



City of Lake Dallas
City Council
Regular Meeting
Thursday, August 27, 2020 at 7:00 p.m.
Lake Dallas City Hall
212 Main Street
Lake Dallas, Texas

Agenda

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act, and in an effort to protect the health and safety of the public, public participation in this meeting will be made available by video conference. Members of the public who desire to only listen to proceedings of the meeting without attending in person may dial the following toll-free number and, when prompted, enter the following Meeting ID #, beginning at 6:40 p.m. to join the meeting. Any person wishing to view the video conference may go to the Internet link shown below and enter the password shown.

Toll Free Number: 877-853-5257
Meeting ID#: 885 8309 8606
Video Conference: <https://us02web.zoom.us/j/88583098606?pwd=UENYRnNtbW1MVitrM2p0NFBOeHFEz09>
Password: 964273

Members of the public may attend this meeting in person. Members of the public will also be allowed to participate remotely via Videoconference. To speak remotely at the City Council Meeting, speakers must:

- Register with the City Secretary by either email cdelcambre@lakedallas.com or calling 940-497-2226 ext. 102 by 3:00 p.m. on Thursday, August 27, 2020.
- Registered speakers will receive an email or phone call providing the meeting link and/or telephone number to call on the date of the meeting.
- Speakers must call not later than 6:45 p.m. on the date of the meeting in order to be allowed to speak. Late callers will not be accepted and will not be allowed to speak.
- Registered speakers will not be allowed to speak until recognized by the Mayor and unmuted by the City Secretary.
- Speakers, whether in person or on-line, will be limited to 5 minutes each.
- Handouts or other information that a member of the public desires to provide to the City Council must emailed to cdelcambre@lakedallas.com by 3:00 p.m. on Thursday, August 27, 2020.
- Any person wishing to provide only written comments during Item 4 – Citizen Agenda & Public Comment, or on any other matter to be considered on this agenda, should email such comments to the City Secretary at cdelcambre@lakedallas.com by 3:00 p.m. on Thursday, August 27, 2020.

Members of the public attending the meeting in person will be required to wear a mask or other face covering while inside City Hall except when speaking to the City Council. Seating in the Council Chambers will be removed to allow for proper social distancing among people attending the meeting in person.

Section I – Presentations

- 1. Call to Order & Determination of Quorum**
- 2. Invocation & Pledges of Allegiance**
- 3. Announcements & Special Recognitions**

A. City Manager’s Report

The City Manager’s Report may provide information on status of current city projects and other projects affecting the City, meetings and actions of the city’s boards and commissions, upcoming local community events, including, but not limited to, departmental operations and capital improvement project status. No action will be taken with respect to this report.

4. Citizen Agenda & Public Comment

An opportunity for citizens to address the Mayor and City Council on matters which are not scheduled for consideration by the City Council. In order to address the Council, please send your comments to the City Secretary before 3:00 p.m. on the date of this meeting. Comments sent by e-mail will be read aloud so that they are included in the recorded record of the meeting. In keeping with the Council’s procedures for limiting speaking time to five (5) minutes per speaker, any written comments provided for this item should be kept short enough so that they can be read aloud in five (5) minutes or less.

Section II – Consent Agenda

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items unless a Councilmember so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

5. Consider and Act on the Consent Agenda

- A. Approval of Minutes of the August 13, 2020 Regular Meeting of the City Council.

Section III – Planning & Development:

- 6. Receive a report, hold a discussion, and provide City Staff direction on Short Term Rental ordinances.**
- 7. Receive a report and hold a discussion regarding amending Lake Dallas Municipal Code Chapter 42 “Environment” by adding Article IV titled “Tree Preservation” setting forth regulations governing the removal, mitigation, and preservation of trees on property within the City.**

Section IV- General Items

8. Consider adoption of an Ordinance amending the Fiscal Year 2019-2020 Budget of the City of Lake Dallas.
9. Conduct a Public Hearing on the proposed Tax Rate for the 2020 Tax Year (Fiscal Year 2020-2021).
10. Conduct a Public Hearing to consider the proposed budget for the fiscal year beginning on October 1, 2020 and ending on September 30, 2021.
11. Consider and Act on a Resolution authorizing an interlocal cooperation agreement with the City of Corinth and Town of Shady Services regarding the procurement of surveying and relating services relating to a proposed project for the reconstruction and improvement of Dobb Road.
12. Consider and Act on a Resolution authorizing a professional services agreement with Binkley & Barfield, Inc. for surveying and related services for the proposed Dobbs Road project.
13. Consider on second reading a resolution authorizing a project of the Lake Dallas Community Development Corporation requiring an expenditure exceeding \$10,000 pursuant to Texas Local Government Code Section 505.158.
14. Consider and Act on a Resolution adopting a City Employee Job Classification Table and Employee Compensation Plan.

Section V – Elected Official Requested Items

15. Mayor & Council Member Announcements

The City Council may hear or make reports of community interest provided no action is taken or discussed. Community interest items may include information regarding upcoming schedules of events, honorary recognitions, and announcements involving imminent public health and safety threats to the city. Any deliberation shall be limited a proposal to place the subject on an agenda for a subsequent meeting.

Section VI – Executive Session As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed above or herein.

Section VII – Return to Open Session

16. Discuss and take appropriate action, if any, resulting from the discussions conducted in Closed Session.

Section VIII – Adjournment

I certify that the above notice of this meeting posted on the bulletin board at City Hall of the City of Lake Dallas, Texas on August 24, 2020 at 5:00 p.m.

Codi Delcambre

Codi Delcambre, TRMC
City Secretary

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed above or herein.

If you plan to attend this public meeting telephonically and you have a disability that requires special arrangements at this meeting, please contact City Secretary's Office at (940) 497-2226 ext. 102 or fax (940) 497-4485 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

**State of Texas
County of Denton
City of Lake Dallas**

The Lake Dallas City Council met in a regular called meeting on August 13, 2020 via video conference, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Barnhart called the meeting to order at 7:04 p.m.

1. Roll Call

Michael Barnhart	Mayor
Megan Ray	Councilmember 1
Cheryl McClain	Councilmember 3
Charlie Price	Councilmember 4
Andi Nolan	Councilmember 5

Absent:
Brian Bailey Councilmember 2

Staff Present: City Manager John Cabrales, City Secretary Codi Delcambre, City Attorney Kevin Laughlin, Public Works Superintendent Layne Cline, Police Chief Dan Carolla, Finance Director Michele Sanchez, Director of Library Services Natalie McAdams, Development Services Director Angie Manglaris and Development Services Coordinator Lancine Bentley.

2. Invocation and Pledges of Allegiance

Kevin Laughlin led the invocation and the pledges.

3. Announcements & Special Recognitions.

A. City Manager's Report

City Manager John Cabrales updated the Council regarding COVID-19 for the City, County and State.

4. Citizen Agenda & Public Comments

Mayor Barnhart opened the Visitors/Citizens Agenda.

Lisa BoBo of 731 Thompson, Lake Dallas, Texas spoke about her concerns for 734 Thompson Street. Ms. Bobo outlined her concerns in a powerpoint presentation for Council.

5. Consider and Act on the Consent Agenda

- A. Receive Monthly Budget & Financial Report July 2020.**
- B. Approval of Minutes of the July 23, 2020 Regular Meeting of the City Council.**
- C. Approval of a Resolution authorizing the negotiation and execution of a Professional Services Agreement with Bureau Veritas North America, INC. for the performance of Construction Code Services, Plan Review, and Inspections.**

- D. Approval of a Resolution awarding a contract to Masten Air Conditioning and Heating, Inc. for the replacement of HVAC units at City Hall and at the Library.**
- E. Approval of a Resolution approving a technology purchase with the CARES Funds.**
- F. Approval of a Resolution authorizing a contract with Flying Locksmiths for the installation of security cameras at Community Park and City Park.**

Councilmember Nolan asked to remove items A, B and C from the consent agenda.

Motion: to approve a consent agenda item 5D, 5E and 5F was made by Councilmember Ray and second by Councilmember McClain.

Ayes: Councilmembers Ray, McClain, Price, and Nolan

Noes: None

Motion Passed 4-0.

Motion: to approve a consent agenda item 5A was made by Councilmember Ray and second by Councilmember Nolan.

Ayes: Councilmembers Ray, McClain, Price, and Nolan

Noes: None

Motion Passed 4-0.

Motion: to approve a consent agenda item 5B as amended was made by Councilmember Nolan and second by Councilmember Ray.

Ayes: Councilmembers Ray, McClain, Price, and Nolan

Noes: None

Motion Passed 4-0.

Motion: to approve a consent agenda item 5C was made by Councilmember Ray and second by Councilmember McClain.

Ayes: Councilmembers Ray, McClain, Price, and Nolan

Noes: None

Motion Passed 4-0.

- 6. Consider and act on a Resolution granting a waiver to Section 907.1.5 of the 2018 International Fire Code relating to the installation of a fire alarm notification system including full audio/visual notification services relating an additional occupant to be situated at Lot 5, Block A, Atchison Addition, commonly known as 510 E. Hundley Drive.**

Motion: to approve a Resolution granting a waiver to Section 907.1.5 of the 2018 International Fire Code relating to the installation of a fire alarm notification system including full audio/visual notification services relating an

additional occupant to be situated at Lot 5, Block A, Atchison Addition, commonly known as 510 E. Hundley Drive was made by Councilmember Ray and second by Councilmember McClain.

Ayes: Councilmembers Ray, McClain, Price and Nolan

Noes: None

Motion Passed 4-0.

- 7. Conduct a public hearing and consider an Ordinance amending Lake Dallas Municipal Code Chapter 122 “Zoning, Article XIII “R-1-4000 Manufactured Home Residential District” Section 122-574 “Responsibilities of manufactured home occupants” and Article XIV “R-1-4000C Commercial Manufactured Home Residential District” Sec. 122-611 “Responsibilities of manufactured home park owners-operators” setting forth regulations governing the permitting and installation of new manufactured homes.**

Director of Development Services Angie Manglaris presented the background information for this proposed amendment.

Mayor Barnhart opened the public hearing at 8:01 p.m. No one spoke for or against the proposed project.

Mayor Barnhart closed the public hearing at 8:02 p.m.

Motion: to approve an Ordinance amending Lake Dallas Municipal Code Chapter 122 “Zoning, Article XIII “R-1-4000 Manufactured Home Residential District” Section 122-574 “Responsibilities of manufactured home occupants” and Article XIV “R-1-4000C Commercial Manufactured Home Residential District” Sec. 122-611 “Responsibilities of manufactured home park owners-operators” setting forth regulations governing the permitting and installation of new manufactured homes was made by Councilmember Ray and second by Councilmember McClain.

Ayes: Councilmembers Ray, McClain, Price and Nolan

Noes: None

Motion Passed 4-0.

- 8. Consider and Act on a Resolution authorizing a contract with Victory Awning, Inc. through the City’s cooperative purchasing agreement with Texas Local Government Purchasing Cooperative (BuyBoard) to install carport shade structures in the Police Department parking lots.**

Motion: to approve an Resolution authorizing a contract with Victory Awning, Inc. through the City’s cooperative purchasing agreement with Texas Local Government Purchasing Cooperative (BuyBoard) to install carport shade

structures in the Police Department parking lots was made by Councilmember Nolan and second by Councilmember Ray.

Ayes: Councilmembers Ray, McClain, Price and Nolan

Noes: None

Motion Passed 4-0.

9. Consider approval of a resolution authorizing the City Manager to negotiate and sign an Interlocal Cooperation Agreement with SPAN, Inc. to provide demand response transit services.

Council received a presentation from Laura Bell relative to the services provided by SPAN.

Motion: to approve a Resolution authorizing the City Manager to negotiate and sign an Interlocal Cooperation Agreement with SPAN, Inc. to provide demand response transit services was made by Councilmember Ray and second by Councilmember McClain.

Ayes: Councilmembers Ray, McClain, Price and Nolan

Noes: None

Motion Passed 4-0.

10. Consider and Act on a Resolution authorizing a task order with Halff Associates, Inc. to prepare topographical surveys for the Boat Ramp at Willow Grove Park and the Public Works Complex.

Motion: to approve a Resolution authorizing a task order with Halff Associates, Inc. to prepare topographical surveys for the Boat Ramp at Willow Grove Park and the Public Works Complex was made by Councilmember Price and second by Councilmember Nolan.

Ayes: Councilmembers Ray, McClain, Price and Nolan

Noes: None

Motion Passed 4-0.

11. Consider and Act on a Resolution authorizing a project of the Lake Dallas Community Development Corporation requiring an expenditure exceeding \$10,000 pursuant to Texas Local Government Code Section 505.158.

Motion: to approve a Resolution authorizing a project of the Lake Dallas Community Development Corporation requiring an expenditure exceeding \$10,000 pursuant to Texas Local Government Code Section 505.158 was made by Councilmember Nolan and second by Councilmember McClain.

Ayes: Councilmembers Ray, McClain, Price and Nolan

Noes: None

Motion Passed 4-0

12. Receive a report and hold a discussion regarding the best use and purpose for the 303 Alamo Avenue property.

Council received a report from Public Works Superintendent Layne Cline regarding the best use and purpose for 303 Alamo Avenue property. Council directed staff to start the process for selling the property.

13. Consider and Act on a Resolution adopting a new City of Lake Dallas Employee Compensation Plan.

Council discussed the proposed City of Lake Dallas Employee Compensation Plan but no action was taken.

14. Receive a report and hold a discussion regarding the Fiscal Year (FY) 2019-20 Expenditures and Year End Projections and the Proposed Expenditures for FY 2020-21

Council received a presentation from Finance Director Michele Sanchez regarding the Fiscal Year (FY) 2019-20 Expenditures and Year End Projections and the Proposed Expenditures for FY 2020-21. Council directed staff to move forward preparing the budget with the \$3.00 cap for salary market adjustments.

15. Mayor & Council Member Announcements

Charlie Price-

- Update on 734 Thompson

Cheryl McClain

- Sign Kiosk

Mayor Barnhart

- Placement of a no outlet or dead-end street sign on Thompson.

16. Executive Session As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed above or herein

No closed session.

17. Discuss and take appropriate action, if any, resulting from the discussions conducted in Closed Session

No closed session.

18. Adjournment

Mayor Barnhart adjourned the meeting at 11:32 p.m.

Approved:

Michael Barnhart, Mayor

Attest:

Codi Delcambre, City Secretary



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Angie Manglaris, Director of Development Services

August 27, 2020

Discussion on Short Term Rentals

DESCRIPTION:

Receive a report, hold a discussion, and provide City Staff direction on Short Term Rental ordinances.

BACKGROUND INFORMATION:

Short Term Rental (STR) refers to the rental of any residence or residential structure or any portion of a residence or residential structure for a period of less than thirty (30) days. STRs in the State of Texas are subject to Hotel Occupancy Taxes.

Over the last decade, STRs have increased in popularity throughout the United States. STRs are booked through companies such as Airbnb and VRBO.

Several Cities in the State of Texas have adopted ordinances to regulate STRs in their communities, including The City of Southlake, The City of Austin, The City of San Antonio, and The City of Waco. Cities typically chose to regulate STRs to mitigate potential negative effects on existing neighborhoods such as: excessive noise, increased traffic to the area, parking concerns, and high turnover rates. Regulations also cover registration and inspection requirements for STRs for health, life, and safety reasons.

Under Chapter 211 of the Texas Local Government Code, Cities have the authority to impose some regulations on STRs under zoning ordinances. Below are examples of elements cities can regulate under zoning ordinances:

- Location Restrictions
- Prohibition
- Specific Use Permit Requirements
- Night Cap (duration of stay)
- Nuisance Provisions
- Safety Provisions

Regulations relating to STRs have not gone unchallenged in the State of Texas and there are a few Texas Court Rulings on STRs to be aware of when considering ordinances regulating them:

- Tarr V. Timberwood Homeowner’s Association: The Texas Supreme Court ruled short term rentals are residential and not commercial in nature. The court ruled the HOA’s covenant prohibiting uses other than single-family residential uses had no impact on STRs as single-family residence speaks to the nature of the structure not the use. Attached to this agenda item is an overview of this case from TML.
- In December of 2019, the District Court of Appeals in Austin ruled certain regulations of the 2016 Ordinance adopted by the to regulate STRs were unconstitutional. These regulations are:
 - The van of Type2 Rentals, which the City defined as a single-family residence that is not owner occupied and is not associated with an owner-occupied principle residential unit.
 - Provisions limiting assembly and gathering at STRs between the hours of 10:00 p.m. and 7:00 a.m.; and prohibiting more than six (6) unrelated adults or ten (10) related adults from being present at any time.
 - The TML report covering the Court’s findings is attached to this agenda sheet.

Short Term Rentals in Lake Dallas

Staff has been monitoring STR activity in the City on a regular basis:

- March 2019- Two (2) rentals listed on Airbnb
- October 2019- Three (3) rentals listed on Airbnb
- February 2020- Four (4) rentals listed on Airbnb
- August 2020- One (1) rental listed on Airbnb

FINANCIAL CONSIDERATION:

There is no financial impact to the taxpayers of Lake Dallas.

RECOMMENDED MOTIONS:

There is no action required as part of this agenda item. Staff requests City Council provide direction on pursuing any regulations regarding short term rentals.

ATTACHMENT(S):

- Texas Municipal League Tarr V. Timberwood Homeowner’s Association Summary
- Texas Municipal League District Court of Appeals in Austin Summary
- Texas Land Use Conference Report on STR by Boyle and Lowery, L.L.P

JUNE 1, 2018, NUMBER 16

Download the full [June 1, 2018, Number 16 \(PDF\)](#).

SHORT-TERM RENTAL OPINION COULD BE DETRIMENTAL TO CITIES

A recent Texas Supreme Court opinion relating to homeowner association (HOA) regulation of short-term rentals may turn into bad news for cities. In [Tarr v. Timberwood Park Owners Association \(PDF\)](#), the court held that a restrictive covenant prohibiting a use other than single-family use has no effect on short-term rentals.

The dispute arose when a homeowner began using his house as a short-term rental. The HOA determined that the owner was violating the “single-family residence” restriction. The HOA argued that renting the home was akin to using it as a hotel because the short-term residents “do not possess an intent to remain in the house,” as required by the restrictions. The HOA also believed the rental was a “business purpose,” which is prohibited by the restrictions. It fined the owner for each day he continued the use.

The trial and appellate courts held in favor of the HOA. The Supreme Court overruled those courts, concluding that the “single-family” restriction speaks only to the structure, not the use. As for the HOA’s business use restriction, the court found that the covenants do not have definitions for “residential purpose” or “business purpose.” Because of that, the court used the common definitions of the terms. And so long as the home was used as a residence, according to the court, the fact that renters occupied the property for short periods of time was irrelevant to the analysis.

The opinion could lead to legal challenges of city ordinances that regulate short-term rentals based on the distinction between residential and commercial. Any city that regulates in that manner should consult with local legal counsel to review their ordinance and definitions in light of the opinion.

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DECEMBER 6, 2019, NUMBER 46

Download the full .pdf version here: [TML Legislative Update 46](#)

APPEALS COURT STRIKES DOWN PORTIONS OF AUSTIN'S SHORT TERM RENTAL ORDINANCE

Last week, the Third District Court of Appeals in Austin held that certain portions of the City of Austin's short-term rental (STR) ordinance are unconstitutional. The [court's opinion](#), should it stand, has potentially far-reaching ramifications for Texas cities that have adopted, or are considering adopting, STR ordinances.

Austin adopted its current STR ordinance in 2016 after multiple studies and hours of public testimony on the impact of STRs on individual neighborhoods and the community in general. Among other things, the city's ordinance imposes licensing requirements, advertising requirements, limits on distance between STRs, and includes provisions related to inspections and noise. More controversially, the ordinance provided for the eventual elimination of certain STRs in residential neighborhoods and prohibited certain types of gatherings. It was those last provisions that are subject to the legal challenge.

The Court specifically struck down the following parts of Austin's ordinance:

- A provision terminating all "type-2" rentals in residential areas by 2022. (Under the Austin ordinance, a "type-2" rental is a single family residence that is not owner-occupied and is not associated with an owner-occupied principal residential unit.)
- Provisions limiting certain conduct and assembly at STR properties, including prohibiting any assemblies between the hours of 10:00 p.m. and 7:00 a.m., prohibiting outdoor assemblies of more than six adults between 7:00 a.m. and 10:00 p.m., and prohibiting more than six unrelated adults or ten related adults from being present on the property at any time.

In striking down the city's type-2 STR ban, the court held that the ban is unconstitutionally retroactive because it would significantly impact property owners' well-settled right to lease their property and the city's ban on type-2 STRs did not serve a compelling public interest. Further, the court relied on a [2018 Texas Supreme Court](#)

opinion relating to homeowner association limits on STRs to hold that short-term rentals are residential, rather than commercial, in nature.

The most troubling part of the opinion is an analysis relating to the number of people that can use or gather at an STR. In a sweeping and somewhat unprecedented analysis, the court held that the right to assemble under the Texas Constitution is a fundamental right. That means the city's ordinance must survive "strict scrutiny" and be narrowly tailored to serve a compelling governmental interest. The city did not provide sufficient evidence of a serious burden on neighboring properties sufficient to justify the assembly-related restrictions in the ordinance.

What does this opinion mean for Texas cities? It certainly calls into question a city regulation that either: (1) bans STRs to any degree; or (2) limits the ability of people to assemble at STR properties. The opinion may be appealed to the Texas Supreme Court, and the grounds for appealing the decision are fully presented in the dissenting opinion.

An opinion from the Texas Supreme Court would likely provide the final word on the limitations of city STR regulation, unless the Texas legislature passes legislation addressing the scope of city regulation. In the meantime, cities with STR ordinances are encouraged to consult with legal counsel about what changes, if any, should be made to their ordinances in light of this opinion.

PAYDAY LENDING CLEARINGHOUSE UPDATES

The League's "Payday Lending Clearinghouse" webpage, available here, includes information related to the regulation of payday and auto title lenders. It is updated from time-to-time to reflect recent developments. Two items of interest are included in this week's update: (1) the Texas Office of Consumer Credit Commissioner will conduct a stakeholder meeting on December 9, 2019, to discuss a recent attorney general opinion relating to loan products; and (2) a recent City of Austin trial court win relating to its ordinance.

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PRESENTED AT

Land Use Conference

April 25-26, 2019
AT&T Conference Center
Austin, Texas

Short-Term Rentals- Regulatory Options to Protect Neighborhoods

Matthew C. G. Boyle
BOYLE & LOWRY, L.L.P.
4201 Wingren, Suite 108
Irving, Texas 75062
mboyle@boyle-lowry.com
(972)650-7100

SHORT-TERM RENTALS

Short-term rentals (“STR’s”) present an increasingly complicated regulatory challenge for municipalities. That challenge is exacerbated by the increasing popularity of STR’s from both an owner/operator and consumer perspective. STR’s constitute an increasingly popular trend in today’s “sharing economy”. The sharing economy is an economic model often defined as a peer-to-peer based activity of acquiring, providing or sharing access to goods and services that are facilitated by a community based on-line platform. Sharing economies allow individuals and groups to make money from underused assets. For owners and operators, STR’s provide a lucrative money-making alternative to traditional long-term residential rentals. For consumers, STR’s can offer a more economical, flexible, and comfortable option to hotels. As these economic forces have caused the number of STR’s nationwide to proliferate, cities have struggled to keep up with the trend from a regulatory and enforcement standpoint. Those cities face the competing interests of STR’s owners and operators who seek to protect their revenue stream and the desire of owner-occupied residences to enjoy the peace and tranquility of a traditional residential neighborhood. A significant part of the regulatory struggle is based on the similarities between traditional residential uses and STR’s. Additionally, the litigious nature of STR advocates has created confusing precedent that has been misused and misrepresented by STR advocates. At the end of the day, when STR’s are examined more closely, STR’s clearly represent a unique and distinct land use that can and should be treated differently from more traditional residential uses.

I.

What are STR’s and How Do They Threaten Neighborhoods?

In order to fully understand the regulatory options to address STR’s, the threshold issue is to fully grasp and comprehend what an STR is. The most commonly utilized definition of an STR is a type of lodging where a home, or part of a home, is rented for a fee for fewer than thirty (30) consecutive nights. From a regulatory standpoint, the question arises as to how to classify STR’s under the Zoning Ordinance. To properly assess that classification, the above-referenced definition is not sufficient. STR advocates urge the proposition that STR’s are no different from other residential uses, and as such, STR’s should be allowed by right in any residentially zoned neighborhood. However, that proposition and the above definition do not take into account the detrimental and harmful impacts of STR’s on traditional residential neighborhoods that will be addressed below. STR’s are commercial, money-making ventures. From a land use and regulatory perspective, the starting place is a review of the existing Zoning Ordinance.

A. STR’s Are Becoming Increasingly Prevalent

Over the past several years, the number of STR’s nation and world-wide has grown exponentially. During one two-year period STR rentals on Airbnb in Nashville increased 365 percent, Airbnb rentals in New Orleans went up 340 percent, and Airbnb stays in Portland Maine shot up 328%. A Los Angeles study revealed that 90 percent of Airbnb revenues are generated by hosts who rent out their entire unit and by leasing companies

which rent out two or more entire rental units. Similar studies for the cities of San Francisco, New Orleans, Nashville, and New York have yielded similar results. In 2016, there were more than 2,700 U.S. cities and counties with more than 50 STR's.

B. STR's Are Harmful to Neighborhoods

STR's represent a fundamentally different character of use when compared to traditional residential occupancies by owners or long-term renters. STR's typically turn over the entire occupancy of the residence multiple times per month and sometimes during the same week. With each such turnover, the new guests move in their luggage, groceries, ancillary items, and vehicles while the outgoing guests remove same. All responsible operators provide a cleaning service between each occupancy. STR's regularly attempt to utilize the residence for a much greater density of use than traditional residential. Some examples of this "super-density" are as follows: a 2,100 square foot house advertised to sleep 14 adults, (\$375 avg. night); a 2,500 square foot home that can host up to 18 adults (\$425 avg. night); 1,800 square foot home for up to 16 guests (\$275 night average); and a 1,500 square foot home with ten beds which is listed for up to 12 adult guests. STR's like these infringe on neighborhoods in multiple ways: (1) Noise: higher in volume due to the number of guests, more robust than traditional houses due to the hospitality nature of STR's, and longer hours for the noise; (2) Security: STR's typically attract large groups of unknown strangers who are not subject to background checks or other screening which means that the guests can include criminals and sex offenders; and (3) Parking and traffic issues: most residential neighborhoods have limited parking, particularly for the large groups which utilize STR's, resulting in overcrowded parking and associated traffic issues. Calls for police service to STR's include noise violations, fighting, parking violations, theft, drug sales and use, intoxication, and more. STR occupants are less cognizant of neighbor concerns because they are not neighbors. Instead, STR guests are paying to utilize a residence as a commercial occupancy which tends to result in an overall increased level of intensity in use. This adversely affects neighborhood cohesion thanks to the revolving door of guests who have no connection with or investment in the community in which they only temporarily reside.

C. How Are STR's treated under Zoning?

1. Traditional Zoning Applies to STR's

Chapter 211 of the Texas Local Government Code is the State's zoning enabling law. The division of a city or area into districts and the prescription and application of different regulations in each district generally is referred to as zoning. A comprehensive zoning ordinance necessarily divides a city into certain districts and prescribes regulations for each one having to do with the architectural design of structures, the area to be occupied by them, and the use to which the property may be devoted. The use of a building may be restricted to that of trade, industry or residence. 10 Tex. Jur. 3d, Building Regulations § 6. Zoning laws are enacted in the exercise of the police power, and are distinguishable from the law of nuisance because comprehensive zoning ordinances have a much wider scope than the mere suppression of the offensive use of property. They act, not only negatively,

but constructively and affirmatively, for the promotion of the public welfare. The existence of a nuisance is not a necessary prerequisite to the enactment of zoning regulations. *Id.* So once a city has exercised its authority to zone properties within the city, the question comes down to whether or not STR's fit within an existing permitted use.

2. *Tarr v. Timberwood Park Homeowners' Ass'n* Does Not Restrict Zoning Options

STR advocates have erroneously claimed that a recent Texas Supreme Court decision regarding STR's supersedes the ability to utilize zoning to address STR's. On May 30, 2018, the Texas Supreme Court issued its decision in the case of *Tarr v. Timberwood Park Homeowners' Ass'n*, 556 S.W.3d. 274 (Tex. 2018). Therein the Court held that the particular restrictive provisions found in the HOA's covenants did not ban STR's. STR have described this decision as the "death knell" for the enforcement in Texas of bans by cities and HOAs of STR's. However, *Tarr* was decided based on the text of the HOA covenant which was being challenged and which had been relied upon by the HOA in efforts to prohibit STR's within that HOA. The HOA had two restrictive provisions on which it based its enforcement efforts. One required the use for "residential purposes," but the restrictive covenants did not define what "residential" meant. The Court decided that in the absence of a more restrictive definition of "residential" the STR use fell within "living" quarters and a "residential" use as opposed to a prohibited commercial use. The other provision of the restrictive covenants on which the HOA relied stated that "[n]o building, other than a single-family residence" could be "erected or constructed" on the property, but did not state it had to be occupied by only one family. Based on those definitions, the Court found that these provision did not ban STR's. In doing so, the Court pointed out that amending "the deed restrictions to specify a minimum duration of leasing" was "an option available to both [the home owner and the association] under the deed's amendment restrictions." In short, the Texas Supreme Court held that the HOA had the power to ban rentals of less than a specified period but found that the specific restrictive provisions of the HOA's covenants were not sufficient. Accordingly, the Court left the door wide open to restrictions on STR's.

3. Defined Terms Are Crucial to Reaching the Correct Zoning Determination

Once *Tarr* is properly understood, the question comes down to how STR's fit under the applicable zoning ordinance. Most zoning ordinances, but certainly not all, are prescriptive in establishing allowed uses meaning that only specifically listed and defined uses are permitted. An example clause provides that "[n]o building or structure; no use of any building, structure or land; and no lot of record or zoning lot, now or hereafter existing, shall hereafter be established". Under that provision, all other unlisted uses would thereby be prohibited as a new and unlisted use. While some zoning ordinances define residential uses broadly, others are more specific. One example of a broad and open-ended definition for "residential use" is as follows: a structure or use designed or used for occupancy as a human dwelling or lodging place, such as single family dwelling. That definition is more in line with the HOA's open-ended covenant definition in *Tarr*. Other cities are more specific in their definition such as: "single-family residence shall mean an enclosed

building designed for use and occupied by only one family and specifically excluding bed and breakfasts and short-term rentals”. It must be noted that the zoning predicament that preceded STR’s was bed and breakfasts. When bed and breakfasts began to permeate more traditional suburban communities similar questions were raised about what they were and whether or not bed and breakfasts fit within allowed residential categories. A few crucial terms which are important to properly and thoroughly define are: bed and breakfast, hosted primary residence, primary residence, short-term rental, and vacation rental. So to properly assess the status of STR’s in your city, the starting place is a thorough review of the city’s zoning ordinance and the definitions contained therein.

II. What Options Are Available to Regulate STR’s

For cities who find their zoning ordinances are not sufficiently clear to address, prohibit, or regulate STR’s, there are a myriad of options that can be utilized in attempt to find a sensible regulatory solution to the issues caused by STR’s. Many cities have struggled to govern the trend of increasing STR numbers nation-wide, resulting contentious debates about how much to regulate STR’s, or whether even to allow certain kinds of them. STR advocates urge that STR’s are beneficial to the community. Those proponents urge that their property rights should not be infringed and that the few bad apples (e.g. “party houses”) should not prevent those responsible owners from utilizing their properties for a commercial use which is claimed to be no different from long-term rentals. However, a recent poll by WFAA TV in Dallas revealed that 84 percent of residents oppose STR’s in their neighborhood. That opposition is tied to the negative impacts from STR’s on the quality of residential life and the negative impacts on traditional neighborhoods. Balancing these interests presents both legal and policy challenges.

A. There Is a Full Range of Regulatory Options for Addressing STR’s

Cities across the globe have attempted to utilize a wide range of regulatory options for STR’s. On the more aggressive end, instituting a total ban or prohibition on STR’s is possible. Bans provide the most effective level of protection for residential neighborhoods and is the least taxing on enforcement staff. Several Texas cities have adopted full bans on STR’s, including but not limited to Hurst, Southlake, Sugar Land, and Westlake. The most effective ban should be adopted via an amendment to the zoning ordinance in full compliance with Chapter 211 of the Local Government Code. In the zoning realm, consideration can be given to adopting a locational restriction that limits STR’s to only certain areas of the city. Given the commercial nature of and negative impacts related to STR’s, perhaps it makes the most sense to preclude them altogether from the least dense residential districts in the city. Beyond that, the city could look at applying a conditional or special use requirement for STR’s. Conditional/special use permits allow for case by case analysis and consideration for each STR. Licensing or registration provisions require self-disclosure of STR operators thereby improving both regulation and enforcement prerogatives. Hotel occupancy tax requirements apply to all STR’s in Texas under State law and under local ordinance in most cases. Additional fees or taxes must generally be connected to the costs associated with the regulation of STR’s, a calculation that can prove difficult to substantiate. Capping the number of nights for STR’s in each year can be used

to decrease the overall intensity of the impact of STR's on neighborhoods. Requiring that STR's be limited exclusively to the principal residence of the owner or operator can be used to reduce the number of STR's and to increase the neighborhood sensitivity for the operator. Applying safety provisions similar to other commercial operations will provide enhanced safety for both guests and neighbors. This can include a prohibition against convicted sex offenders, a requirement for adequate fire protection, ingress and egress, and the like. So the basic regulatory options for STR's are listed as follows

Prohibition-	Operator/License Fees-
Hotel Occupancy Tax-	Principal Residency Requit.-
Location restrictions-	Night Cap-
Conditional or special use permits-	Safety Provisions-
Operator License or Registration-	Nuisance Provisions-

B. Austin's Phase Out Plan Has Met Challenges

The City of Austin's experience illustrates the tensions and conflicts behind the debate over STR's. The Austin City Council first regulated short-term rentals in 2012 and 2013. Then in February 2016, the City significantly tightened its regulations. The latest rules impose strict occupancy and time-of-day limits on STR's in residential neighborhoods. No more than 10 adults can gather in a vacation rental at a time — the limit is six if the adults are unrelated (i.e. not a family). Further, the ordinance bans “an outside assembly” with more than six adults. The ordinance prohibits outdoor activity at STR's located in residential neighborhoods be between 10 p.m. and 7 a.m. Austin's rules classify STR levels and include a gradual phase out of Type 2 STR's in residential neighborhoods by April 2022. Type 2 rentals are properties with no live-in owners that are available for rent year-round. In an effort to meet the City's goal of slowly eliminating non-owner-occupied vacation rentals in residential neighborhoods, the City stopped accepting license applications for them. As such, as of April 2022 only owners of single-family homes or multifamily dwellings who live on their property and who want, for example, to rent out their house while they're temporarily away or use a garage apartment or an adjoining unit as a vacation rental can continue to operate in a residential neighborhood. In response to the new rules, the Texas Public Policy Foundation, a conservative think tank in Austin, sued the City in June 2016. The Foundation was joined by the Attorney General's Office and argued that Austin's rules go far beyond standard-issue licensing, health, safety and taxation rules and violate property owners' constitutional rights. In that case, the trial court denied the City's Plea to the Jurisdiction but granted the City's No-Evidence Motion for Summary Judgment. The trial court also denied the Plaintiffs' Motion for Summary Judgment. Both sides appealed and the case has been fully briefed and a ruling is forthcoming.

C. STR Advocates Have Asserted a Myriad of Challenges to STR Regulations

In an effort to perpetuate their operations, STR owners and operators have raised a number of challenges to STR regulations. They include Declaratory Judgment actions regarding the interpretation and application of traditional zoning and code enforcement regulations to STR's. STR operators have asserted Vested Rights protection. STR advocates have also made Due Process claims. STR owners have urged takings claims. Lastly, STR owners have sought to continue their operations in an effort to amortize out their investment. A brief review of these claims and the applicable responses is as follows.

1. Declaratory Judgment

As noted above, there are a number of questions of interpretation and application regarding zoning and code enforcement ordinances. This is especially so when a plaintiff is dissatisfied with a classification determination by city staff which is inconsistent with the plaintiff's operational goals. While the Declaratory Judgment Act (Chapter 37 Civil Practice and Remedies Code ("DJA")) generally provides a mechanism to seek judicial interpretation of documents, that mechanism is quite limited when it concerns a municipality. That limitation is based on the fact that the only waiver against municipalities under the DJA is to determine the validity of an ordinance or franchise. Tex. Civ. Prac. & Rem. Code § 37.007(b)(emphasis added); *City of Dallas v. Turley*, 316 S.W.3d 762, 771 (Tex. App.—Dallas 2010, pet. denied). In order to establish the trial court's jurisdiction over this type of claim, the plaintiff has the burden to allege facts affirmatively demonstrating that the trial court has subject-matter jurisdiction. *See Texas Ass'n. of Bus. v. Tex. Air Control Bd.*, 852 S.W.2d 440, 446 (Tex. 1993). For the waiver to be effective, a plaintiff must plead a constitutional or legislative waiver with facts that make the waiver applicable. *See Gen. Servs. Comm'n v. Little-Tex Insulation Co.*, 39 S.W.3d 591, 598 (Tex. 2001) (the pleader must allege facts to demonstrate a valid constitutional claim); *Tex. Ass'n of Bus.*, 852 S.W.2d at 446 (the pleader must allege facts that affirmatively demonstrate the court's jurisdiction to hear the cause). Plaintiffs cannot meet that burden unless they are challenging the validity of an ordinance. No waiver of immunity exists for a party that seeks only to challenge the interpretation of an ordinance. Additionally, as a general rule, the meaning and validity of a penal statute or ordinance should ordinarily be determined by courts exercising criminal jurisdiction." *State of Texas v. Morales*, 869 S.W.2d 941, 945 (Tex.1994); *See also, State v. Logue*, 376 S.W.2d 567 569 (Tex. 1964). For these reasons, declaratory judgment actions against a city are only viable when the plaintiff is challenging the validity of the ordinance.

2. Vested Rights

Chapter 245 of the Local Government Code generally allows property owners to rely upon land use regulations that applied at the time they commenced that land use. *Village of Tiki Island v. Ronquille*, 463 S.W.3d 562 (Tex. App.—Houston [1st Dist.] 2015, no pet.). The enforcement mechanism is a request for declaratory relief, and sovereign immunity is waived. *See Tex. Local Gov't Code* § 245.006(a), (b). Section 245.002 "establishes a general rule that municipal regulatory agencies must consider a permit application under the terms of the ordinances, rules, and other applicable regulations that are in effect at the

time a permit, development plan, or plat application is filed.” *Vill. of Tiki Island*, 464 S.W.3d at 440. Such statutory rights apply to a “project” and are “vested.” *Id.* “Project” is broadly defined to include the Homeowners’ investments in their real property. Local Gov’t Code § 245.001(3). “Permit” includes mere “consent” by a municipality, *Id.* § 245.001(1), (4). However, “all property is held subject to the valid exercise of police power.” *Sheffield Dev. Co., Inc. v. City of Glenn Heights*, 140 S.W.3d 660, 670 (Tex. 2004) (quoting *City of College Station v. Turtle Rock Corp.* 680 S.W.2d 802, 804 (Tex. 1984)). Additionally, “[n]o property owner has a vested interest in particular zoning classifications and a city may rezone as public necessity demands.” *City of San Antonio v. Arden Encino Partners, Ltd.*, 103 S.W.3d 627, 630 (Tex. App.—San Antonio 2003) (citing *City of University Park v. Benners*, 485 S.W.2d 773, 778 (Tex. 1972)). Zoning changes are to be expected in growing communities. *See Sheffield*, 140 S.W.3d at 678. When vested rights conflict with a city’s exercise of its police power, a takings claim may be the appropriate cause of action (see subsection 4 below).

3. Due Process

For a due process claim, economic regulations, including zoning ordinances and restrictions on land use, can be ruled unconstitutional under Article I, § 19 of the Texas Constitution’s due course of law requirements if either:

- (1) the statute’s purpose could not arguably be rationally related to a legitimate governmental interest; or
- (2) when considered as a whole, the statute’s actual, real-world effect as applied to the challenging party could not arguably be rationally related to, or is so burdensome as to be oppressive in light of, the governmental interest.

Patel v. Texas Dep’t of Licensing & Regulation, 469 S.W.3d 69, 87 (Tex. 2015); *see also Barshop v. Medina Cnty. Underground Water Conservation District*, 925 S.W.2d 618, 626-27 (Tex. 1996) (same, as applied to zoning in a substantive due process and equal protection case). While cities have a legitimate interest in regulating noise, traffic, trash, and the like, STR owners have challenged that those interests cannot be addressed with the regulation of STR’s. In short, the claimants urge that cities have alternative means to address noise, traffic, or trash issues and that an outright ban on STR’s is irrational and oppressive. The rational basis threshold presents a low bar as to the defense of an ordinance under due process.

4. Unconstitutional Regulatory Taking

The U.S. and Texas Constitutions both bar the government from taking private property without adequate compensation. See U.S. Const. amend. V; Tex. Const. art. 1, § 17; *see generally Mayhew v. Town of Sunnyvale*, 946 S.W.2d 922, 939 (Tex. 1998). Three varieties of physical regulatory taking occur where: (1) regulation compels “the property owner to suffer a physical “invasion” of his property,” (2) regulation “denies all economically beneficial or productive use of land,” or (3) regulation “does not substantially advance legitimate state interests.” *Sheffield Dev. Co., Inc. v. City of Glenn Heights*, 140 S.W.3d 660, 671 (Tex. 2004). Separate from such physical takings are situations “where regulation

has gone too far and become *too much like a physical taking.*” *Vill. of Tiki Island v. Ronquille*, 463 S.W.3d 562, 575 (Tex. App.—Houston [1st Dist.] 2015, no pet.) (emphasis added). Such cases require “a careful analysis of how the regulation affects the balance between the public’s interest and that of private landowners.” *Sheffield*, 140 S.W.3d at 671 (citing *Penn Central* factors”) are as follows:

- (1) the economic impact of the regulation on the claimant;
- (2) the extent to which the regulation has interfered with distinct investment-backed expectations; and
- (3) the character of the governmental action.

Vill. Of Tiki Island, 463 S.W.3d at 575 (internal citations omitted) (quoting *Sheffield* and federal precedent). While ordinances generally are presumed constitutional, zoning ordinances are construed more strictly. *See City of Kermit v. Spruill*, 328 S.W.2d 219, 223 (Tex. Civ. App. 1959, writ refused n.r.e.). “Any regulation of land use is in derogation of the common law.” *Town of Annetta S. v. Seadrift Dev., L.P.*, 446 S.W.3d 823, 830 (Tex. App.—Fort Worth 2014) (citing *Thomas v. Zoning Bd. Of Adjustment*, 241 S.W.2d 955, 957 (Tex. Civ. App.—Eastland 1951, no writ) and *Bryan v. Darlington*, 207 S.W.2d 681, 683 (Tex.Civ.App.—San Antonio 1947, writ ref’d n.r.e.) “All restrictions of the free use of land are in derogation of the common law right to use land for all lawful purposes that go with the title and possession, and are to be construed strictly against the person creating or attempting to enforce such restrictions.”)).

The foregoing factors are not formulaic. *Sheffield*, 140 S.W.3d at 672. For example, “the economic impact of a regulation may indicate a taking even if the landowner has not been deprived of all economically beneficial use of his property.” *Id.* The court must consider all of the surrounding circumstances, *Mayhew*, 964 S.W.2d at 933, and apply “a fact-sensitive test of reasonableness,” *City of College Station v. Turtle Rock Corp.* 680 S.W.2d 802, 804 (Tex. 1984). In situations where an existing money-making use of property is suddenly barred, one form of relief to the property owner is allowing the owner to continue the “nonconforming use” for a period of years in order to recoup her investment and avoid losses or damages. *See, e.g., See City of University Park v. Benners*, 485 S.W.2d 773, 777-779 (Tex. 1972) (25-year recoupment period); *Mbogo v. City of Dallas*, No. 05-17-00879-CV, 2018 WL3198398, at *7 (Tex. App.—Dallas June 29, 2018, pet. filed) (mem. op.) (14-year grace period was sufficient). Another solution is to simply grandfather an affected owner’s use. *See Village of Tiki Island*, 463 S.W.3d at 586.

5. Preemption

STR advocates have asserted that STR bans are preempted by Chapter 156 of the Texas Tax Code and/or Chapter 92 of the Property Code. The concept of preemption is grounded in constitutional law. Article XI, Section 5(a) of the Texas Constitution provides that home-rule city ordinances shall not “contain any provision inconsistent with the Constitution of the State, or of the general laws enacted by the Legislature of this State.” *See generally City of Laredo v. Laredo Merchants Ass’n*, 550 S.W.3d 586, 592 (Tex. 2018) (in express preemption case, city could not ban plastic trash bags); *City of Fort Worth v. Rylie*, No. 02-

17-00185-CV, 2018 WL 4782291, at *8 (Tex. App.—Fort Worth Oct. 4, 2018, no pet. H.) (similar). The applicable standard is as follows:

The mere entry of the state into a field of legislation does not automatically preempt that field from city regulation. Rather, local regulation, ancillary to and in harmony with the general scope and purpose of the state enactment, is acceptable. Absent an express limitation, if the general law and local regulation can coexist peacefully without stepping on each other's toes, both will be given effect or the latter will be invalid only to the extent of any inconsistency.

City of Laredo, 550 S.W.3d at 593 (cleaned up). Further, as quoted approvingly in *City of Laredo*:

a general law and a city ordinance will not be held repugnant to each other if any other reasonable construction leaving both in effect can be reached. In other words, both will be enforced if that be possible under any reasonable construction, just as one general statute will not be held repugnant to another unless that is the only reasonable construction.

City of Beaumont v. Fall, 116 Tex. 314, 291 S.W. 202, 205-206 (1927).

The Legislature expressly began taxing STR's in 2015 as part of the state hotel occupancy tax. The intent to raise revenue from that source is plain. At the same time, the Legislature declined to change the existing regime of residential leasing at Chapter 92 of the Property Code, which given express references to "transient"- type stays in that statute, the Legislature plainly would have done had the Legislature intended to restrict such rentals. STR advocates claim that allowing cities to ban STR's would undermine the Legislature's intent to generate revenue and subject STR's to a ban inconsistent with the Legislature's desire to allow such rentals without restriction. However, the fact that the State taxes STR's and defines certain residential uses does not constitute a clear and unambiguous preemption of local regulation of STR's, including but not limited to prohibition.

6. Amortization

As a corollary to vested rights claims, for legal nonconforming uses, plaintiffs have the ability to seek the right to amortize out their investment in their STR. Cities have the general right to establish zoning districts under their general police power to protect public health, safety, and general welfare. TEX. LOC. GOV'T CODE § 211.003; *City of Corpus Christi v. Allen*, 254 S.W.2d 759, 761 (Tex. 1953). These zoning restrictions, however, may not be made retroactive. *Id.* Any ordinance enacted must relate to the future rather than to existing buildings and uses of land. *Id.* An ordinance may not operate to remove existing buildings and uses that are nonconforming. *Id.* A "nonconforming use" is a use of land that existed legally when a zoning restriction became effective and has continued to exist. *City of University Park v. Benners*, 485 S.W.2d 773, 777 (Tex. 1972), *app. dismissed*, 411 U.S. 901, *reh'g denied*, 411 U.S. 977 (1973). One way cities have attempted to remove nonconforming uses is through the process of amortization. Amortization allows a nonconforming use to continue for a reasonable period of time to permit the owner to

recoup his investment in the property. Amortization serves as adequate compensation in these instances, satisfying state constitutional provisions prohibiting the unconstitutional taking of property without adequate compensation. *See* Tex. Const. art. I, §17. Texas courts have approved the termination of nonconforming uses, provided that adequate time is allowed to recover an owner's investment in the property. *Swain v. Board of Adjustment of the City of University Park*, 433 S.W.2d 727, 735 (Tex. Civ. App.-Dallas 1968, writ ref'd n.r.e.), *cert. denied*, 396 U.S. 277, *reh'g denied*, 397 U.S. 977 (1970). Another way a nonconforming use can be terminated is through abandonment. Abandonment requires: (1) intent to abandon; and (2) an overt act or failure to act, which carries the implication of abandonment. *See Turcuit v. City of Galveston*, 658 S.W.2d 832, 834 (Tex. App.—Houston [1st Dist.] 1983, no writ). A municipal ordinance can dictate the required period of nonuse required to be considered abandoned, and many cities already have ordinances containing this language. Amortization is a complex legal process that should not be undertaken without the guidance of an experienced land use attorney.

III. What about Village of Tiki Island?

STR supporters heavily rely upon on *Village of Tiki Island v. Ronquille*, 463 S.W.3d 562 (Tex. App.—Houston [1st Dist] 2015, no pet.) to support their position that STR bans constitute a regulatory taking. In 2015, the Houston Court of Appeals upheld a temporary injunction in a case involving the Village's regulation of STR's. In 2014 the Village passed an ordinance barring STR's outright and included a grandfathering for existing STR's. Plaintiff Angelia Hill invested in a house in 2007 to utilize as an STR, and she had contracts extending out into the future. Ms. Hill's STR was in operation prior to the ban and should have been included among those grandfathered under the new ordinance. For some inexplicable reason the city did not allow Ms. Hill either recoupment of her investment in her STR or grandfathering. Ms. Hill sued for a regulatory taking and won. In issuing its ruling, the Houston Court of Appeals held as follows:

Hill has been renting her Tiki Island home short-term since 2007. She bought it as an investment for the purpose of rentals, and made substantial improvements to the property. Tiki Island's 2014 ordinance banning short-term rentals grandfathered certain identified properties that were already engaged in short-term rentals as of 2011. It is not evident from the record why Hill's use of her home for short-term rentals was not grandfathered, as she was engaged in short-term rentals before the 2011 grandfathering cut-off. The Village's excluding Hill from this grandfathered status, however, foreclosed Hill's existing investment use of her property without an avenue for recoupment. We thus hold that she has identified a vested right for purposes of conferring the trial court with jurisdiction to enter a temporary injunction in her favor.

The *Tiki Island* Court held that a municipal ordinance which prohibited STRs constituted a regulatory taking but did so based solely on the specific and limited facts of that case. *Tiki Island*, 463 S.W.3d at 582.

The *Tiki Island* Court failed to apply the correct standard when examining the economic impact of Ordinance 05-14-02. In *Mayhew*, the Court explained that a taking occurs “when the owner of real property has been called upon to sacrifice *all* economically beneficial uses in the name of the common good, that is to leave his property economically idle.” *Mayhew*, 964 S.W.2d at 937 (quoting *Lucas v. South Carolina Coastal Council*, 505 U.S. 1003, 1019 (1992) (emphasis in original)). A reduction in value is not enough. See *Mayhew*, 964 S.W.2d at 937-938 (substantial reduction leaving property still worth more than what owner paid does not destroy all economically beneficial uses); *Sheffield* 140 S.W.3d at 677 (fifty percent reduction in value not enough to destroy all economically beneficial uses). In *Tiki Island*, the Court found that the fact that a property is worth more if allowed to provide STRs, and that the property may “lose value greatly” and would cost the property owner “quite a bit” if no longer able to provide STRs was sufficient to show that the regulation “had an economic impact on the value of [the] property.” See *Tiki Island*, 463 S.W.3d at 577, 582. This finding not only applies the wrong standard, it contradicts established precedent.

The *Tiki Island* Court also mistakenly cited *City of University Park v. Benners*, 485 S.W.2d 773 (Tex. 1972) to support its position that while property owners generally do not have a vested right in a particular use of their property, they likely do have a “narrow vested . . . right when a new law restricts an existing commercial use of a property.” *Tiki Island*, 463 S.W.3d at 587 (citing *City of University Park*, 485 S.W.2d at 778). Because of this, the Court found that the Village should have provided Plaintiff Hill with a sufficient period of time to recoup her investment. *Tiki Island*, 463 S.W.3d at 587. *City of University Park* involved a city termination of two nonconforming commercial uses in a residentially-zoned district. *City of University Park*, 485 S.W.2d at 775. “A nonconforming use . . . is a use that existed legally when the zoning restriction became effective and has continued to exist.” *City of University Park*, 485 S.W.2d 777 (citing *Swain v. Bd. of Adjustment of the City of University Park*, 433 S.W.2d 727 (Tex. Civ. App.—Dallas 1968)). Commercial uses are not permitted in residentially-zoned districts. Additionally, even if STRs may have been permitted at the time of Plaintiff Hill’s purchase of the property, using it for a commercial purpose likely violated the zoning ordinance, meaning Plaintiff’s Hill’s property use was not legally existing when the zoning restriction became effective. A property owner cannot have a reasonable expectation to be able to engage in illegal activity. For all these reasons, it appears that *Tiki Village* may not be the panacea claimed by STR’s.

IV. Legislation

When STR rules are finally passed, owners of short-term rentals sometimes find themselves frustrated by the restrictions and confused about how to comply. Inevitably, calls for the State legislature to intervene on behalf of owners of STR’s have been made. During the current and most recent sessions of the legislature, bills have been introduced regarding the ability to regulate STR’s. The proposed legislation would have overturn or significantly narrow ordinances in Austin, San Antonio, Fort Worth and elsewhere. Last session, State senators moved their version of the proposed legislation forward when they approved Senate Bill 451. SB 451 sought to standardize short-term rental rules across the state, aiming to eliminate confusion for property owners. The bill still allowed cities to

impose health, safety, traffic and nuisance rules on short-term rentals but prevents them from banning short-term rentals. The same day the Texas Senate passed SB 451, a Texas House committee considered companion legislation. The House bill, HB 2551, was left pending. During the current session, HB 3778 was filed by Representative Button and SB 1888 was filed by Senator Fallon. The new bills purport to wholly preempt municipal regulation of and enforcement against STR's. This is a similar approach to that taken by the State of Arizona when Governor Doug Ducey of Arizona signed SB 1350 on May 16, 2016. That law prohibits cities and municipalities from banning the listing and use of STR's. From the governor's perspective, the law helps travelers who, instead of turning to hotel chains, can inject the profits of tourism directly into local economy by paying locals. On the other hand, cities like Sedona have left powerless to address the detrimental effects of STR's. As a result Sedona has witnessed a serious erosion of its affordable housing stock due to the market influence of STR's in addition, all Arizona cities have been left powerless to protect the sanctity of their residential neighborhoods due to action at the State level. Hearings on the pending bills in Texas are scheduled in the near future and there very well may be action between the timing of this paper and its presentation.

V. Conclusion

If the answer to STR's was simple, there would not be so much consternation and litigation regarding them. Finding the right balance between the competing interests of STR advocates and those neighbors seeking to enjoy the peace and tranquility of a traditional neighborhood presents both policy and legal challenges. Once the governing body provides their policy direction, the starting place for analysis is the city's existing zoning ordinance. Therein the threshold issue is whether or not STR's are already barred or instead are permitted. Regardless, the definitions of the most relevant terms is crucial. If there is need to amend the ordinance(s), care should be taken that the legal pitfalls identified above are either avoided or at least minimized. There are indeed plenty of regulatory options. So unless and until the Legislature acts to strip cities of their basic prerogative to protect the health, safety, and welfare of the public utilizing the Chapter 211 zoning take advantage of the available tools to address these issues.



CITY COUNCIL
AGENDA MEMO

Prepared By: Angie Manglaris, Director of Development Services

August 27, 2020

Discussion and Workshop on Tree Preservation Requirements

DESCRIPTION:

Receive a report and hold a discussion regarding amending Lake Dallas Municipal Code Chapter 42 "Environment" by adding Article IV titled "Tree Preservation" setting forth regulations governing the removal, mitigation, and preservation of trees on property within the City.

BACKGROUND INFORMATION:

The purpose of this agenda item is to review the current Tree Preservation Ordinance and provide direction to Staff in preparing amendments to existing regulations. Staff has identified several areas in which the tree preservation regulations could be improved upon, as well as identifying regulations that criteria accreditation programs look for when evaluating applications.

Tree Preservation Ordinances:

The Tree Preservation Ordinances are currently housed under Chapter 122 Zoning, Article XXII- Screening, Landscaping, and Tree Preservation, Division 3. Tree Preservation. The City Council may choose to continue to house the Tree Preservation Ordinances under the Zoning Ordinances or move the regulations to Chapter 42- Environment.

122-1162 Definitions Section:

The Definitions section could be expounded upon to include additional terms specific to tree preservation such as protected trees, caliper inches, diameter at breast height (DBH), protective fencing. At a minimum, City Staff recommends refining the definition "Buildable Area" for clarity (i.e. buildable area is the building pad and the area extending 5' from the edge of the building pad).

Section 122-1165-Tree Removal:

Staff recommends adding residential lots to the list of exemptions from tree replacement as well as establishing a penalty for individuals removing protected trees without a permit.

Section 122-1166 Tree Replacement:

The Tree Replacement Section outlines criteria for replacing trees removed that are non-exempt from mitigation requirements. City Staff recommends the language be cleaned up in

this section to be clearer regarding types of trees required to be planted, the size of trees at planting, and alternative mitigation methods.

Subsections a) and b). within this section are somewhat conflicting and could be consolidated. Staff recommends the replacement requirements establish an approved plant list for applicants to determine appropriate trees to plant. The minimum size of replacement trees planted shall be three caliper inches (3") at breast height (4.5') at the time of planting and the total amount of caliper inches planted shall equate to the total amount of caliper inches removed.

Staff recommends establishing additional tree mitigation options for applicants that may have limited space onsite for planting. Alternatives to onsite planting are:

- The applicant may request to pay into the Reforestation Fund or plant required mitigation trees on City property. The approval and located on trees would be determined by the Tree Board.
- The applicant may pay into a tree reforestation fund in lieu of planting mitigation trees.

Section 122-1167. Tree Protection:

City staff recommends amendments to this section to specify how trees to be preserved are identified, the type of protective barrier required around these trees and the area in which the barrier shall extend to.

Tree City USA

The City of Lake Dallas has identified achievement of Tree City USA Status as a goal for the upcoming fiscal year. Tree City USA has outlined four criteria required to be eligible for accreditation. The criteria are listed below along with suggestions from City Staff:

1. *Establishment of a Tree Board: someone must be legally responsible for the care of all trees on city-owned property.*
This could be achieved by creating a new board or by delegating the responsibilities to an existing Board or Commission (example: Planning and Zoning Commission is also the tree board).
2. *A Tree Care Ordinance: a public tree care ordinance which forms the foundation of a city's tree care program.*
Tree City USA has provided a draft public tree care ordinance for cