials. The architectural feature shall be equivalent to fifteen (15%) percent of the total area of the sign structure.
15. ~~Attached Building Signs~~ — The development shall comply with the provisions of Chapter 7 — Sign Regulations of the Colleyville Land Development Code, except that the total square footage of all wall signs shall not exceed ten (10%) percent of the wall face.
16. ~~Tree Preservation~~ — The development shall comply with the provisions of Chapter 5 — Tree Preservation of the Colleyville Land Development Code.
17. ~~Off-Street Parking and Loading Requirements~~ — The development shall comply with the requirements of Section 3.29 — Off-Street Parking Requirements of the Colleyville Land Development Code. The maximum number of parking spaces shall be one (1) space per two-hundred (200) square feet of gross floor area.
18. ~~Delivery / Loading Spaces~~ — No delivery or loading space shall be located within one-hundred (100) feet of a residential property. All delivery and loading spaces shall be screened from public view from a street right-of-way or an adjacent residential property by an eight (8) foot to ten (10) foot tall solid screening wall constructed of like material to the building. Additional planting materials shall be provided so that no more than two-thirds of the surface area of the solid screening wall is visible from the street or residential property. The live plant screening shall consist of shrubs, a minimum of three (3) feet in height when planted, and which can be expected to reach six (6) feet or greater in height within three (3) years of planting. Shrubs shall be spaced so that there shall be no gap greater than four (4) feet between mature plant materials. No delivery or loading area shall be operated between the hours of 11:00 p.m. and 6:00 a.m. Parking of delivery vehicles shall not exceed 48 hours duration.
19. ~~Outdoor Display Areas~~ — Outside display of merchandise shall be allowed, provided that it shall be limited to an area within eight (8) feet of the front wall of the primary building and further provided that emergency pedestrian access to the building is not blocked. No merchandise shall be displayed between the hours of 11:00 p.m. and 6:00 a.m.

For purpose of this regulation, the front wall shall be the front containment wall of the structure and not the front of an overhanging walkway cover.

20. ~~Outside Storage and Sales Areas~~—There shall be no outside storage or outside sales areas of landscaping materials, plants or general merchandise, except for an outside display area, as provided in the above paragraph. For purpose of this regulation, nothing shall prohibit the sale or display of landscaping materials, plants or general merchandise located behind an enclosed solid screening wall constructed of like materials to the building, provided merchandise is not visible above the top of the screening wall.

21. ~~Refuse Collection~~—No refuse collection shall occur within 100 feet of residential property. All refuse containers, including recycling containers, and trash compactors shall be screened from view from a public street and from adjacent residential properties by an enclosure constructed on three sides with an eight (8) foot high solid masonry screening wall constructed of like material to the building. Said screening enclosure shall include solid metal doors. When a refuse container, trash compactor or recycling container is situated adjacent to a residential property, the screening wall enclosure shall comply with the building setback lines established for the zoning district.

22. ~~Screening of Mechanical Equipment~~—Roof or ground-mounted mechanical equipment shall be screened to mitigate noise and views in all directions from adjacent property. If roof mounted, the screening material shall be designed to conform architecturally with the design of the building. Ground-mounted mechanical equipment shall be screened by a solid masonry screening wall constructed of like material to the building and be of sufficient height to block the view and noise of the equipment from adjacent property.

23. ~~Cart Storage~~—All shopping cart storage areas shall be contained within the primary building. Temporary shopping cart parking within parking areas shall be allowed, provided carts are removed to within the primary building on a frequent basis.

24. ~~Outdoor Lighting~~—Light poles situated within 300 feet of residential property shall not exceed twenty (20) feet in height. Exterior lighting must be High Intensity Discharge (HID) lights shielded and directed away from adjacent properties and shall produce light no greater than one foot candle at the property line, except at driveway entrances which shall be lighted adequately to provide for safe access to the property. The parking lot lighting system shall be designed to dim between the hours of 11:00 p.m. and 6:00 a.m. Wooden light poles shall be prohibited as an illumination standard. Security lighting at the rear and sides of the building shall be designed to reduce light pollution and to prevent objectionable glare onto any residential property. Exterior lighting shall comply with Chapter 6 (Building Design Standards) of the Land Development Code.

Commented [EW65]: New Section 6.6 in Chapter 6 addresses exterior lighting in all commercial districts

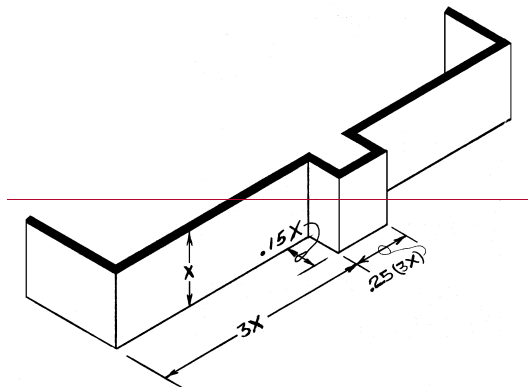
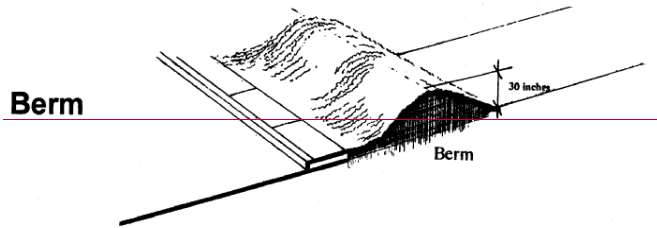
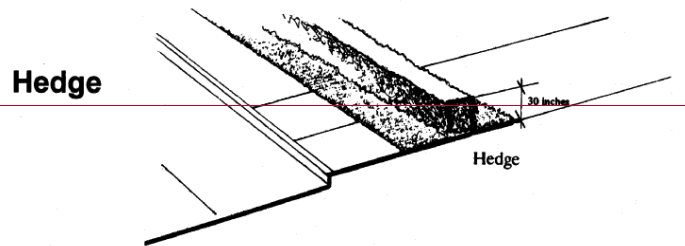


Exhibit "A"

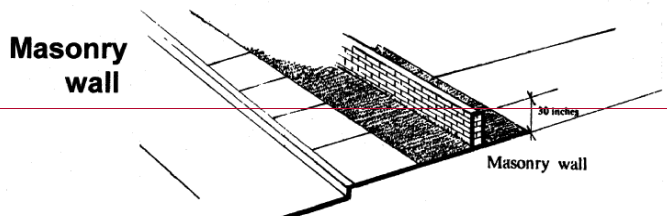
Façade Articulation



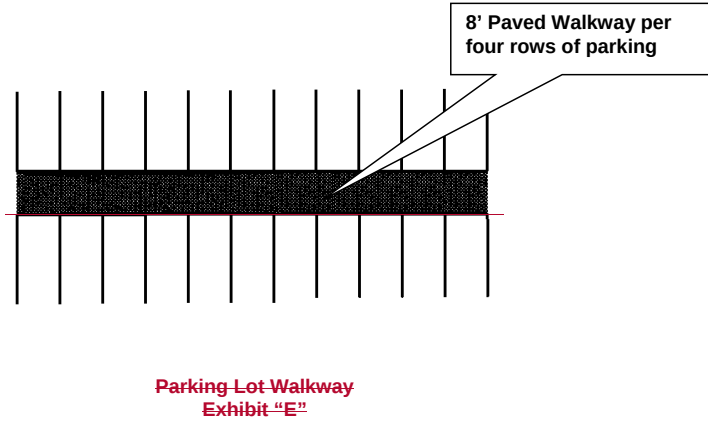
**Landscape-Berm
Exhibit "B"**



**Landscape Shrubs
Exhibit "C"**



**Solid-Wall
Exhibit "D"**



Section 3.26 Fences, Free Standing Walls, and Screening Materials

A. Scope

1. This section is to regulate fences, free standing walls and other screening material in a manner so as to promote safety, preserve property values, promote the general welfare of the City of Colleyville, and to enhance the aesthetic quality of the community.
2. No fence, screen, freestanding wall or other visual barrier shall be constructed or placed in such a manner as would endanger the health or safety of the general public.
3. For administrative purposes, all references to fences or walls shall be interpreted to apply to free standing structures.

B. ~~Definitions~~ Fence or Wall Placement

~~Perimeter Subdivision Fencing.~~ A subdivision perimeter fence shall be construed to be any decorative or security fence along a substantial portion of the boundary or property line of any plat, replat or phase of a plat or replat or filing of a plat or replat as those terms are defined in *Chapter 2 - Definitions* of this Land Development Code, of any property (1) zoned other than CPO, CN, CC1, CG2, CC3, or ML and shown on an approved plat thereof, or (2) property that is zoned AG, RE, R40, R30, R20, R15, RD, RMF. The actual location of a fence or wall on a site is assumed to be to on the property or common property line and encroachments onto adjacent property are not expressly authorized by the Administrative Official or their representatives.

Commented [EW66]: A sub-section for "Definitions" that contains only one definition is not necessary and should be located in Section 2 of LDC. Retitled this section as "Fence or Wall Placement".

C. Maintenance

1. All fences erected as provided for in this section shall be maintained in good condition.
2. A fence shall not lean more than one inch out of vertical for each foot of height as measured from the top of the fence.
3. The owner shall replace broken, damaged, removed or missing parts of a fence within ten (10) days of, the day the owner received notice from the Administrative Official, with the same material, or material with comparable composition, color, size, shape and quality of the original fence to which the repair is being made. No permit is required for repairs as defined in this ordinance. The Administrative Official may, upon written notice from the owner that unusual circumstances prevent the timely repair of a fence, extend the replacement time as required. The Administrative Official shall not extend the replacement time longer than reasonably necessary. The owner requesting a replacement time

Commented [BB67]: Move to Ch. 2 - Definitions

Commented [EW68]: Added disclaimer for when property owners dispute the fence is crossing property lines.

extension shall provide the Administrative Official a written scope and schedule detailing materials and estimated time period of the completed replacement for approval.

4. A fence shall be maintained in sound structural condition as a whole or completely removed, including post(s).
5. Property owners shall maintain fences, including those existing prior to the adoption of this Ordinance, at all times in a state of good repair, safe and secure condition, with all braces, bolts, nails, supporting frame and fastenings free from deterioration, termite infestation, rot, rust or loosening, and able to withstand at all times the wind pressure for which they were designed.
6. Property owners shall regularly paint fence supports, gates, structural members and exterior surfaces that are covered with paint to prevent rusting, peeling or blistering surfaces.
7. Existing fences that were constructed prior to the adoption of this Ordinance that were constructed with materials not currently permitted by this Ordinance may be maintained as long as no part of the fence is or becomes unsafe, dilapidated, or a public nuisance. If the Administrative Official determines the fence is unsafe, dilapidated, or a public nuisance the fence must be repaired with materials approved by this Ordinance or be removed.
8. The construction of a fence or wall on the property line shall not preclude the property owner's responsibility to maintain and keep the area between the fence and an adjacent fence on a neighboring property, the property line to the back of curb or edge of the pavement or center of alley, free and clear of debris and high weeds.

D. General Requirements/Prohibitions for all Fences and Free-standing Walls

1. *Screening Required in Residential Districts:*

- a. Nonresidential uses in a residential district shall be suitably screened from view of any adjacent residential lot or dwelling use along the side and rear property lines of such nonresidential use with a decorative masonry wall of not less than eight (8) feet in height. ~~Said screening requirements shall not be mandatory for public schools, parks or churches, except where active outdoor intensive use area (such as a playground) is adjacent to a residential lot or dwelling. Off-street loading areas of any non-residential use shall be adequately screened from view of any residential dwelling or lot or of any other adjacent public or semi-public land use with a decorative masonry wall of not less than (8) feet in height or a landscaped berm.~~
- b. Where a multifamily or mobile home use abuts a one or two family district, or where a mobile home use abuts a one, two or multifamily use or district, the side and rear property lines of said multifamily or mobile home use or district shall be suitably screened from view of any adjacent dissimilar residential dwelling or lot with a decorative masonry wall of not less than eight (8) feet in height or a landscaped berm.
- c. Nothing in this section shall restrict the fencing of tennis courts with traditional fencing material to a maximum of twelve (12) feet.

2. *Screening Required in Non-Residential Districts:*

- a. Where a nonresidential use abuts a residential lot, use or district, the side and rear property lines abutting said residential lot, use or district shall be suitably screened, with a decorative masonry wall, by the nonresidential use so as to obscure the view from the residential lot, use or district to the nonresidential use to a height not less than eight (8) feet.
- b. Where a district boundary separating a residential district from a nonresidential district is along a street, and an automobile parking lot or parking area is located in the front yard of the nonresidential use, then said parking lot or parking area facing the residential lot, use or district shall be suitably screened to a height of not less than three and one-half (3-1/2) feet.

Commented [BB69]: Churches and schools should be expected to provide screening when adjacent to residential uses

- c. In all districts where open storage is permitted and the screening thereof is required, then such screening shall be provided around the exposed perimeter thereof of not less than six (6) feet in height and shall be composed of decorative masonry material
 - d. Off-street loading areas shall be adequately screened from view of any residential dwelling lot or of any other adjacent residential land use with a decorative masonry wall of not less than eight feet in height or a landscaped berm.
 - e. All roof mounted mechanical equipment and parapet wall structural supports shall be screened from view.
 - f. All required screening between residential and commercial, institutional, multifamily and mobile home uses shall be maintained in good condition by the property owner of the commercial, institutional, multifamily and mobile home use.
3. *Screening Requirements for Waste, Garbage, Compacting and Recycling Containers:* The following regulations shall apply to all multifamily, mixed-use, institutional and commercial uses where large containers are utilized for the storage or compacting of waste, garbage or recycling materials for any properties where the building permit for the primary structure was issued on or after April 17, 2013:
- a. All containers shall be fully enclosed by a decorative masonry wall.
 - b. Masonry materials shall match the masonry materials of the exterior wall of the primary structure on the property where the container is located.
 - c. The height of the screening wall shall be a minimum of six feet, or one foot above the height of the container/compactor, whichever is greater, and shall not exceed 10 feet in height.
 - d. The gate shall be composed of solid metal and shall be of a color that matches or compliments the masonry wall.
 - e. The gate shall remain closed at all times. Exception: gates for recycling bins that are accessible to the public may remain open provided all recycling material is completely stored within the container.
 - f. Where possible, gates shall be oriented away from the view of any roadway traffic.
 - g. All enclosures and containers shall be located behind all required building setbacks.
 - ~~h. and All enclosures and containers shall be located a minimum of 25 feet from any properties zoned or used for non-multifamily residential purposes.~~
 - h. Unless subject to a different requirement as part of an SUP or PUD ordinance, for properties where the building permit for the primary structure was issued before April 17, 2013, the required enclosure and gate may be composed of wood or masonry materials to a minimum height of six feet and the gate must remain closed at all times. Otherwise, said properties shall be exempt from the other provisions of this section. However, loss of any legal-nonconforming status for any property and/or building as described in Section 3.7 in the Land Development Code shall require full compliance with this section.
 - i. The City shall have the right to remove any container in an enclosure that has been non-compliant with this sub-section for more than 30 days.
4. *Obstruction Prohibited:* No fence, screen, free standing wall or other visual barrier shall be so located or placed that it obstructs the vision of a motor vehicle driver approaching any street, alley or drive intersection. A visual barrier shall be deemed to be any fence, wall, hedge, shrubbery, etc., higher than thirty (30) inches above ground level at the property line, except single trees having single trunks, which are pruned to a height of seven (7) feet above ground level. See Exhibit "3-1".

Commented [BB70]: Separated into 2 regulations

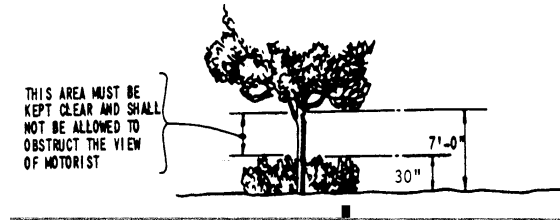


Exhibit "3-1"
Obstructions Prohibited

5. *Twenty-Five (25) Foot Visibility Triangle Required:* No fence, screen, wall or visual barrier shall be located or placed where it obstructs the vision of motor vehicle drivers approaching any street intersection. At all street intersections, clear vision shall be maintained across the lot for a distance of twenty-five (25) feet back from the property corner along both streets. See Exhibit "3-2".

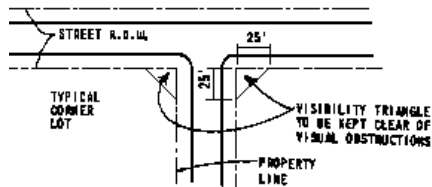


Exhibit "3-2"
Visibility Triangle

6. *Barbed Wire Prohibited:* Fences constructed of barbed wire and walls topped with broken glass or surfaced with any like material shall be prohibited except as provided below.

Barbed wire fences used in conjunction with permitted agricultural, livestock, and related activities, or in industrial districts are permitted without restrictions.

Barbed wire strands may be placed on the top of security fences in non-residential districts for the purpose of security from theft, entry and hazard such as around public utility substations and uses of a similar nature, provided the top strand is not higher than eight (8) feet nor the bottom strand lower than six (6) feet from the adjacent grade line.

7. *Electrical Fences:* Electrical fences and fence charging devices (Underwriters Laboratory approved) shall be plainly marked at a minimum of twenty-five (25) foot intervals as to the nature thereof.
8. *Eight (8) Foot Maximum Height:* No fence in a residential district shall exceed eight (8) feet in height above ground level at the fence line.
9. *Property Owners' Responsibility:* The construction of a fence or wall on the property line shall not preclude the property owner's responsibility to maintain and keep the area defined between the extension of the property lines to the back of curb or edge of pavement free and clear of debris and high weeds. See Exhibit "3-3".

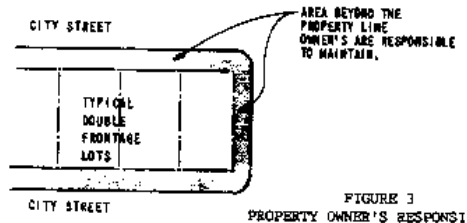


FIGURE 3
PROPERTY OWNER'S RESPONSIBILITY

Exhibit "3-3"
Property Owner's Responsibility

10. *Public Property:* No fence, guy wire, brace or any post of such fence shall be constructed upon or cause to protrude over property that the City or the general public has dominion and control over, owns or has an easement over, under, around or through, except upon drainage and utility easements which are permitted to be fenced.
11. *Floodway Permit Required:* The construction of a fence or wall in a floodway as shown on the most recent revision of the "Floodway - Flood Boundary and Floodway Map" prepared by the Federal Emergency Management Agency (FEMA) shall require a development permit as currently required in the City's drainage policies.
12. *Swimming Pools:* All swimming pools shall be fenced. A solid or chain link type fence or a barrier at least four (4) feet in height shall completely enclose every swimming pool to be constructed. There shall be no openings, holes, or gaps bigger than four (4) inch spaces and no openings whatsoever on horizontal picket type fences. All gates allowing access to the pool area shall be self-closing with self-latching devices located in the upper quarter of the gate. All entrances to the swimming pool area must be able to be secured by a combination or key locking device. A dwelling house, accessory building, or apartment building may be used as part of such enclosure provided that all entrances to the swimming pool are equipped with gates as described herein. All fences should conform to local governmental codes and restrictions.
13. *Pre-Formed Concrete:* Pre-formed concrete is a permitted masonry material provided the texture adequately mimics the intended style match, be it wood, brick, stone, etc. Pre-formed concrete fences shall be maintained in good condition including any painted fences. The building official shall approve the final finished surface and reserves the right to deny a fence permit application if the surface does not adhere to these regulations.
14. *General Construction Requirements for Wood Fences*
 - a. For commercial properties, all vertical posts on fences over four (4) feet in height shall be galvanized steel with a minimum two (2) and three-eighths (3/8") inch diameter, a minimum fifteen (15) gauge thickness, and set in a concrete footing. Picket fences, split rail fences, ranch style or agricultural fences, or other types of decorative fences approved by the Building Official or his/her designee shall be permitted to use wood posts.
 - b. Concrete footings shall be a minimum of eight (8) inches in diameter.
 - c. For fences less than seven (7) feet in height, posts shall be spaced at a maximum of eight (8) feet on center, set in a concrete footing of no less than twenty-four (24") inches deep.
 - d. For fences that are seven (7) feet or greater in height, posts shall be spaced at a maximum of six (6) feet on center, set in a concrete footing of no less than thirty-six (36") inches deep.
 - e. Fence posts attached to or supported by other structures, including retaining walls, shall be provided with foundation and anchorage to prevent movement of structure or retaining wall.

- f. All materials shall be securely fastened, vertical boards to horizontal stringers, stringers to vertical posts, top rail, to ensure an ongoing attractive appearance and safe condition, free from rot, rust, vandalism and other sources of decay.
- g. The bottom of the fence shall be designed to prevent ground to wood contact. This can be achieved through the use of a concrete strip poured between the fence supports or by raising the pickets to provide a minimum of two inches between the bottom of the pickets and the ground. Fences located within drainage easements must be approved by the Public Works Director per the requirements of Section 8-170 of the Land Development Code and shall be built such that required drainage and storm water run-off is not impeded.
- h. All wood material shall be stained, pressure treated, painted, or adequately sealed to prevent decay.

Commented [EW71]: "storm water" is two separate words

15. Perimeter Subdivision Fences: A fence along the perimeter of a subdivision is allowed under the following conditions:

- a. No setback shall be required from any street right-of-way line.
- b. No perimeter subdivision fence shall encroach into the required twenty-five (25) foot visibility triangle as defined above.
- c. The perimeter subdivision fence shall have a maximum height of eight (8) feet, to include any element associated with the fence.
- d. Materials along Street Frontage: The perimeter subdivision fence shall be decorative in nature and constructed of stone, brick, wrought-iron, or a combination of these materials for any portion along a perimeter street. The use of wood and composite materials shall be prohibited along the street frontage.

Commented [BB72]: Codified standards for perimeter subdivision fences

Commented [BB73R72]: After review, staff recommends approval of these standards. Revision was made to material standards along street frontages.

Commented [BB74]: A suggestion of a 1' setback was offered at the 1st reading.

16. Sealed Plans Required for Masonry Walls, Columns and Fences: For all masonry walls, columns and fences authorized by this Section, required plans and specifications shall be prepared and sealed by a State of Texas registered engineer and shall consider the site's soil characteristics, wind loadings, and other environmental considerations. All field inspections and verifications for a new masonry wall, fence, and column must be approved by the design professional mentioned above or the professional's representative. Said inspection approval must be submitted to the Building Official in writing prior to the City's final inspection.

E. Fence and Free Standing Wall Setback Requirements

- 1. **Front Yards:** No fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent solid opaque construction shall extend into the required yard on which the primary structure faces.
 - a. The primary fencing material shall be of wrought iron, pre-formed concrete, poured in place concrete, concrete masonry unit (CMU), brick, approved wood rail construction, a combination thereof or other similar material approved by the City Building Official. All poured in place concrete and CMU shall contain an architectural finish.
 - b. On a corner lot, a house shall be deemed to face on that street on which it has its least dimension unless otherwise determined by the Building Official.
 - c. Vehicle Gate setback: Any vehicle gate shall be set back a sufficient distance from the property line to allow vehicle queuing space in order to maintain safety and to prevent backup along the street pavement. Sufficient distance shall be determined by the Building Official.
 - d. Exceptions to front yard requirement: Lots containing a minimum of 40,000 square feet, and subdivisions, shall be allowed to construct a perimeter fence within the front yard setback. Said

Commented [EW75]: Provides consistency for term used throughout Subsection E

Commented [EW76]: Specifies that the section applies to vehicle gates – not pedestrian gates

fencing shall be no greater than eight (8) feet in height and shall have no greater than twenty-five (25) percent solid opaque construction within the front yard. Allowed construction materials shall be the same as paragraph "1.a" above. **This exception shall not apply to properties zoned as a PUD district.**

Commented [EW77]: Provides consistency for term used throughout Subsection E

2. **Corner Side Yards:** Except where allowed elsewhere in this chapter, fences and walls within a required side yard adjacent to a street right-of-way shall meet the following setback standards:

A privacy fence or wall (which shall be defined as any fence or wall greater than thirty inches (30") in height ~~or that is~~ greater than 25 percent opaque construction) within a required street side yard shall be subject to whichever of the following provisions a) through d) shall yield the greatest setback:

Commented [BB78]: This clarifies that a fence that is not opaque (i.e. wrought iron) allowed to be located along the property/ROW line and within the setback.

Commented [BB79R78]: Per City Council, all fences must meet setback. Waiver requests require SUP approval?

- a. If the subject lot has a street side yard which faces a dwelling front or lot front across the side street, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the property line, except on any lot having either a required side yard less than fifteen (15') feet or an existing primary structure setback less than fifteen (15') feet, then the fence or wall may be constructed with the same setback as the primary structure; or
- b. If the subject lot backs to the rear of another residential lot, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the side property line; or
- c. If the subject lot backs to the side of another residential lot, the side yard privacy fence or wall shall be located not closer to the side property line than the required front setback of the adjoining lot; or
- d. If the subject lot backs to an alley, the side yard privacy fence or wall shall be located not closer than fifteen feet (15') from the side property line.

A decorative wall or fence (which is defined as any wall or fence not greater than thirty inches in height and not greater than twenty-five percent opaque construction) within a required street side yard shall not be placed less than three feet (3') from the side property line, and shall not be subject to the provisions of the preceding sections (a) through (d).

3. **Adjacent to Undeveloped Property:** Except for perimeter subdivision fencing meeting the requirements in paragraph "1.a" above, no fence or wall greater than thirty (30) inches in height ~~and not that is~~ greater than twenty-five (25) percent solid masonry opaque construction, shall be located less than fifteen (15) feet from the side property line adjacent to the street which leads into undeveloped property. See Exhibit "3-4".

Commented [EW80]: Provides consistency with term used throughout Subsection E

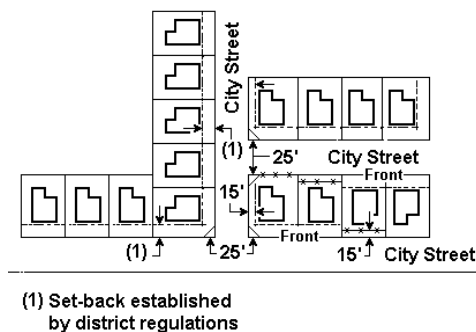


Exhibit "3-4"
Typical 15'-0" Solid Fence Setbacks

4. **Rear Fence and Free Standing Wall Setbacks:** Fences and walls meeting all of the construction

requirements of paragraph "1.a" above and the Uniform Building Code other adopted standards may be erected on the rear property line except; however, lots whose rear property line abuts a public street on which one of the immediate adjacent lots maintains its required front yard, then no fence nor wall greater than thirty (30) inches in height shall be located within fifteen (15) feet of the subject lots rear property line. See Exhibit "3-4".

Commented [EW81]: Uniform codes are obsolete

5. Twenty-five Percent Opaque Construction: The intent of this provision in Subsection E is to discourage barriers that resemble a compound or fortress and the calculation shall be as follows: Every eight (8) linear feet of fencing shall be at least 75% open to view from the street or public way. The 25% opaque construction shall be calculated based on the area of each eight (8) foot linear segment of the barrier.

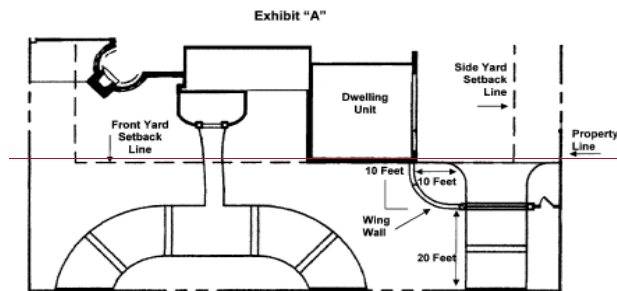
Commented [EW82]: This added provision attempts to specify how the calculation is applied to eliminate completely solid walls for longer runs and then installing wrought-iron on the ends

6. Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

F. Security Gating Encroachments

A front yard fence or screening wall providing support for a security gate and not exceeding a maximum height of 6 feet, may encroach a maximum of 10 feet into the front yard setback of a residential lot when the fence or screening wall meets the following criteria and shown in Exhibit "A":

1. The fence or screening wall shall attach to a gated entry across the driveway;
2. The fence or screening wall shall attach to the dwelling unit not more than 10 feet from the driveway and extend toward the driveway;
3. The fence or screening wall shall extend to the nearest side property line;
4. The fence or screening wall shall not extend beyond 10 feet into the setback from the dwelling unit;
5. The fence or screening wall shall not enclose nor extend across the entire front yard;
6. The gate and columns may not extend beyond one foot in height above the fence;
7. A minimum setback distance of 20 feet from the fence, screening wall and gate to the front property line shall be maintained.



G. Administration

1. Fence Permit Required - It shall be unlawful for any individual, partnership, company or corporation to erect or have erected a fence or any part of a fence of permanent construction in the city limits without first obtaining a fence permit from the Community Development Department.
2. Application for Permit - Any individual, partnership, company or corporation making application for a fence permit must sign an application for same showing the following information:

- a. Applicants name, address, and in addition, if the applicant represents a company or corporation, the name and address of the supervisor or foreman of said company or corporation and the name of its president.
- b. Name and owner of the property.
- c. Local address where fence is proposed to be erected.
- d. Materials and type of fence construction.
- e. Height of fence.
- f. Applicant shall provide engineering plans and specifications for those types of fences where such engineering is deemed appropriate by the Building Official. The engineering plans shall be reviewed and approved by the Building Official prior to issuance of a fence permit.
- g. Survey showing lot on which the fence is proposed to be erected and the location of adjoining or adjacent lots showing existing structures and fences. The proposed fence shall be delineated by a dark heavy line. In AG zoning districts a scaled plot plan can be submitted in lieu of a survey.

H. Variances

1. Any variance to the provisions of this section shall be heard by the Zoning Board of Adjustment.

Commented [BB83]: Redundant language

Section 3.27 Accessory Buildings and Residential Carport Regulations

The following regulations shall govern the location, size and use of accessory buildings:

A. Accessory Buildings Located in Residential Zoning Districts (O-00-1223 / 07/18/00)

1. Permit Required:

- a. A building permit shall be required for any accessory building which exceeds one hundred and twenty (120) square feet. However, all accessory buildings containing 120 square feet or less shall comply with the height and setback requirements of this Section. An accessory building shall only be allowed as an incidental structure to a principle building unless the accessory building is located in the Agricultural District.
- b. For the purpose of this Section, the term accessory building shall include detached residential garages, and pool houses, but shall exclude a carport (see Section 3.27.C), accessory dwellings, gazebos, cabanas, trellises, arbors, outdoor fireplaces/chimneys, or other shade structures. Exception: structures for specific use as playground assemblies and/or playhouses shall be exempt provided that minimum five (5) feet setbacks from property lines are maintained.

Commented [EW84]: Recommended expansion of language and provisions for children's structures

2. Maximum Size and Number of Buildings:

- a. The maximum number of accessory buildings allowed per lot shall be three (3) buildings. In addition, the combined square footage of all accessory buildings shall not exceed the maximum square footage specified in the following table: four percent (54%) of the aggregate area of the lot. Exemption: Lots containing a minimum of 80,000 square feet shall be exempt from the requirement for the maximum number of accessory buildings.

Commented [BB85]: Four percent (4%) is more in-line with current size allowances

Commented [EW86]: Allows for building sizes based on land area, not category

Commented [BB87]: Exemption added for large properties per Council direction

Maximum Square Footage of all Accessory Buildings				
Lot Size	Under .5 ac	.5-.99 ac.	1-2.99 ac.	3+ ac.

Total s. f.	750 s. f.	1,000 s. f.	1,750 s. f.	2,500 s. f.
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b. Accessory dwellings allowed by the Land Development Code shall be limited in size to be no more than the most restrictive of the following:

1. Fifty percent (50%) of the primary structure;
2. The maximum allowed square footage for accessory buildings on the lot; or
3. No more than twelve hundred (1,200) square feet

Commented [BB88]: Size limitations for accessory dwellings

c. For the purpose of this Section, the size of an accessory building shall be the square footage of the building footprint each floor, mezzanine, covered porch, or shade structure.

Commented [EW89]: Large accessory structures and extensions from accessory buildings should be accounted for.

ed. An application to exceed the total square footage shown in the above table authorized above may be approved as a Special Use Permit (SUP).

Commented [EW90]: Non-compliance should be addressed in new Section 7 below - Variances

de.- An existing accessory building may be remodeled or expanded provided the combined square footage of all accessory buildings does not exceed the maximum square footage allowed. However, an a legally-existing accessory building which exceeds the maximum square footage allowed may be remodeled or replaced with a new accessory building, but not expanded or increased in height.

Commented [BB91R90]: Need to keep per City Council direction

ef. There shall be no physical connection between accessory buildings and a minimum separation of three (3) feet between accessory buildings.

Commented [EW92]: Provision that does not "grandfather" buildings that were constructed without permits or otherwise authorized

3. Setbacks:

a. No accessory building shall be erected in any required yard, as defined in *Chapter 2 – Definitions*, except as set forth herein.

b. Attached accessory buildings – Accessory buildings erected ten (10) feet or closer to the principal building shall be considered attached, and shall comply with the setback lines established for the applicable zoning district. For the purpose of this regulation, the distance between buildings shall be measured between the nearest wall surfaces. Exception: Open structures (open on at least 2 ¾ sides), such as patio covers, shall be allowed to extend into the required rear yard setback a maximum of 10 feet.

Commented [BB93]: As long as there are no walls, the exception will allow for attached patio covers.

c. Detached accessory buildings – A detached accessory building shall comply with the setback lines established for the applicable zoning district, unless the accessory building is located totally behind the rear of the principal building, then it shall not be placed closer than five (5) feet to any side or rear lot line.

4. Maximum Height: No accessory building shall penetrate a vertical height envelope defined as being a point five feet from a side or rear lot line and extending vertically 8 feet to a point, then extending at a 45° angle to the height of the primary building.

5. Permitted Uses: The use of an accessory building shall be consistent with the permitted uses of the applicable zoning district, except, no accessory building shall be used for dwelling purposes other than for domestic family or servants quartersan accessory dwelling employed for the premises, where permitted by the district regulations.

Commented [EW94]: Matches definitions

6. Special Use Permit Provision: Any request for a building permit for an accessory building which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

B. For Accessory Buildings Located in Non-residential Zoning Districts

1. No accessory building shall be erected in any required yard area except as set forth by this section.

2. No accessory building shall be erected within ten (10) feet of any other building unless such

accessory building is used as a commercial kiosk, in which case such commercial kiosk cannot be located within fifty (50) feet of another building.

3. Commercial kiosks as accessory uses and/or buildings may be located within approved nonresidential districts subject to the following conditions:
 - a. Maximum size of two hundred-fifty (250) square feet.
 - b. No inside sales or service or drive in sales or service; walk-up and/or drive-up service permitted.
 - c. Exterior walls shall be of at least seventy-five percent (75%) masonry, glass, or other equivalent material, provided metal material does not exceed twenty-five percent (25%) of the exterior walls.
 - d. Located within required setbacks and in conformance with this section.
 - e. Located in such a manner as to not impede, impair or endanger vehicular traffic on the property where the kiosk is located and for vehicular traffic ingressing from and egressing to public rights-of-way.
 - f. Submission of an acceptable site plan shall be required for consideration of the issuance of a building permit unless a current valid Certificate of Occupancy exists.
 - g. Limited to one (1) kiosk per platted plot.

~~4. Accessory buildings on sites involving residential adjacency shall require approval of a Special Use Permit by City Council unless previously identified on an approval Site Plan.~~

- C. Residential Carport Regulations – Carports located in zoning districts which permit single family residential dwellings shall comply with the regulations contained in this section.

1. Approval by Special Use Permit Only: In accordance with the Special Use Permit procedures contained in this Chapter of these zoning regulations, no carport shall be built in the City of Colleyville without approval by the City Council for a Special Use Permit to construct a carport in a zoning district that permits single family residential dwellings.
2. Carport Standards: A carport shall comply with the following regulations, unless the City Council in approving a Special Use Permit for a carport has imposed other requirements necessary in the particular case to protect the public interests.
 - a. Size: A carport shall not exceed 480 square feet in area. The longest dimension on a carport shall not exceed 24 feet.
 - b. Height: A carport shall not exceed a maximum height of 15 feet. The height shall be measured from the finished grade to the highest point of the roof.
- c. Setbacks:
 - i. A carport located within ten (10) feet of the principal building shall comply with the front, side and rear yard setbacks of the zoning district. The distance shall be measured between the two closest points of the carport and principal building.
 - ii. A carport located 10 feet or more from a principal building may extend into a required side yard, provided all of the following conditions are satisfied:
 - (1) every part of such carport is unenclosed except for necessary structural supports;
 - (2) no part of the carport is less than five (5) feet from a side or rear lot line, and
 - (3) the carport is located completely within the rear yard area as defined in these zoning regulations.
- d. Maximum Number Per Lot: one

Commented [EW95]: Recommended for protections of residentially zoned properties

Commented [BB96R95]: Needed?

e. *Paving and Street Access:*

The parking area of a carport shall be paved not less than nine feet (9') by eighteen feet (18') and provide access to a public street right-of-way. Said access shall be a minimum of nine feet (9') in width and paved. All paved surfaces shall be either concrete, asphalt or pave-stone.

f. *Design Criteria:*

- i. Roof - Carports shall have a pitched roof of at least 2:12. Flat roofs shall be prohibited.
- ii. Posts - Posts shall be ~~constructed clad or finished~~ of brick, stone, cedar or decorative metal, such as metal lattice. For purpose of this requirement, decorative metal shall consist of twenty-five (25) percent opaque surfaces. The dimension of each post as viewed from each primary elevation shall not be less than ~~twelve-eight~~ inches (~~128~~") or more than forty-eight inches (48"). Any carport with two or more elevations that exceed the 48-inch criteria shall be considered an accessory building and be regulated as such. ~~Wooden Cedar~~ posts shall be ~~prohibited wrapped using masonry stone or brick from the base to at least 50% of the post height.~~ The exposed portion of the cedar post shall be a minimum of 8 inches.

Commented [EW97]: Recommend allowing cedar as an approved material

g. *Adequacy of Plans and Specifications:*

The applicant requesting a Special Use Permit to construct a carport shall submit plans and specifications of the proposed carport for review. Said plans and specifications shall contain sufficient information to allow the City Council to determine that the proposed carport complies with these regulations and the City Council may require additional information when necessary to clarify the applicant's request. At a minimum, the drawings shall contain a plot plan, elevation views and a description of the construction materials.

Section 3.28 Supplementary District Regulations

A. Reserved (O-00-1241 / 10/03/00)

B. Erection of More Than One Principal Building on a Lot – In any district other than Agricultural zoning, no more than one (1) building housing a permitted or permissible principal use may be erected on a single lot.

Commented [EW98]: Ag zoning district allows for a secondary dwelling

C. Buildings Constructed Across Lot Lines – No building may be constructed across existing platted lot lines unless a replat is filed and approved in accordance with applicable regulations of the city.

D. Exceptions to Height Regulations

1. Schools, public buildings, and institutions may be erected to a height not exceeding ~~(85) feet~~ the maximum height in any district in which they are permitted, provided front and rear yards are increased in depth and side yards increased in width one (1) foot for each foot of height that the building exceeds the height regulations of the district in which it is located.
2. The height regulations prescribed elsewhere in this Chapter shall not apply (except as may be applicable to paragraph d. hereof) to grain elevators, television and radio towers, church spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, ornamental towers, monuments, conveyors, fuel storage tanks, asphalt and concrete batch plant equipment not intended for human occupancy.
3. Limitations on number of stories shall not apply to buildings used exclusively for manufacturing or storage purposes provided such buildings do not exceed the height in feet permitted in the district in which they are located.
4. The permitted height of any occupied building shall be further restricted to the capability of the local fire fighting equipment to adequately handle any such building height.

Commented [BB99]: The size of the property will dictate the maximum height of the structure

5. In CC and ML zoning districts, the City Council may vary the maximum height of a building if the City Council finds that the location and/or configuration of the building is such that it will conform to the surrounding area and provide adequate light and air under the circumstances. For each foot of proposed height over the standard, there shall be a foot increase in the front and rear yards or as approved by the council. The request for a variance shall be accompanied by a site plan of the property and an architectural drawing of the proposed building.

E. Projections of Buildings, Structures and Appurtenances into Required Yards

1. Open or lattice enclosed fire escapes may project into a required yard not to exceed fifteen (15) feet. The ordinary projections of chimneys and pilasters shall be permitted by the City's Building Official when placed so as not to obstruct light and ventilation.
2. Terraces, balconies, decks, ~~uncovered porches~~ and ornamental features above the floor level of the ~~ground (first) story~~ may project into a required side yard, provided these projections be at least five (5) feet from any adjacent side lot line.
3. ~~An uncovered porch in the front yard may not be more than eighty (80) square feet or project into the front yard setback for distance of more than eight (8) feet. Fountains and other decorative features may project into the required front yard but shall not include structures used for occupancy such as guard sheds, shade structures, etc.~~
4. A porte-cochere or canopy may project into a required side yard, provided every part of such porte-cochere or canopy is unenclosed except for necessary structural supports, and not less than five (5) feet from any side lot line.
5. Every part of a required yard shall be open to the sky, unobstructed by a building, except for the ordinary projections of sills, belt courses, cornices, and ornamental features not exceeding twelve (12) inches, or as otherwise excepted in paragraph a. through d. above. Roof eaves may project into required side yards provided the projections be at least five (5) feet from any adjacent side lot line.
6. Gasoline filling station pumps and pump islands may be located or project into a required yard provided they are not less than twenty-five (25) feet distant from any street, highway or alley right-of-way line, and not less than fifty (50) feet distant from any residential property line.

- F. **Minimum Width of Enclosed or Partially Enclosed Open Space** – Where an open space is more than fifty (50) percent surrounded by a building, the minimum width of the open space shall be at least twenty (20) feet for one-story and one and a half-story buildings, thirty (30) feet for two-story buildings, and forty (40) feet for three or more story buildings.

- G. **Buildings and Structures to Have Access** – Every building or structure hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

- H. **Parking; Storage or Use of Major Recreational Equipment and Vehicles** – No major recreational equipment shall be parked or stored on any lot in a residential district except in a carport or enclosed building, or in a required side or rear yard ~~on an all-weather hard surface driveway~~; provided, however, that such equipment may be parked anywhere on residential premises not to exceed twenty-four (24) hours during loading or unloading. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, except for the temporary housing of guests not to exceed two (2) consecutive weeks.

For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

Commented [EW100]: Uncovered flatwork has no effect on the requirement provided lot drainage is not impacted

Commented [EW101]: Uncovered flatwork, regardless of size, has no effect on aesthetics at the front of a property

Commented [EW102]: Provides for decorative features in a front yard

Commented [BB103]: Need to define in Chapter 2

Commented [EW104]: Prohibits parking RV's on the grass

I. Parking and Storage of Vehicles in General

1. One commercial vehicle of not more than one ton capacity, except pick-up trucks, when used in the employ by the site occupant of a dwelling may be permitted on a residentially zoned lot, provided said parking space shall be in an enclosed garage, carport, or on an all-weather hard surface driveway, or in a side or rear yard on an all-weather surfaced driveway. Nothing in this Chapter shall prohibit the occasional overnight storage or parking of a commercial vehicle on residential property.
2. Off-street vehicle parking spaces shall not be located within ten (10) feet of existing proposed major thoroughfare street right-of-way lines in any commercial or industrial district. Such off-street parking spaces shall consist of a paved surface, i.e., concrete, HMA, brick or paving stone approved by the city building official. All ten (10) foot buffer areas shall be landscaped and maintained to enhance esthetic qualities.
3. To avoid the unsightly appearance of junked and abandoned vehicles in residential districts, no vehicles may be parked or stored on a residential premise where visible to any adjacent residential use, unless a current state vehicle inspection sticker is displayed thereon.

J. Front Yard Adjustments – Front yard requirements as established in *Section 3.24 - Schedule of District Regulations* may be adjusted in the following cases:

1. Where forty (40) percent or more of the frontage on the same side of a street between two intersecting streets is presently developed or may hereafter be developed with buildings that have (with a variation of ten (10) feet or less), a front yard greater or lesser in depth than herein required, new buildings shall not be erected closer to the street than the average front yard so established by the existing buildings.
2. Where forty (40) percent or more of the frontage on one side of a street between two intersecting streets is presently developed or may hereafter be developed with buildings that do not have a front yard as described above, then:
 - a. ~~Where a building is to be erected on a parcel of land that is within one hundred (100) feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest front corners of the adjacent building on each side, or~~
 - b. ~~Where a building is to be erected on a parcel of land that is within one hundred (100) feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent buildings.~~
3. Interior lots abutting on two streets shall provide the required front yard on both streets.
4. On corner lots, a front yard shall be provided on each street frontage except for lots of record as described in this Chapter.
5. Front yard requirements in all districts adjacent to an existing or proposed major thoroughfare or secondary thoroughfare street, as designated in the City's latest Comprehensive Plan, shall be measured from such existing or proposed major thoroughfare or secondary thoroughfare street right-of-way line.

K. Side Yard Adjustments – Side yard requirements as established in *Section 3.24 -Schedule of District Regulations* may be adjusted in the following cases:

1. Commercial buildings used in part for dwelling purposes, where permitted, shall provide side yards not less than five (5) feet in width unless every dwelling unit therein opens directly upon a front yard, rear yard or court yard.
2. Whenever a lot of record at the time of the effective date of this Chapter has a width of less than fifty (50) feet, the side yard on each side of a building may be reduced to a width not less than ten (10) percent of the width of the lot, but in no instance shall such width be less than four (4) feet.

3. On corner lots of record the yard adjacent to the side street shall not be less than fifteen (15) feet.
4. For commercial or industrial lots abutting a lot zoned CC1, CC2, CC3, CN, CPO or ML, subject to the approval of the city building official, a zero lot line is permitted on one side, provided a four hour fire wall is constructed at said zero lot line.
- L. Rear Yard Adjustments – Rear yard requirements as established in *Section 3.24 - Schedule of District Regulations* may be adjusted in the following case:
 1. Where a lot abuts an alley, one-half the alley width may be considered as part of the required rear yard.
- M. Lot Area Per Family Adjustments – Lot area per family (dwelling unit) requirements as established in *Section 3.24 - Schedule of District Regulations* shall be adjusted in the following cases:
 1. Where a lot of record or a lot in a subdivision which the Planning and Zoning Commission and City Council have officially approved and agreed to accept at the time of the effective date of this Chapter has less area or width than herein required, in the district in which it is located, said lot may nonetheless be used for a residential or nonresidential use, whichever is applicable, in the district in which it is located.

Section 3.29 – Parking Requirements

- A. Purpose – The purpose of this section is to require off-street parking and loading facilities proportional to the need created by each use. Where the minimum number of required parking spaces can not be calculated in accordance with the parking group schedule, the Building Official shall be authorized to determine the minimum number of required parking spaces using acceptable industry comparables.
- B. General Provision – In all zoning districts, there shall be provided in connection with the appropriate permitted use, off-street parking spaces in accordance with the provision of this section, unless a different parking standard has been set forth as a condition of a Special Use Permit or Planned Unit Development for a specific site. Existing facilities being used for off-street parking shall not be reduced in capacity to less than the minimum number of spaces prescribed, or altered in design or function to less than the minimum standards prescribed herein.
- C. Location of Parking – All required parking spaces shall be provided on the same lot or tract occupied by the use being served, except that where an increase in the number of spaces is required by a change or enlargement of a non-residential use, the additional required parking spaces may be located off-premises in accordance with the shared parking requirements contained in this section, unless a different parking standard has been set forth as a condition of a Special Use Permit or Planned Unit Development for a specific site. Required parking spaces for a residential use shall be provided on the lot or tract occupied by the use being served.
- D. Parking Space Locations Prohibited – No off-street parking space shall be located, either in whole or in part, within any fire lane, driveway, driving lane, or maneuvering area. Furthermore, no required off-street parking space shall be located, either in whole or in part, in a public street, sidewalk, parkway, alley or other public right of way.
- E. Parking Space Dimensions – No required off-street parking space shall be less than nine (9) feet in width by eighteen (18) feet in length.
- F. Mixed Use Parking – The parking requirements for a lot or building containing a mixture of uses shall be the sum of the requirements for each type of use. No parking space provided for one type of use or building shall be included in the calculation of the parking requirements for any other use or building. For multi-tenant developments containing greater than 30,000 square feet of floor area, the sum of the total number of required parking spaces may be reduced by ten percent (10%).
- G. Shared Parking – Where an increase in the number of off-street parking spaces is required by a change

or enlargement of use, the additional required spaces may be located on another property that is located on or adjacent to the site as defined by contiguous lot lines of a use not normally open and used or operated during the same hours, provided, that the following conditions are satisfied:

Commented [EW105]: Allows for an adjacent property to be used for shared parking

1. The parking spaces are located within three-hundred feet from an entrance to the building or use being served, measured along the shortest available pedestrian route with public access.
2. A copy of the written agreement, executed by the parties concerned, is furnished to the Building Official, assuring their retention for such purposes.

H. Building Renovations – When an existing building or use is enlarged, structurally altered, or remodeled to the extent of increasing or changing the use by more than ten percent (10%), but less than fifty percent (50%), of the existing square footage, additional off-street parking shall be provided for the incremental increase in accordance with the off-street parking regulations set forth herein. When an existing building or use is enlarged, structurally altered, or remodeled to the extent of increasing or changing the use by fifty percent (50%) or more of the existing square footage, the off-street parking requirements for the entire building shall be comply with the parking regulations set forth herein.

I. Supplemental Parking Space Requirements

1. Parking regulations are based on the gross floor area (GFA) of the building.
2. In determining the required number of parking spaces, fractional spaces shall be rounded to the nearest whole space. Parking spaces located in buildings used for repair garages or car washes, and spaces in drive-through lanes shall not be counted as meeting the required minimum number of parking spaces.
3. Wooden poles shall not be used for parking lot or site lighting for a non-residential use.
4. Except for single-family dwelling units, parking spaces shall be arranged so that vehicles shall not be required to back out of the parking spaces directly into a street.

5. A reduction of up to twenty percent (20%) may be authorized after approval of a Special Use Permit by the City Council when associated with new development or a significant change in use of an existing building or site. A parking analysis report justifying the reduction shall be provided as part of a request for parking reduction.

Commented [BB106]: The percentage is up for discussion; this allows for greater flexibility for unique and/or large developments

J. Parking Group Schedule – The minimum number of off-street parking spaces to be provided in connection with the permitted use listed in Table 3-310, *Schedule of Permitted Principal Uses*, shall be in accordance with the following Table 3.29 – *Parking Group Schedule*.

**Table 3.29
Parking Group Schedule**

Parking Group	Minimum Number of Off-Street Parking Spaces
1	1 per unit
2	2 per unit
3	2 per unit, exclusive of "in-garage" parking
4	1 per unit plus 1 guest space per every 5 units
5	1 per 100 sq. ft. of gross floor area
6	1 per 150 sq. ft. of gross floor area
7	1 per 200 sq. ft. of gross floor area
8	1 per 300 sq. ft. of gross floor area
9	1 per 400 sq. ft. of gross floor area
10	1 per 500 sq. ft. of gross floor area
11	1 per 5 pupils plus drop-off and pick-up areas
12	1 per classroom plus 1 per each 2 students
13	1 per classroom plus 1 per 400 sq. ft. of office space
14	1 per 1.5 students and staff, based on capacity
15	1 per 3 students
16	1 per 200 sq. ft. of gross floor area plus 1 per 5,000 sq. ft. of exterior nursery area
17	1 per living unit
18	1 per 3 seats in primary seating area
19	1 per guest room plus 1 per 300 sq. ft. of office area – parking for restaurant additional
20	2 per hole
21	1 space
22	5 per hole (one per tee area for driving ranges)
23	5 per alley or table
24	As set by the SUP or PUD approved ordinance
25	Determined by the Building Official using acceptable industry comparables

Section 3.29.1 – Parking Space Construction Standards

- A. Dimensions – No parking space shall be less than nine (9) feet in width by eighteen (18) feet in length. The design and dimensions of off-street parking areas shall be in accordance with the following Table 3.29.1 – *Table of Parking Space Dimensions*.

Table 3.29.1 Table of Parking Space Dimensions					
Angles (Degrees)	0	30	45	60	90
Stall, Parallel to Aisle	23.0	18.0	12.7	11.4	9.0
Stall, Perpendicular to Aisle	9.0	16.5	19.0	20.0	18.0
Aisle Width, One-Way (1)	12.0	12.0	12.0	16.0	22.0
Aisle Width, Two-Way	24.0	24.0	24.0	24.0	24.0

(1) Aisle width shall comply with the requirements of the fire code when the aisle serves as a fire lane

- B. Surfacing (New Structures) – All parking spaces, aisles and maneuvering areas shall be constructed of an all-weather surface composed of concrete, asphalt, brick or paving stone. Such paving shall meet the minimum construction standards contained in the Colleyville Building Code. Such all-weather surface shall be provided for all parking spaces, whether enclosed or unenclosed, and shall be connected by an all-weather surface driveway to a street or alley. Rock, gravel and dirt parking surfaces are prohibited.
- C. Striping – For all non-residential uses and multi-tenant residential uses, parking spaces shall be striped or otherwise clearly designated on the parking facility surface, as determined by the Building Official.
- D. Curbs, Wheel Stops and Islands – Parking spaces abutting on adjoining property lines or street right-of-

way lines shall be provided with wheel guards or bumper guards so located that no part of a normally parked vehicle will extend beyond the property line.

Section 3.30 Off-Street Loading Requirements

- A. Purpose and Intent – The purpose and intent of these regulations are to secure safety from fire, panic and other dangers; to lessen congestion in the streets and alleys; to facilitate the adequate provision of transportation and circulation; to conserve the value of building and land uses; and to encourage the most appropriate use of land. To this end, in all zoned districts where applicable, there shall be provided at the time any use is established or expanded, or any building is erected or structurally altered (except as otherwise provided elsewhere in this section) minimum off-street loading in conformance with the requirements established herein.
- B. Location of Loading Spaces – Off-street loading spaces shall be provided and maintained for all retail, commercial and industrial uses and structures for receiving and loading merchandise, supplies, and materials within a building or on the lot or tract adjacent thereto. Such spaces shall be marked with painted outline and may be adjacent to a public alley or private service drive or may consist of a truck berth within a building or structure, however no portion of the off-street loading space shall be located within or extend into any public street, highway or alley right-of-way. (O-00-1261 / 12/19/00)
- C. Computation of Off-street Loading Space Sizes – At least one-half of the required number of off-street loading spaces or truck berths shall have a minimum dimension of ten (10) feet by fifty (50) feet each and the remaining required spaces or berths shall have a minimum dimension of ten (10) feet by twenty-five (25) feet each - exclusive of turnaround and maneuvering space.
- D. Type of Parking Surface Required for Loading Space – All surface areas upon which vehicles and trucks are parked during unloading operations shall consist of a paved surface, i.e., concrete, HMA, brick, paving stone, approved by the city building official.
- E. Rules for the Computation of Off-street Loading Spaces
1. No building, structure or part thereof used for nonresidential purposes on any "CN" or "CC" district shall hereafter be enlarged or extended unless off-street loading space is provided in accordance with the provisions of this section.
 2. No building, structure or part thereof used for nonresidential purposes in any "ML" district shall hereafter be enlarged or extended to provide a gross floor area of 25,000 square feet or more unless off-street parking is provided in accordance with the provisions of this section.
- F. Number of Off-street Spaces Required – The minimum number of off-street loading spaces required shall be in conformance with the following schedules:
1. Retail, Service (except personal service), Commercial and Industrial Uses

Sq. Ft. of Floor Area in Building or Structure	Minimum Number of Off-Street Loading Spaces or Berths Required
0 to 9,999	None
10,000 to 49,999	1
50,000 to 99,999	2
100,000 to 199,999	3
Each additional 100,000	1 additional

2. Office Buildings, Hotels/Motels, Restaurants and Similar Establishments

Sq. Ft. of Floor Area in Building or Structure	Minimum Number of Off-Street Loading Spaces or Berths Required
0 to 49,999	None
50,000 to 149,999	1
150,000 to 299,999	2
300,000 to 499,999	3
500,000 to 999,999	4
Each additional 500,000	1 additional

Section 3.31 Duties of Administrative Official

- A. Administration and Enforcement – An Administrative Official designated by the City Manager shall administer and enforce this Chapter. Said person may be provided with the assistance of such other persons as the City Manager may direct.

If the Administrative Official finds that any of the provisions of this Chapter are being violated, he ~~the~~ Administrative Official or their representative shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He ~~The~~ Administrative Official or their representative shall order discontinuance of illegal use of land, buildings, or structures, removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done, or shall take any other action authorized by this Chapter to ensure compliance with or to prevent violation of its provisions.

Commented [EW107]: Revised language that was gender-specific

- B. Building Permits Required – No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefore where applicable, and issued by the Administrative Official. No building permit shall be issued by the Administrative Official except in conformity with the provisions of this Chapter, unless he receives a written order from the City Council or Zoning Board of Adjustment in the form of an administrative review, special exception, or variance as provided by this Chapter. No building permit shall be issued unless the property has been platted of record, except that a building permit may be issued for unplatted property meeting all of the following five criteria:

1. The parcel is a "lot of record" as defined herein; and
2. Right-of-way and easements sufficient for Master Plan roads or drainage/utility facilities exist; and
3. The parcel adjoins an approved public street; and
4. The parcel contains a principal residential use in a residential structure; and
5. The requested construction permit(s) and all construction permits issued for the parcel within the past three years allow improvements whose combined value does not exceed 50% of the appraised value of the parcel as shown in the current parcel record of the Tarrant County Appraisal District.

- C. Application for Building Permit – ~~All applications for building permits shall be accompanied by plans in triplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any, and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Administrative Official, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this and other city ordinances.~~

~~One copy of the plans shall be returned to the applicant by the Administrative Official, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. The original and one copy of the plans, similarly marked, shall be retained by the Administrative Official.~~

Commented [EW108]: The adopted building codes already codify the requirements for building permit applications

- D. Site Plan Approval Required – Where the property is zoned CPO, CN, CC, ML, SU, PUD-C, or PUD-I, a

site plan shall be submitted for review and approval to the Administrative Official prior to the issuance of a building permit. The site plan referred to herein shall contain the following:

1. The boundary lines and dimensions of the property, existing subdivision lots, available utilities, easements, roadways, sidewalks, fire lanes, and public rights-of-way.
2. Topography of the property proposed for development in contours of not less than two (2) feet, together with any proposed grade elevations, if different from existing elevations. If the natural contour of the land is to be altered or changed in any location on the property more than four (4) feet then the site plan must provide detailed information on the proposed grading plan. This information shall include the correlation of the proposed grading plan to the surrounding properties and the use of surrounding properties, and shall include information indicating the drainage and line of sight effect the proposed grading plan will have on the surrounding properties.
3. The 100 year flood plain, water courses, wetlands, drainage areas, and other significant features including, but not limited to, rock outcroppings and tree groupings.
4. The location and use of all existing and proposed buildings or structures, including all refuse storage areas, and the minimum distance between buildings. Where building complexes are proposed, a site plan showing the location of each building and the minimum distance between buildings, and between buildings and the property line, street or curb line and/or alley shall be submitted.
5. Total number of off -street parking and loading spaces in accordance with Section 29 "Off-Street Parking Requirements", and Section 30 "Off-Street Loading Requirements" of this Chapter.
6. All points of vehicular ingress and egress and circulation within the property. Any special traffic regulation facilities, proposed or required, to assure the safe function of the circulation plan shall also be shown.
7. Setbacks, lot coverage, and when relevant, the relationships of the setbacks provided and the height of any existing or proposed building or structure.
8. The location, size, and arrangement of all outdoor signs, exterior auditory speakers and lighting.
9. A landscape plan prepared in accordance with the requirements of *Chapter 4 – Landscaping & Buffering* of this Land Development Code.
10. The location and height of fences or, screen plantings and the type of building materials or plantings to be used for fencing or screening in accordance with the requirements of Section 26 "Fences, Free Standing Walls, and Screening Materials" of this Chapter.
11. Note a soil erosion control plan for the period during which construction will be taking place.
12. Where multiple types of land uses are proposed, a land use plan delineating the specific areas to be devoted to various uses shall be required.
13. Vicinity map, north point, scale, name of the development, name of the owner, name of the planner, total acreage of the project, street address or common description of the property.
14. Current land uses and zoning district of the property and current land uses and zoning districts of the contiguous properties and buildings on the exterior of the site and within twenty-five (25) feet of all property lines.
15. The location and size of existing and proposed surface and subsurface drainage facilities.
16. A description of the type of land use that is proposed for the site including its Standard Industrial Classification (SIC) Code if there are any chemicals or toxic materials involved.

The Administrative Official may allow all of the foregoing to be contained within a single drawing if in the opinion of the Administrative official the drawing can be properly evaluated.

~~E. Expiration of Building Permit — If the work described in any building permit has not begun within (6) calendar months from the date of issuance thereof, said permit shall expire. It shall be cancelled by the Administrative Official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained. Further, the Administrative Official shall make an inspection of the work each (6) months, and if the work has not progressed, said permit shall expire.~~

Commented [EW109]: The adopted building codes already codify the requirements for expired permits

~~F. Certificate of Occupancy Required: For New, Altered Changes in Use, or Non-conforming Uses — It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of occupancy shall have been issued therefor by the Administrative Official stating that the proposed use of the principal building or land conforms to the requirements of this Chapter.~~

~~a. No nonconforming building or use shall be maintained, renewed, changed, or extended until a certificate of occupancy shall have been issued by the Administrative Official. The certificate of occupancy shall state specifically wherein the nonconforming use differs from the provisions of the ordinance.~~

~~b. No permit for erection, alteration, moving or structural repair of any building shall be issued until an application has been made for a certificate of occupancy, and the certificate shall be issued in conformity with the provisions of this Chapter upon completion of the work.~~

~~c. A temporary certificate of occupancy may be issued by the Administrative Official for a period not exceeding (6) months during alterations or partial occupancy of a building pending its completion, provided that said temporary certificate may include such conditions and safeguards as will protect the safety of the occupants and the public.~~

~~d. The Administrative Official shall maintain a public record of all certificates of occupancy.~~

~~e. Failure to obtain a certificate of occupancy shall be a violation of this Chapter and punishable under Chapter 1 — General Provisions of this Land Development Code.~~

Commented [EW110]: The adopted building codes already codify the requirements for a Certificate of Occupancy

~~f. Construction and Use to be Provided in Applications, Plans, Permits and Certificate of Occupancy — Building permits or certificates of occupancy issued on the basis of plans and applications approved by the Administrative Official authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed violation of this Chapter, and punishable as provided by Chapter 1 — General Provisions of this Land Development Code.~~

Section 3.32 Comprehensive Zoning Ordinance – Zoning Map

This Chapter when read together with the official Zoning Map of the City of Colleyville, Texas, shall constitute the comprehensive zoning ordinance for the City of Colleyville, Texas.

The Zoning Map, as submitted with Ordinance 0-70-15, revised and updated in 1976, a copy of which is on file in the City Secretary's office shall remain the official Zoning Map of the City of Colleyville, until a new map is established in accordance with the provisions contained in this Chapter.

Section 3.33 Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
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Colleyville, Texas, Land Development Code

O-00-1223	07/18/00	Residential Accessory Buildings
O-00-1241	10/03/00	Temp. Construction Offices & Temp. Real Estate Offices
O-00-1249	11/08/00	Large Commercial Buildings
O-00-1261	12/19/00	Location of Loading Spaces / Non-conforming Uses, Lots and Buildings
O-02-1331	02/19/02	Established one year time limit on SUP performance
O-02-1330	02/26/02	Tents and other special events
O-04-1454	04/16/04	Maximum size and number of screens for movie theaters
O-04-1497	12/21/04	Temporary Buildings and Uses
O-05-1529	06/21/05	Amend PUD regulations
O-05-1532	07/19/05	Amend PUD side and rear yard set-back regulations
O-05-1538	09/06/05	Amend movie theater regulations regarding viewing screens
O-07-1607	01/16/07	Update Land Use Table and Parking Schedule
O-07-1608	02/20/07	Security gating setback standards across driveways
O-07-1633	9/4/07	Amend Sections 3.17 to 3.22 and Section 3.24, Table of Permitted Uses
O-08-1656	02/05/08	Amend Section 3.24, Table of Permitted Uses
O-09-1708	02/17/09	Amend Sections 3.26 and 3.27
O-09-1709	02/17/09	Amend Section 3.24.C, Wind Driven Generators
O-10-1750	05/04/10	Addition of Package Store Use, Regulations and Provisions
O-12-1838	6/19/12	Amend Section 3.24, Table of Permitted Uses to include purchasing and/or resale of precious metals
O-13-1863	2/5/13	Amend Section 3.24, Table of Permitted Uses to include addition of medical office uses to CPO zoning district
O-13-1871	4/16/13	Addition of Portable Storage Structure standards to Section 3.24(C). Amendments to Section 3.26 regarding commercial screening and dumpster screening
O-14-1905	1/21/14	Addition of fence maintenance and construction standards
O-14-1914	4/15/14	Addition of Concrete/Asphalt batch plant standards

ORDINANCE O-18-2067

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 3 – LAND USE 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 Chapter 3 – Land Use of the Land Development Code as part of a comprehensive review of the Land Development Code; 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 3 – Land Use* 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 20th day of November 2018.

The second reading and public hearing being conducted on the 18th day of December 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City

Attorney

Exhibit “A”

{Chapter 3}



City of Colleyville City Council Agenda Briefing

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

Agenda Number 10a

Agenda Date 12/18/2018

Number Resolution R-18-4337

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Architectural Review Commission

Strategic Plan

1.1 Actively involve and engage stakeholders

Explanation

Reading and Public Hearing

The Architectural Review Commission (ARC), is comprised of seven members and meets as needed. The City Council established ARC to engage the Colleyville community in the City's economic development efforts. The Commission serves in an advisory role to the City Council and provides recommendations on matching grant applications, recommendations related to issues such as the quality and effectiveness of Colleyville's Commercial Design Standards, and the possibility of an Overlay District within the core of the Colleyville Boulevard corridor.

There are four (4) positions on the ARC whose terms expire December 2018. The positions were advertised and the incumbents were notified their term was expiring and asked to submit an Application for Appointment, if they wished to be considered for reappointment.

The following Commissioner's terms expire December 2018:

- Frank Manzare
- Jason McDougall
- Curtis Young
- Karen Miers-Ziober

The applicants are listed below and the applications are attached:

- Cameron DeRouen
- Justin Fairless
- Curtis Young
- Craig Zemmin

This resolution provides for City Council to consider appointments to the Architectural Review Commission.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Architectural Review Commission Roster
2. Architectural Review Commission Applications for Appointment
3. Resolution R-18-4337

ARCHITECTURAL REVIEW COMMISSION

Kathy Braatz

5700 Bent Tree Court
Colleyville, TX 76034
H: (817) 734-3198
Kathy.braatz@gmail.com
TERM: Feb 2018 – Dec 2019

Mark Burdette

77 Veranda Lane
Colleyville, TX 76034
H/W: (214) 621-8591
markburdette@gmail.com
TERM: Feb 2018 – Dec 2019

Frank Manzare

5105 Apple Valley Drive
Colleyville, TX 76034
W: (214) 475-3334
H: (682) 214-1655
fjmanzari@aol.com
TERM: Dec 2016 – Dec 2018

Jason McDougall

3713 Sweet Briar Lane
Colleyville, TX 76034
H: (682) 207-8425
mcdougall@live.com
TERM: Feb 2018 - Dec 2018

Sayed Syed

6705 Sapphire Circle North
Colleyville, TX 76034
W: (817) 400-5709
H: (817) 913-0474
sbilqees@gmail.com
TERM: Feb 2018 – Dec 2019

Curtis W. Young

8003 Jefferson Circle
Colleyville, TX 76034
W: (817) 424-2626
H: (817) 498-2011
cyoung@sage-dfw.com
TERM: Dec 2016 - Dec 2018

Karen Miears-Ziober

105 Timberline Drive South
Colleyville, TX 76034
W: (817) 498-1222
H: (817) 797-9221
KarenMiears@hotmail.com
TERM: Feb 2018 - Dec 2018



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Architectural review commission

If you are willing to be considered for another board, commission, or committee, please list below.

2. Capital improvement advisory committee

3. Tax increment finance district board

Name: Ms. Mrs. Mr. *Cameron DeRouen*

Address: 4505 Jim Mitchell trail E
Colleyville, TX 76034

Home phone: 817-739-3184

Work phone:

E-mail Address: cameronderouen@yahoo.com

By providing an e-mail address, I consent to the release of my e-mail address by the City.

I understand attendance and active support is required for each appointee.

I understand I will be required to comply with the Texas Open Meetings Act training.

I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

Extensive background in construction. Superintendent on multiple iconic projects throughout the state of Texas to include Texas A&M's Kyle Field, Dallas Cowboys World Headquarters at The Star in Frisco, National Soccer Hall of Fame at Toyota Stadium in Frisco TX, and the Texas Rangers new ballpark in Arlington TX. BS, Construction Science Texas A&M Cum Laude

Check if additional materials are attached. Other information (City/civic service, interests):

US Army veteran and
Operation Iraqi Freedom
Veteran

Signature: *[Signature]*

Date:

9/6/18

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. [Download the financial disclosure form here.](#)

Board, Commission, or Committee Preference: (only those with current openings)

1. PARKS AND RECREATION ADVISORY BOARD ☐
2. HISTORICAL PRESERVATION COMMITTEE ☐
3. ARCHITECTURAL REVIEW COMMISSION ☐

Name: Ms. Mrs. Mr. Dr. Justin W. Fairless

Address: 6917 Da Vinci Colleyville, TX 76034

Home Phone: 817-823-0755

Work Phone: 214-970-0201

E-mail Address: drfairless@gmail.com

Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I am required to comply with the Texas Open Meetings Act training.
- ☒ I understand I must bring my own device to meetings to view packet information.
- ☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
- ☒ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
Community Physician, previous involvement at community level with organization of EMS and Fire Department community activities and public health / safety awareness.
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
I strongly desire more involvement in my community and wish to serve the citizens of Colleyville by ensuring that we maintain a strong historical memory and increase community involvement in our city. I hope to provide a voice from the perspective of health and wellness and as a citizen.
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
Increased publicity of certain events at area parks and more transparency of the City government. The perception is that our current leadership is strong and headed in the right direction. Local charity events as well as donation opportunities are working well and need to continue.
4. **What are some issues in Colleyville that may require change?**
Our local business need stronger support. The current construction has endangered some businesses. We need to involve them in community activities to increase traffic and keep them in business.
5. **If you could influence the City in just one way, what would that be?**
I would suggest that we increase the number and size of community events, increase the support of our local businesses, maintain transparency of government, and continue to promote the safety and wellness of our community.
6. **Please share with us your vision for the City of Colleyville.**
Colleyville is a safe place to live and a great place to raise a family. With many parks and recreational events, excellent dining and shopping, Colleyville is the place to be in NE Tarrant County.

Signature: _____ Date: 12/5/18

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. [Download the financial disclosure form here.](#)

Board, Commission, or Committee Preference: (only those with current openings)

1. ARCHITECTURAL REVIEW COMMISSION
2. CLICK TO VIEW AND CHOOSE
3. CLICK TO VIEW AND CHOOSE

Name: Ms. Mrs. ☒ Mr. Curtis Young

Address: 8003 Jefferson Circle, Colleyville

Home Phone: 817-498-2011

Work Phone: 817-424-2626

E-mail Address: cyoung@sage-dfw.com

Fax: 817-424-2890

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I am required to comply with the Texas Open Meetings Act training.
☒ I understand I must bring my own device to meetings to view packet information.
☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
☐ Additional materials attached.

1. City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:

Past member, Hwy 26 Committee; current member of the Architectural Review Commission. Past member, Grapevine P&Z- 1990-96. Registered Architect, Texas and other states, National Architect.

2. What do you perceive your role will be in serving on a board, commission, or committee?

As the ARC is an advisory board to the City Council, my role would be to utilize my education, knowledge and professional experience to analyze the architectural issue we are tasked to review.

3. In your opinion, what policies/programs/assets of Colleyville are working well?

Colleyville has wonderful neighborhoods, which is why most of us live here. We have enjoyed and participated in the youth programs over the years and always felt they were well run. As a member of a neighborhood HOA Board, the city staff has always been responsive to issues or questions.

4. What are some issues in Colleyville that may require change?

It is disheartening to see the division that often seemed to come up on issues affecting the city, and would hope that we are able to come together to address them in an honest, logical manner.

5. If you could influence the City in just one way, what would that be?

Although it is clearly getting better as of late, the condition of the city's infrastructure affects us all, and is as important to our property values as any other factor. I would hope we could make improvements.

6. Please share with us your vision for the City of Colleyville.

My vision is for Colleyville to remain a great place to live and raise a family, and also to continue to evolve and add amenities and strive for high quality in all new things added.

Signature: Curtis Young

Digitally signed by Curtis Young
DN: cn=Curtis Young, o=City of Colleyville, email=cyoung@sage-dfw.com, c=US
Date: 2016.11.09 12:07:21 -0500

Date: _____

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1132. [Download the financial disclosure form here.](#)

Board, Commission, or Committee Preference: (only those with current openings)

1. ARCHITECTURAL REVIEW COMMISSION ☐
2. PARKS AND RECREATION ADVISORY BOARD ☐
3. COLLEYVILLE CENTER ADVISORY COMMITTEE ☐

Name: Ms. Mrs. ☒ Mr. Craig Zemmin

Address: 4708 Lakeside Dr., Colleyville, Texas 76034

Home Phone: 817.584.5770

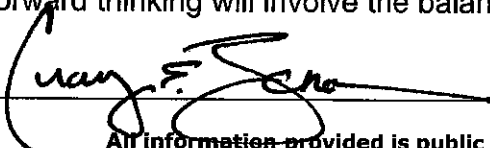
Work Phone: 817.584.5770

E-mail Address: zemminconsulting@gmail.com

Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I am required to comply with the Texas Open Meetings Act training.
☒ I understand I must bring my own device to meetings to view packet information.
☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
☐ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
City of North Richland Hills - Library Board, Leadership Arlington, Thornbury Homeowners Association - Vice President and Chair of Architectural Control Committee. IREM - ARM and CPM
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
As member of any entity, the first role is to "listen". I have no preconceived agenda or goals for outcomes. Rather, it is my intention to serve the Colleyville, Texas community.
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
We moved from Grapevine, Texas to Colleyville, Texas in March 2014. We are connected to all areas and "enjoy" the quality of life the area offers. We appreciate the growth in the community and understand growth can be a challenge.
4. **What are some issues in Colleyville that may require change?**
Colleyville, Texas continues to grow. This is in addition to tremendous growth is surrounding communities. Colleyville, Texas will have a challenge trying to be what it was 10 years ago.
5. **If you could influence the City in just one way, what would that be?**
Create opportunities whereby all citizens work together in a common goal. Not an easy task as there are typically multiple opinions. I think we all have to respect the opinions of each other and foster debate that carries us all forward.
6. **Please share with us your vision for the City of Colleyville.**
I see Colleyville, Texas holding it's fundamental roots as a community that embraces quality of life. The forward thinking will involve the balance of commercial / retail with solid residential base.

Signature:  Date: 5/9/18

All information provided is public pursuant to the Texas Public Information Act.
Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034
Office: 817.503.1132 Fax: 817.503.1139; cloven@colleyville.com.

RESOLUTION R-18-4337

**A RESOLUTION APPOINTING MEMBERS TO THE
ARCHITECTURAL REVIEW COMMISSION**

WHEREAS, four (4) positions on the Architectural Review Commission have terms which expire December 2018.

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

Sec. 1. THAT the Colleyville City Council hereby appoints the following persons to the Architectural Review Commission with a term expiring December 2020:

-
-
-
-

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ___ AYES, ___ NAYS ON THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, 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 10b

Agenda Date 12/18/2018

Number Resolution R-18-4338

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Colleyville Center Advisory Committee

Strategic Plan

1.1 Actively involve and engage stakeholders

Explanation

Reading and Public Hearing

There are eight at-large members, and six members representing Colleyville civic organizations on the Colleyville Center Advisory Committee (CCAC). The CCAC meets quarterly and is responsible for making recommendations to City Council regarding fee structures, policies, and development of long-range plans for the Center's use and marketing.

The terms of three (3) at-large members, and three (3) organization representatives (Colleyville Garden Club, Colleyville Lions Club, and the National Charity League) expire December 2018.

The following at-large committee member's terms expire December 2018:

- Karen Matusic
- Amy Redfearn
- Paul Vigiletti

The following organization committee member's terms expire December 2018:

- Julie George – Colleyville Garden Club
- Louis C. Miller – Colleyville Lions Club
- Sandi Totherow - National Charity League

The at-large applicants are listed below and applications are attached.

At-Large:

- Lakkureddi Alagarsamy
- Paul Vigiletti
- Craig Zemmin

The Civic Clubs have asked for the following to represent their respective organizations:

- Julie George - Colleyville Garden Club
- Louis C. Miller - Colleyville Lions Club
- Jennifer Larsen - National Charity League

This resolution provides for City Council to consider appointments to the Colleyville Center Advisory Committee.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Colleyville Center Advisory Committee roster
2. Colleyville Center Advisory Committee Applications for Appointment
3. Resolution R-18-4338

COLLEYVILLE CENTER ADVISORY COMMITTEE

At-Large

Chase Browning

200 Woodbine Drive
Colleyville, TX 76034
W: (214) 549-7683
H: (214) 316-1668
chasebrowning@hotmail.com
TERM: Dec 2017 – Dec 2019

At-Large

Earlene Garvey

4508 Cresthaven Drive
Colleyville, TX 76034
W: (817) 271-3257
H: (817) 271-3257
Earlene.Garvey@gmail.com
TERM: Dec 2017 – Dec 2019

At-Large

Judith Goodwin

4001 Allendale Street
Colleyville, TX 76034
H: (817) 267-8702
dongoodwin@verizon.net
TERM: Dec 2017 – Dec 2019

At-Large

Mark Johnson

4804 Mill Brook Drive
Colleyville, TX 76034
H: (817) 909-0778
markjohnson49@mac.com
TERM: Dec 2017 – Dec 2019

At-Large

Karen Matusic

4816 Cranbrook Drive West
Colleyville, TX 76034
W: (817) 885-3386
H: (412) 298-7203
kmatusic@hotmail.com
TERM: Dec 2016 – Dec 2018

At-Large

Fred Mills

5400 Linden Court
Colleyville, TX 76034
H: (817) 545-6862
saxmills@verizon.net
TERM: Dec 2017 – Dec 2019

At-Large

Amy Redfearn

7300 Chanel Court
Colleyville, TX 76034
H: (817) 577-1009
amyredfearn@verizon.net
TERM: Dec 2016 – Dec 2018

At-large

Paul Vigiletti

604 Summertree Court
Colleyville, TX 76034
W: (817) 689-4475
H: (817) 485-7417
paubervig@att.net
TERM: Dec 2016 – Dec 2018

Colleyville Garden Club

Julie George

5908 Quality Hill Road
Colleyville, TX 76034
W: (214) 202-4671
H: (817) 577-2627
juliefgeorge@sbcglobal.net
TERM: Dec 2016 – Dec 2018

Colleyville Lions Club

Louis C. Miller

7802 Tillman Hill Court
Colleyville, TX 76034
W: (817) 994-6180
millerlouis@sbcglobal.net
TERM: Dec 2016 – Dec 2018

National Charity League

Sandi Totherow

6705 Carriage Lane

Colleyville, TX 76034

H: (480) 289-8223

tothbs@hotmail.com

TERM: Dec 2016 – Dec 2018

Colleyville Rotary Club

VACANT

TERM: Dec 2017 – Dec 2019

Colleyville Woman's Club

Darla Dennison

100 Franklin Court

Colleyville, TX 76034

H: (817) 770-8805

TERM: Dec 2017 – Dec 2019

Colleyville Chamber of Commerce

VACANT

O: (817) 488-7148

TERM: Dec 2017 – Dec 2019



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Center Advisory Committee



If you are willing to be considered for another board, commission, or committee, please list below.

2. Colleyville Library Board



3. Parks and Recreation Advisory Board



Name: ☐ Ms. ☐ Mrs. ☒ Mr. Lakkureddi Alagarsamy Ph.D (@ Reddi)

Address: 3724 Rothschild Blvd, Colleyville, Tx 76034

Home phone: 331-442-1676 (mobile)

Work phone:

E-mail Address: alreddi@gmail.com

☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.

☒ I understand attendance and active support is required for each appointee.

☒ I understand I will be required to comply with the Texas Open Meetings Act training.

☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

I am a Sr Clinical Research Manager with Ph.D working for underserved community to get quality and cutting edge medical care. Served as a Park and Recreational boards member for a year and half. Seeing my commitment and involvement to the Village of Carpentersville, IL, Village trustees offer me to serve in Audit and Financial Committee. Due to my job change, I moved to Texas and bought a home at Colleyville, based on mixed community with good school and committed city services. Given an opportunity to serve in any of the board I will serve my level best to the development and wellbeing citizen of Colleyville.

☒ Check if additional materials are attached. Other information (City/civic service, interests):

I have attached screen shot of Village of Carpentersville Audit and Finance committee with my name. Since my family committed to the development of Carpentersville, village president offer my wife to serve in a Park and recreational board (attached). I am serving as a volunteer assistant coach for a city volleyball team and willing to serve as a city/civic services. Thanks.

Signature:

Date: 9/3/20

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139
Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. Download the financial disclosure form [here](#).

Board, Commission, or Committee Preference: (only those with current openings)

1. COLLEYVILLE CENTER ADVISORY COMMITTEE
2. CLICK TO VIEW AND CHOOSE
3. CLICK TO VIEW AND CHOOSE

Name: Ms. Mrs. ☒ Mr. Paul Vigiletti

Address: 604 Summertree Court Colleyville, Tx 76034

Home Phone: 817-485-7417

Work Phone: Cell 817-689-4475

E-mail Address: paubervig@att.net

Fax: 817-485-7417

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I am required to comply with the Texas Open Meetings Act training.
☒ I understand I must bring my own device to meetings to view packet information.
☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
☐ Additional materials attached.

1. City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:

I have been a member of the Colleyville Center Advisory Board since the very beginning. I helped as an advisor before and during the building of the center. Because of the length of time being on the committee I have gained a wealth of knowledge about the Center and the working of the city with the center. The Center is very special to me so I would like to remain on the Advisory Board.

2. What do you perceive your role will be in serving on a board, commission, or committee?

The role is to advise all necessary items that effect the Center and to protect is building and it's rules and regulation with regards to the city of Colleyville's rules and regulations. Also to advise city council of all the necessary needs of the center.

3. In your opinion, what policies/programs/assets of Colleyville are working well?

4. What are some issues in Colleyville that may require change?

Advance of the Centers needs and upkeep. With further publicizing the Center as to bring in more usage.

5. If you could influence the City in just one way, what would that be?

To help maintain our police and fire force not only in their needs but in their salaries. We keep losing our wonderful police and fire men and women to other cities. Also, keep upgrading the city of Colleyville's roads.

6. Please share with us your vision for the City of Colleyville.

Always to have a City Council that works together for the benefit of the people of Colleyville. To have better access roads to and from Colleyville and to keep up the good work that is now being done by the current Mayor, City Council and City staff.

Signature: _____ Date: _____

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1132. Download the financial disclosure form here.

Board, Commission, or Committee Preference: (only those with current openings)

1. ARCHITECTURAL REVIEW COMMISSION ☐
2. PARKS AND RECREATION ADVISORY BOARD ☐
3. COLLEYVILLE CENTER ADVISORY COMMITTEE ☐

Name: Ms. Mrs. ☒ Mr. Craig Zemmin

Address: 4708 Lakeside Dr., Colleyville, Texas 76034

Home Phone: 817.584.5770

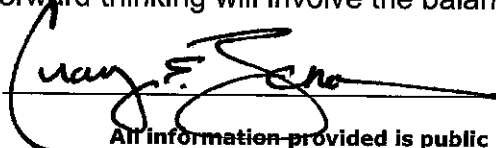
Work Phone: 817.584.5770

E-mail Address: zemminconsulting@gmail.com

Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I am required to comply with the Texas Open Meetings Act training.
☒ I understand I must bring my own device to meetings to view packet information.
☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
☐ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
City of North Richland Hills - Library Board, Leadership Arlington, Thornbury Homeowners Association - Vice President and Chair of Architectural Control Committee. IREM - ARM and CPM
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
As member of any entity, the first role is to "listen". I have no preconceived agenda or goals for outcomes. Rather, it is my intention to serve the Colleyville, Texas community.
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
We moved from Grapevine, Texas to Colleyville, Texas in March 2014. We are connected to all areas and "enjoy" the quality of life the area offers. We appreciate the growth in the community and understand growth can be a challenge.
4. **What are some issues in Colleyville that may require change?**
Colleyville, Texas continues to grow. This is in addition to tremendous growth is surrounding communities. Colleyville, Texas will have a challenge trying to be what it was 10 years ago.
5. **If you could influence the City in just one way, what would that be?**
Create opportunities whereby all citizens work together in a common goal. Not an easy task as there are typically multiple opinions. I think we all have to respect the opinions of each other and foster debate that carries us all forward.
6. **Please share with us your vision for the City of Colleyville.**
I see Colleyville, Texas holding it's fundamental roots as a community that embraces quality of life. The forward thinking will involve the balance of commercial / retail with solid residential base.

Signature: 

Date: 5/9/18

All information provided is public pursuant to the Texas Public Information Act.
Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034
Office: 817.503.1132 Fax: 817.503.1139; cloven@colleyville.com.

RESOLUTION R-18-4338

**A RESOLUTION APPOINTING MEMBERS TO THE
COLLEYVILLE CENTER ADVISORY COMMITTEE**

WHEREAS, the Colleyville Center Advisory Committee has six (6) positions whose terms expire December 2018; and

WHEREAS, three (3) positions are at-large and three (3) positions represent the Colleyville Garden Club, the Colleyville Lions Club, and the National Charity League.

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

Sec. 1. THAT the following persons are hereby appointed to the Colleyville Center Advisory Committee with a term expiring December 2020:

- At-Large
- At-Large
- At-Large

- Colleyville Garden Club
- Colleyville Lions Club
- National Charity League

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ___ AYES, ___ NAYS ON THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, 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 10c

Agenda Date 12/18/2018

Number Resolution R-18-4339

Type Resolution

Department City Secretary

Title

Consideration of an appointment to the Historical Preservation Committee

Strategic Plan

1.1 Actively involve and engage stakeholders

Explanation

Reading and Public Hearing

City Council made appointments to the Historical Preservation Committee at the September 18, 2018 City Council meeting, however, a vacant position with a term to September 2020 remained and City Council directed staff to readvertise the opening. One application was received from Justin Fairless, and is attached for City Council consideration.

This resolution provides for City Council to consider an appointment to the Historical Preservation Committee.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Historical Preservation Committee Roster
2. Historical Preservation Committee Application for Appointment
3. Resolution R-18-4339

HISTORICAL PRESERVATION COMMITTEE

Zach Atkinson

405 Live Oak Drive
Colleyville, TX 76034
W: (214) 8246369
H: (469) 6283732
zatkinson@angielecc.com
TERM: Oct 2017 – Sep 2019

George Bond

3104 St. Albans Circle
Colleyville, TX 76034
W: (817) 313-2222
H: (817) 313-2222
bondgeorge81@yahoo.com
TERM: Sep 2018 – Sep 2020

Jeff Gilstrap

1708 Avalon Drive
Colleyville, TX 76034
H: (214) 870-2691
W: (817) 429-6262
jeffg@harrispackaging.com
TERM: Oct 2017 – Sep 2019

Alexa Canipe

4504 Mill Pond Court
Colleyville, TX 76034
H: (832) 729-0191
W: (817) 255-9545
acanipe@fwmsch.org
TERM: Sep 2018 – Sep 2020

Brandon Webster

5517 Rustic Trail
Colleyville, TX 76034
W: (817) 999-5897
brandon.webster77@gmail.com
TERM: Sep 2018 – Sep 2020

Ryan Moore

5705 Bent Tree
Colleyville, TX 76034
W: (817) 267-3900
H: (214) 507-4896
ryan.moore@ferguson.com
TERM: Feb 2018 – Sep 2019

Jeffrey Moschel

6209 Westcoat Drive
Colleyville, TX 76034
(972) 717-2426
jeffemoschel@aol.com
TERM: Oct 2017 – Sep 2019

Nelson Thibodeaux

5612 Coventry Court
Colleyville, TX 76034
W: (817) 416-6934 x 103
H: (817) 657-3207
nelson@tbisolutionsllc.com
TERM: Sep 2018 – Sep 2020

Gigi Walker

2620 Meandering Court
Colleyville, TX 76034
W: (214) 761-2449
H: (903) 821-3418
gigi_gerig@neimanmarcus.com
TERM: Oct 2017 – Sept 2019



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. [Download the financial disclosure form here.](#)

Board, Commission, or Committee Preference: (only those with current openings)

1. PARKS AND RECREATION ADVISORY BOARD ☐
2. HISTORICAL PRESERVATION COMMITTEE ☐
3. ARCHITECTURAL REVIEW COMMISSION ☐

Name: Ms. Mrs. Mr. Dr. Justin W. Fairless

Address: 6917 Da Vinci Colleyville, TX 76034

Home Phone: 817-823-0755

Work Phone: 214-970-0201

E-mail Address: drfairless@gmail.com

Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I am required to comply with the Texas Open Meetings Act training.
- ☒ I understand I must bring my own device to meetings to view packet information.
- ☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
- ☒ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
Community Physician, previous involvement at community level with organization of EMS and Fire Department community activities and public health / safety awareness.
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
I strongly desire more involvement in my community and wish to serve the citizens of Colleyville by ensuring that we maintain a strong historical memory and increase community involvement in our city. I hope to provide a voice from the perspective of health and wellness and as a citizen.
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
Increased publicity of certain events at area parks and more transparency of the City government. The perception is that our current leadership is strong and headed in the right direction. Local charity events as well as donation opportunities are working well and need to continue.
4. **What are some issues in Colleyville that may require change?**
Our local business need stronger support. The current construction has endangered some businesses. We need to involve them in community activities to increase traffic and keep them in business.
5. **If you could influence the City in just one way, what would that be?**
I would suggest that we increase the number and size of community events, increase the support of our local businesses, maintain transparency of government, and continue to promote the safety and wellness of our community.
6. **Please share with us your vision for the City of Colleyville.**
Colleyville is a safe place to live and a great place to raise a family. With many parks and recreational events, excellent dining and shopping, Colleyville is the place to be in NE Tarrant County.

Signature: _____ Date: 12/5/18

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.

RESOLUTION R-18-4339

**A RESOLUTION APPOINTING A MEMBER TO THE
HISTORICAL PRESERVATION COMMITTEE**

WHEREAS, one (1) position on the Historical Preservation Committee is vacant.

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

Sec. 1. THAT the Colleyville City Council hereby appoints the following to the Historical Preservation Committee with a term expiring September 2020:

- Justin Fairless

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON
THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, 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 10d

Agenda Date 12/18/2018

Number Resolution R-18-4340

Type Resolution

Department City Secretary

Title

Consideration of appointments to the Parks and Recreation Advisory Board

Strategic Plan

1.1 Actively involve and engage stakeholders

Explanation

Reading and Public Hearing

The eight-member Parks and Recreation Advisory Board meets quarterly or as needed and acts in an advisory capacity to City Council on all matters pertaining to Parks and Recreation. In an effort to advance sound Parks and Recreation planning and programming, the Board may also coordinate with other governmental agencies, civic groups, and citizens of Colleyville.

There are four (4) positions on the Parks and Recreation Advisory Board, whose terms expire December 2018. The positions were advertised and the incumbents were notified their term was expiring and asked to submit an Application for Appointment, if they wished to be considered for reappointment.

The following board member's terms expire December 2018:

- Rich Hendler, Place 1
- John Hillebrand, Place 3
- Natalie Genco, Place 5
- Jim Hasenpflug, Place 7

The applicants are listed below, and the applications are attached:

- Lakkureddi Alagarsamy
- Kathy Braatz
- Justin Fairless
- Julie George
- Rich Hendler
- John Hillebrand
- Eric Presson
- Vanessa Steinkamp

- Janet Suedmeier
- Craig Zemmin

This resolution provides for City Council to consider appointments to the Parks and Recreation Advisory Board.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Parks and Recreation Advisory Board Roster
2. Parks and Recreation Advisory Board Applications for Appointment
3. Resolution R-18-4340

PARKS AND RECREATION ADVISORY BOARD

PLACE 8 - CHAIR

Hillary Schwanbeck

5816 Quality Hill
Colleyville, TX 76034
W: (817) 552-7302
H: (832) 656-4977
hillary.schwanbeck@gmail.com
TERM: Feb 2018 - Dec 2019

PLACE 4 – VICE CHAIR

Mitali Mandlekar

4701 Mill Crossing West
Colleyville, TX 76034
H: (817) 524-9310
mitali.mandlekar@gmail.com
TERM: Feb 2018 - Dec 2019

PLACE 1

Rich Hendler

2100 Highland Meadows
Colleyville, TX 76034
H: (817) 821-0005
W: (682) 220-4651
rjhen52@gmail.com
TERM: Dec 2016 - Dec 2018

PLACE 2

Cliff LeBlanc

6013 Volterra Court
Colleyville, TX 76034
H: (817) 800-6383
W: (972) 603-3493
cliff@leblanc.net
TERM: Feb 2018 - Dec 2019

PLACE 3

John Hillebrand

7804 Tillman Hill Court
Colleyville, TX 76034
H: (817) 798-0112
hille@sbcglobal.net
TERM: Dec 2016 - Dec 2018

PLACE 5

Natalie Genco

1104 John McCain Road
Colleyville, TX 76034
H: (817) 421-6828
nataliegenco@gmail.com
TERM: Dec 2016 - Dec 2018

PLACE 6

Ajit Purandare

1109 Riverwalk Court
Colleyville, TX 76034
W: (202) 361-7674
H: (682) 325-4172
apurandoc@aol.com
TERM: Feb 2018 - Dec 2019

PLACE 7

Jim Hasenpflug

6609 Kennedy Drive
Colleyville, TX 76034
H: (817) 488-0900
W: (817) 308-0091
jim@hasenpflug.net
TERM: Dec 2016 - Dec 2018

YOUTH SPORT ASSOCIATIONS LIAISONS

Colleyville Baseball Association

Brenton Johnson
BrentonJohnson@me.com

Colleyville Lacrosse Association

Erika Davis-Noble
erikadavisnoblecpa@sbcglobal.net

Colleyville Soccer Association

Patrick Dunagan
president@ColleyvilleSoccer.net

Colleyville Softball Association

Matt Koch
matt@colleyvillesoftball.com



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Center Advisory Committee



If you are willing to be considered for another board, commission, or committee, please list below.

2. Colleyville Library Board



3. Parks and Recreation Advisory Board



Name: ☐ Ms. ☐ Mrs. ☒ Mr. Lakkureddi Alagarsamy Ph.D (@ Reddi)

Address: 3724 Rothschild Blvd, Colleyville, Tx 76034

Home phone: 331-442-1676 (mobile)

Work phone:

E-mail Address: alreddi@gmail.com

☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.

☒ I understand attendance and active support is required for each appointee.

☒ I understand I will be required to comply with the Texas Open Meetings Act training.

☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

I am a Sr Clinical Research Manager with Ph.D working for underserved community to get quality and cutting edge medical care. Served as a Park and Recreational boards member for a year and half. Seeing my commitment and involvement to the Village of Carpentersville, IL, Village trustees offer me to serve in Audit and Financial Committee. Due to my job change, I moved to Texas and bought a home at Colleyville, based on mixed community with good school and committed city services. Given an opportunity to serve in any of the board I will serve my level best to the development and wellbeing citizen of Colleyville.

☒ Check if additional materials are attached. Other information (City/civic service, interests):

I have attached screen shot of Village of Carpentersville Audit and Finance committee with my name. Since my family committed to the development of Carpentersville, village president offer my wife to serve in a Park and recreational board (attached). I am serving as a volunteer assistant coach for a city volleyball team and willing to serve as a city/civic services. Thanks.

Signature:

Date: 9/3/20

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139
Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. [Download the financial disclosure form here.](#)

Board, Commission, or Committee Preference: (only those with current openings)

1. PARKS AND RECREATION ADVISORY BOARD 
2. CLICK TO VIEW AND CHOOSE
3. CLICK TO VIEW AND CHOOSE

Name: Ms. Mrs. Mr. Kathy Braatz

Address: 5700 Bent Tree Ct. Colleyville

Home Phone: 817-734-3198

Work Phone: _____

E-mail Address: kathy.braatz@gmail.com

Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I am required to comply with the Texas Open Meetings Act training.
☐ I understand I must bring my own device to meetings to view packet information.
☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
☐ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
I have been on the ARC for almost a year now and we have yet to meet so I have not been able to be engaged. I am interested in doing my part for the city and feel I have a lot to offer on a board.
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
Help advise the city council on matters related to Parks and Recreation. I see myself as a leader on the board.
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
I am just becoming aware of some of the policies and programs. I think most things are working relatively well.
4. **What are some issues in Colleyville that may require change?**
It seems like there are a lot of businesses closing or moving. Not sure if it's related only to the construction or if there is something else going on related to city policies, etc.
5. **If you could influence the City in just one way, what would that be?**
I'd like to see more diversity in the city representation and I'd like to see more high quality businesses come in.
6. **Please share with us your vision for the City of Colleyville.**
I'd like Colleyville to be a shining example of a vibrant small city that welcomes new businesses and residents. I'd like the city to have a better reputation in the surrounding area.

Signature: Kathy Braatz

Date: 11/29/18

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. Download the financial disclosure form here.

Board, Commission, or Committee Preference: (only those with current openings)

1. PARKS AND RECREATION ADVISORY BOARD ☐
2. HISTORICAL PRESERVATION COMMITTEE ☐
3. ARCHITECTURAL REVIEW COMMISSION ☐

Name: Ms. Mrs. Mr. Dr. Justin W. Fairless

Address: 6917 Da Vinci Colleyville, TX 76034

Home Phone: 817-823-0755 Work Phone: 214-970-0201

E-mail Address: drfairless@gmail.com

Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I am required to comply with the Texas Open Meetings Act training.
- ☒ I understand I must bring my own device to meetings to view packet information.
- ☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
- ☒ Additional materials attached.

1. City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:

Community Physician, previous involvement at community level with organization of EMS and Fire Department community activities and public health / safety awareness.

2. What do you perceive your role will be in serving on a board, commission, or committee?

I strongly desire more involvement in my community and wish to serve the citizens of Colleyville by ensuring that we maintain a strong historical memory and increase community involvement in our city. I hope to provide a voice from the perspective of health and wellness and as a citizen.

3. In your opinion, what policies/programs/assets of Colleyville are working well?

Increased publicity of certain events at area parks and more transparency of the City government. The perception is that our current leadership is strong and headed in the right direction. Local charity events as well as donation opportunities are working well and need to continue.

4. What are some issues in Colleyville that may require change?

Our local business need stronger support. The current construction has endangered some businesses. We need to involve them in community activities to increase traffic and keep them in business.

5. If you could influence the City in just one way, what would that be?

I would suggest that we increase the number and size of community events, increase the support of our local businesses, maintain transparency of government, and continue to promote the safety and wellness of our community.

6. Please share with us your vision for the City of Colleyville.

Colleyville is a safe place to live and a great place to raise a family. With many parks and recreational events, excellent dining and shopping, Colleyville is the place to be in NE Tarrant County.

Signature: _____ Date: 12/5/18

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.



Application for Appointment for City Council Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130, or download the Financial Disclosure form here.

Board, Commission, or Committee: (only those with current openings)

1. Colleyville Center Advisory Committee

If you are willing to be considered for another board, commission, or committee, please list below.

2. Parks and Recreation Advisory Board

3. Click here for drop down menu

Name: ☐ Ms. ☒ Mrs. ☐ Mr. Julie Flolid George

Address: 5908 Quality Hill Road

Home phone: 817-577-2627

Work phone: 214-202-4671

E-mail Address: juliefgeorge@sbcglobal.net

- ☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
- ☒ I understand I will be required to bring my own device to meetings to view packet information.

Knowledge, experience, or education applicable to Board, Commission, or Committee function:

I have been the representative from Colleyville Garden Club for several years and am requesting that my appointment be renewed. In the past I was a part-time employee at the Colleyville Center and have a good knowledge of its function and the scope of business the committee and center provide to our citizens, city and the larger community of the metroplex for social and business meetings and celebrations. As I do not have formal education specific to the center my life education has provided me with knowledge about business and community. I have worked in sales and marketing for several telecommunications companies including AT&T that has given me a good understanding of business plans and the execution of those plans. I have also been a volunteer in the community at our

☒ Check if additional materials are attached. Other information (City/civic service, interests):

I have been a active resident of Colleyville since 1997 with membership or involvement in several city, civic and special interest organizations. Volunteered and was a PTA member at GCISD for 15 years, have been a member of Colleyville Garden Club since 2000, have been a campfire, girl scout and cub scout leader with our youth and am a member of the CCPAAA.

Signature: *Julie F George*

Date: September 7, 2018

Once positions are appointed, you must reapply for future openings. All information provided is public pursuant to the Texas Public Information Act. If additional information is required, please call 817.503.1130. Please return completed application to the Office of the City Secretary:

Email: cloven@colleyville.com or ashelley@colleyville.com **Fax:** 817.503.1139

Mail: City Secretary, 100 Main Street, Colleyville, TX 76034



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. Download the financial disclosure form here.

Board, Commission, or Committee Preference: (only those with current openings)

1. CLICK TO VIEW AND CHOOSE Parks Board
2. CLICK TO VIEW AND CHOOSE _____
3. CLICK TO VIEW AND CHOOSE _____

Name: Ms. Mrs. MR Richard J. Hendler
Address: 2100 High 12 Meadows Colleyville Tx 76034
Home Phone: 817 821 0005 Work Phone: 682 220 4651
E-mail Address: rjhen52@gmail.com Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I am required to comply with the Texas Open Meetings Act training.
☒ I understand I must bring my own device to meetings to view packet information.
☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
☐ Additional materials attached.

1. City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:

8 Years Park Board 6 years City Council Teant, Tulane BS Biology
M.S. Agronomy Texas A&M ISA Certified Arborist Utility Specialist

2. What do you perceive your role will be in serving on a board, commission, or committee?

Progressive Peacemaker & Improvement Contributor

3. In your opinion, what policies/programs/assets of Colleyville are working well?

Most are on track. I love my city.
I like transparent city policy & policy makers!

4. What are some issues in Colleyville that may require change? I'd like

a better lifeline to our economic corridors.

5. If you could influence the City in just one way, what would that be?

To become a better tree friendly, trail and
better outside activity friendly city!

6. Please share with us your vision for the City of Colleyville.

An efficient, environmental friendly city that balances
residential and economic development efforts.

Signature: R. J. Hall Date: 12/4/2018



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. [Download the financial disclosure form here.](#)

Board, Commission, or Committee Preference: (only those with current openings)

1. PARKS AND RECREATION ADVISORY BOARD
2. CLICK TO VIEW AND CHOOSE
3. CLICK TO VIEW AND CHOOSE

Name: Ms. Mrs. Mr. John Hillebrand

Address: 7804 Tillman Hill Ct

Home Phone: 817-798-0112 Work Phone: _____

E-mail Address: hille@sbcglobal.net Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I am required to comply with the Texas Open Meetings Act training.
☒ I understand I must bring my own device to meetings to view packet information.
☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
☐ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
current member Parks and Recreation Advisory Board and Colleyville Tree Board
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
Acting as a voice for the citizens of Colleyville
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
4. **What are some issues in Colleyville that may require change?**
enlarge the trail and park system
5. **If you could influence the City in just one way, what would that be?**
Preserve green space
6. **Please share with us your vision for the City of Colleyville.**

Signature: _____

Date: 11/18/2018

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. [Download the financial disclosure form here.](#)

Board, Commission, or Committee Preference: (only those with current openings)

1. PARKS AND RECREATION ADVISORY BOARD 
2. CLICK TO VIEW AND CHOOSE
3. CLICK TO VIEW AND CHOOSE

Name: Ms. Mrs. Mr. Eric Presson

Address: 3717 Mouton Avenue

Home Phone: 817-733-3121 Work Phone: 817-733-3121

E-mail Address: ewpresson@protonmail.com Fax: NA

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I am required to comply with the Texas Open Meetings Act training.
☒ I understand I must bring my own device to meetings to view packet information.
☐ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
☒ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
Colleyville resident since 2012. Civic experiences include: Raleigh Park Elementary PTO Board Member (2009-2010), Stanislaus Elementary Site Council (2007-2008), Leadership Modesto (2008)
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
My role will be to serve the advisory board and broader Colleyville community by providing guidance and direction to city parks and recreation planning and development activities.
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
Colleyville city leaders have done an outstanding job in recent years of 'catching up' on city infrastructure development and future planning. Leaders have also effectively communicated these plans via multiple forums and in ways that are easily understandable to the public.
4. **What are some issues in Colleyville that may require change?**
I'd like to see Colleyville work to connect bike/walking/nature trails within the city and to similar trail systems in adjoining cities. It would also be good to evaluate opportunities to develop an athletic center within Colleyville and/or partner with neighboring cities that have these facilities.
5. **If you could influence the City in just one way, what would that be?**
I'd like to see Colleyville maintain a proactive posture towards infrastructure development, anticipating citizen and community needs and providing for those needs in a fiscally responsible manner.
6. **Please share with us your vision for the City of Colleyville.**
My vision for Colleyville is to be preferred community in the heart of DFW to live, eat and shop, recognized for safety, beauty and convenience.

Signature: Eric W Presson

Date: 11/25/18

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.



Application for Appointment

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Board, Commission, or Committee Preference: (only those with current openings)

1. ZONING BOARD OF ADJUSTMENT ☐
2. PARKS AND RECREATION ADVISORY BOARD ☐
3. CLICK TO VIEW AND CHOOSE

Name: Ms. ☒ Mrs. ☐ Mr. Vanessa Steinkamp

Address: 1313 Ashford Court, Colleyville

Home Phone: _____ Work Phone: 7734258084

E-mail Address: vanial42@gmail.com

Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I am required to comply with the Texas Open Meetings Act training.
- ☒ I understand I must bring my own device to meetings to view packet information.
- ☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
- ☒ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
I currently serve on rotary and a governor's taskforce. Duties include but are not limited to the detailed examining of information, extrapolating insight to find solutions.
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
To provide insight and be part of discussions to better the city we live in:)
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
We are fortunate to live in a city that possesses a high talent pool, a fantastic ISD and many that strive to make it a destination suburb.
4. **What are some issues in Colleyville that may require change?**
We need to work towards building more sustainable economic growth to bolster our current tax base.
5. **If you could influence the City in just one way, what would that be?**
To help brainstorm ideas to make CV even better.
6. **Please share with us your vision for the City of Colleyville.**
Colleyville is a wonderful city, with a little vision, can become a nice balance of bucolic reminiscents of the past coupled with economic development that sustains its charm in the future.

Signature: Vanessa Lal Steinkamp

Date: 12/05/2018

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.



Application for Appointment Boards, Commissions, and Committees

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. [Download the financial disclosure form here.](#)

Board, Commission, or Committee Preference: (only those with current openings)

1. ~~Free~~ Parks and Recreation Advisory Board
2. Colleyville Tree Board
3. _____

Name: ___ Ms. ☒ Mrs. ___ Mr. Janet Suedmeier

Address: 2301 Mulberry Court

Home Phone: 817 600 3532 Work Phone: _____

E-mail Address: newweirdodor@msn.com Fax: _____

- ☒ I understand I will be required to comply with the Texas Open Meetings Act training.
☒ I understand I must bring my own device to meetings to view packet information.
☒ By providing an e-mail address, I consent to the release of my e-mail address by the City.
☐ Additional materials attached.

City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:

Former Traffic advisory volunteer member
Texas ~~Landscaping~~ Nursery Landscape Association Member

1. What do you perceive your role will be in serving on a board, commission, or committee?

Help advise on best practices for regulations of tree plantings + policies

2. In your opinion, what policies/programs/assets of Colleyville are working well?

Round-abouts,

3. What are some issues in Colleyville that may require change?

Demand for denser housing.

4. If you could influence the City in just one way, what would that be?

Protect ~~the~~ rural feel of city

5. Please share with us your vision for the City of Colleyville.

High standards for housing

Signature:

Date: 4/27/18

All information provided is public pursuant to the Texas Public Information Act.

Please return completed application to:

City Secretary, 100 Main Street, Colleyville, TX 76034, Office: 817.503.1130 Fax: 817.503.1139
cloven@colleyville.com or ashelley@colleyville.com



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1132. Download the financial disclosure form here.

Board, Commission, or Committee Preference: (only those with current openings)

1. ARCHITECTURAL REVIEW COMMISSION ☐
2. PARKS AND RECREATION ADVISORY BOARD ☐
3. COLLEYVILLE CENTER ADVISORY COMMITTEE ☐

Name: Ms. Mrs. ☒ Mr. Craig Zemmin

Address: 4708 Lakeside Dr., Colleyville, Texas 76034

Home Phone: 817.584.5770

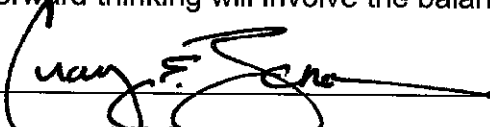
Work Phone: 817.584.5770

E-mail Address: zemminconsulting@gmail.com

Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
☒ I understand I am required to comply with the Texas Open Meetings Act training.
☒ I understand I must bring my own device to meetings to view packet information.
☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
☐ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
City of North Richland Hills - Library Board, Leadership Arlington, Thornbury Homeowners Association - Vice President and Chair of Architectural Control Committee. IREM - ARM and CPM
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
As member of any entity, the first role is to "listen". I have no preconceived agenda or goals for outcomes. Rather, it is my intention to serve the Colleyville, Texas community.
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
We moved from Grapevine, Texas to Colleyville, Texas in March 2014. We are connected to all areas and "enjoy" the quality of life the area offers. We appreciate the growth in the community and understand growth can be a challenge.
4. **What are some issues in Colleyville that may require change?**
Colleyville, Texas continues to grow. This is in addition to tremendous growth is surrounding communities. Colleyville, Texas will have a challenge trying to be what it was 10 years ago.
5. **If you could influence the City in just one way, what would that be?**
Create opportunities whereby all citizens work together in a common goal. Not an easy task as there are typically multiple opinions. I think we all have to respect the opinions of each other and foster debate that carries us all forward.
6. **Please share with us your vision for the City of Colleyville.**
I see Colleyville, Texas holding it's fundamental roots as a community that embraces quality of life. The forward thinking will involve the balance of commercial / retail with solid residential base.

Signature: 

Date: 5/9/18

All information provided is public pursuant to the Texas Public Information Act.
Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034
Office: 817.503.1132 Fax: 817.503.1139; cloven@colleyville.com.

RESOLUTION R-18-4340

**A RESOLUTION APPOINTING MEMBERS TO THE
PARKS AND RECREATION ADVISORY BOARD**

WHEREAS, four (4) positions on the Parks and Recreation Advisory Board have terms which expire December 2018.

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

Sec. 1. THAT the following persons are hereby appointed to the Parks and Recreation Advisory Board for a term expiring December 2020:

- Place 1
- Place 3
- Place 5
- Place 7

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ___ AYES, ___ NAYS ON THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, 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 10e

Agenda Date 12/18/2018

Number Resolution R-18-4341

Type Resolution

Department City Secretary

Title

Consideration of an appointment to the Zoning Board of Adjustment

Strategic Plan

B4- Cultivate a culture of transparency and consistent communication

Explanation

Reading and Public Hearing

Place 5 on the Zoning Board of Adjustment is vacant due to resignation. At the direction of Mayor Newton, the position was advertised and applications accepted through December 7. The City received one application from Vanessa Steinkamp.

This resolution provides for City Council to consider an appointment to the Zoning Board of Adjustment, to a term of September 2019.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Zoning Board of Adjustment Roster
2. Zoning Board of Adjustment Application for Appointment
3. Resolution R-18-4341

ZONING BOARD OF ADJUSTMENT

PLACE 1

Richard Vallario

201 Millwood Court
Colleyville, TX 76034
H: (817) 605-8008
W: (817) 988-4063
ricsharval@aol.com

TERM: Sep 2018 – Sep 2020

ALTERNATE 1

Sayed Syed

6705 Sapphire Circle North
Colleyville, TX 76034
H: (817) 400-5709
W: (817) 913-0474
sbilqees@gmail.com

TERM: Sep 2018 – Sep 2020

PLACE 2

Dee Kamerman

6016 L. D. Lockett Road
Colleyville, TX 76034
H: (817) 416-2277
deekamerman@hotmail.com

TERM: Sep 2018 – Sep 2020

ALTERNATE 2

Mic Deakin

4828 Lakeside Drive
Colleyville, TX 76034
H: (817) 399-9885
W: (714) 348-4074
michaeldeakin@sbcglobal.net

TERM: Sep 2018 – Sep 2020

PLACE 3

Dan Shadle

1208 Hardage Lane
Colleyville, TX 76034
H: (817) 689-7205
dan.shadle@frontier.com

TERM: Sep 2018 – Sep 2020

PLACE 4

Frank Carroll

1304 Alexandra Court
Colleyville, TX 76034
W: (817) 781-7086
H: (817) 577-3002
frankcarroll1917@gmail.com

TERM: Feb 2018 - Sep 2019

PLACE 5

Vacant



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. Download the financial disclosure form [here](#).

Board, Commission, or Committee Preference: (only those with current openings)

1. ZONING BOARD OF ADJUSTMENT ☐
2. PARKS AND RECREATION ADVISORY BOARD ☐
3. CLICK TO VIEW AND CHOOSE

Name: Ms. ☒ Mrs. ☐ Mr. Vanessa Steinkamp

Address: 1313 Ashford Court, Colleyville

Home Phone: _____ Work Phone: 7734258084

E-mail Address: vanlal42@gmail.com Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I am required to comply with the Texas Open Meetings Act training.
- ☒ I understand I must bring my own device to meetings to view packet information.
- ☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
- ☒ Additional materials attached.

1. **City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:**
I currently serve on rotary and a governor's taskforce. Duties include but are not limited to the detailed examining of information, extrapolating insight to find solutions.
2. **What do you perceive your role will be in serving on a board, commission, or committee?**
To provide insight and be part of discussions to better the city we live in:)
3. **In your opinion, what policies/programs/assets of Colleyville are working well?**
We are fortunate to live in a city that possesses a high talent pool, a fantastic ISD and many that strive to make it a destination suburb.
4. **What are some issues in Colleyville that may require change?**
We need to work towards building more sustainable economic growth to bolster our current tax base.
5. **If you could influence the City in just one way, what would that be?**
To help brainstorm ideas to make CV even better.
6. **Please share with us your vision for the City of Colleyville.**
Colleyville is a wonderful city, with a little vision, can become a nice balance of bucolic reminiscents of the past coupled with economic development that sustains its charm in the future.

Signature: Vanessa Lal Steinkamp Date: 12/05/2018

All information provided is public pursuant to the Texas Public Information Act. Please return completed application to: City Secretary, 100 Main Street, Colleyville, TX 76034 Office: 817.503.1130 Fax: 817.503.1139; cloven@colleyville.com or kseiger@colleyville.com.

RESOLUTION R-18-4341

**A RESOLUTION APPOINTING A MEMBER TO THE
ZONING BOARD OF ADJUSTMENT**

WHEREAS, Place 5 on the Zoning Board of Adjustment has a vacancy due to resignation with a term expiring September 2019.

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

Sec. 1. THAT the Colleyville City Council hereby appoints the following person to serve the Zoning Board of Adjustment, Place 5, to fill the unexpired term to September 2019:

•

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS ON THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, 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 10f
Type Resolution
Department City Secretary

Agenda Date 12/18/2018

Number Resolution R-18-4342

Title

Consideration of an appointment to the Colleyville Community Garden Advisory Committee

Strategic Plan

1.2 Develop future community leaders

Explanation

Reading and Public Hearing

On November 20, 2018 by Resolution R-18-4328, City Council appointed five members to the Colleyville Community Garden Advisory Committee. On November 24, 2018, Sam van Bever forwarded an email asking his application be withdrawn.

On December 11, 2018, Amanda Novak forwarded an application for appointment requesting to serve on the Colleyville Community Garden Advisory Committee.

This item provides for City Council to consider appointing Amanda Novak to the Colleyville Community Garden Advisory Committee with a term expiring December 2020.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Community Garden Advisory Committee Roster
2. Colleyville Community Garden Advisory Committee Application for Appointment
3. Resolution R-18-4342

Colleyville Community Garden Advisory Committee Roster

CHAIR

Natalie Genco

1104 John McCain Road

Colleyville, TX 76034

H: (817) 421-6828

nataliegenco@gmail.com

TERM: Dec 2017 - Dec 2019

Mary Ramatowski

1104 John McCain Road

Colleyville, TX 76034

H: (817) 421-6828

TERM: Dec 2017 – Dec 2019

Pam Buie

516 Haverhill Lane

Colleyville, TX 76034

C: (817) 602-2982

pbuie2@gmail.com

TERM: Dec 2017 – Dec 2019

Richard Hendler

2100 Highland Meadows

Colleyville, TX 76034

H: (817) 821-0005

W: (682) 220-4651

Rjhen52@gmail.com

TERM: Dec 2018 – Dec 2020

Uma Lal

4704 Bill Simmons Rd

Colleyville, TX 76034

H: (817) 545-4245

C: (817) 908-9097

umaglal@hotmail.com

TERM: Dec 2018 – Dec 2020

Linda Newton

1208 Holly Lane

Colleyville, TX 76034

H: (817) 329-0100

lindagales@verizon.net

TERM: Dec 2018 – Dec 2020

Amy Putnam

7301 Chanel Ct

Colleyville, TX 76034

H: (817) 991-5889

Amy.putnam@verizon.net

TERM: Dec 2018 – Dec 2020



Application for Appointment

Planning and Zoning Commission and Zoning Board of Adjustment applicants are required to file Financial Disclosure and Business Conflict of Interest forms two (2) business days after the application deadline. These forms are available by contacting the City Secretary at 817.503.1130. [Download the financial disclosure form here.](#)

Board, Commission, or Committee Preference: (only those with current openings)

1. COLLEYVILLE COMMUNITY GARDEN COMMITTEE ☐
2. ☐
3. CLICK TO VIEW AND CHOOSE

Name: Ms. ☒ Mrs. ☐ Mr. Amanda R. Novak

Address: 5109 Oak Timbers Ct Colleyville, Texas

Home Phone: 972-754-6687 Work Phone: _____

E-mail Address: arnovak06@gmail.com Fax: _____

- ☒ I understand attendance and active support is required for each appointee.
- ☒ I understand I am required to comply with the Texas Open Meetings Act training.
- ☒ I understand I must bring my own device to meetings to view packet information.
- ☒ By checking this line, I consent to the City's use and release of all information provided in this application, to include the address, telephone, and email address provided.
- ☒ Additional materials attached.

1. City service and experience, civic organizations, knowledge, experience, or education applicable to Board, Commission, or Committee function:
See attached letter of interest.

2. What do you perceive your role will be in serving on a board, commission, or committee?
I perceive my role to be focused on contributing to a community garden program that engages residents in the beauty of nature, teaches organic gardening methods, and contributes to the sense of community among residents.

3. In your opinion, what policies/programs/assets of Colleyville are working well?
As a new resident (since 2016), I was drawn to Colleyville because of the rural feel which I believe is a testament to city policies that limit over-development of natural spaces. I also enjoy Colleyville parks and recreation spaces.

4. What are some issues in Colleyville that may require change?
I've struggled to find volunteer opportunities in Colleyville that align with my passions and my work schedule. I'd like to see more volunteer led programs similar to what is offered in the City of Coppell.

5. If you could influence the City in just one way, what would that be?
I've dreamed of developing a community garden program here that would not only build community connections between residents but would also donate locally-grown, organic food to a local food bank or similar organization which aims to solve food access issues.

6. Please share with us your vision for the City of Colleyville.
My vision for the City of Colleyville is that we continue to respect nature by preserving open land and that we engage residents through thoughtful programming that aligns with resident feedback.

Signature: Amanda Novak Date: 12/11/2018

Amanda R. Novak

5109 Oak Timbers Court Colleyville, Texas 76034 | 972.754.6687 | arnovak06@gmail.com

December 11, 2018

Colleyville Community Garden Committee

100 Main Street

Colleyville, Texas 76034

To whom it may concern:

Please accept this letter and application for consideration for a seat on the Colleyville Community Garden Committee. I am a passionate gardener who is interested in ways to give back to Colleyville community, which I have called home since 2016.

For the past three years, I have volunteered for the Coppell Sustainable Food Organization (CSFO) by serving on the Coppell Farmers Market (CFM) Steering Committee. This CSFO receives generous support from the city of Coppell but is a volunteer-led organization. The CFM often co-programs with the Coppell Community Garden (CCG) since we both fall under the CSFO umbrella and have similar missions related to access to healthy, locally-grown food. I have served in the following positions for the Coppell Farmers Market:

- Strategic Planning Subcommittee, 2018-present (Chair)
- Farm-to-Table Fundraising Dinner Subcommittee (supports SNAP program at CFM), 2018
- Food Day for Kids Event Planning Subcommittee, 2017-present
- Marketing Subcommittee, 2016- present
- Farmers Marketing Steering Committee, 2016-present

Furthermore, I completed a Bachelor of Science in Agricultural Sciences with a minor in Ornamental Horticulture. One of our major projects as a horticulture department was to design, build and maintain a learning garden with an emphasis on education as well as access for people with mobility challenges. My contributions mainly focused on the children's learning garden, however, I assisted with planning and installing other areas of the garden as well. After graduation, I taught high school agriculture courses including Greenhouse Management, Landscape Design and Floral Design.

While my professional career has moved away from agricultural education, I continue to be an avid organic gardener who also enjoys volunteering. I welcome the opportunity to serve our community if selected for this committee. If you have any additional questions, please do not hesitate to contact me via phone or email.

Best Regards,



Amanda Novak

RESOLUTION R-18-4342

**A RESOLUTION APPOINTING A MEMBER TO THE
COLLEYVILLE COMMUNITY GARDEN ADVISORY COMMITTEE**

WHEREAS, there is one (1) vacancy on the Colleyville Community Garden Advisory Committee, and an application for appointment to the Colleyville Community Garden Advisory Committee has been received.

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

Sec. 1. THAT the Colleyville City Council hereby appoints Amanda Novak to the Colleyville Community Garden Advisory Committee, to serve a two-year term, expiring December 2020:

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS
THE 18TH DAY OF DECEMBER.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

RESOLUTION R-18-4294

**A RESOLUTION APPROVING A FINAL PLAT FOR LOTS 1, 2, AND 3X,
BLOCK 1, OF THE OLD GROVE ADDITION, PHASE II**

WHEREAS, the Planning and Zoning Commission recommended approval of the Final Plat for Lots 1, 2, & 3X, Block 1, of the Old Grove Addition, Phase II on July 9, 2018.

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

Sec. 1. THAT the Final Plat for Lots 1, 2, & 3X, Block 1, of the Old Grove Addition, Phase II on approximately 2.20 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 18TH DAY OF SEPTEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
Assistant City Secretary

Richard Newton
Mayor

RESOLUTION R-18-4343

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
DECEMBER 18, 2018**

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:

a. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS ON THIS THE 18TH DAY OF DECEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 3, Kathy Wheat	_____
Place 4, George Dodson	_____	Place 5, Chuck Kelley	_____
Place 6, Callie Rigney	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor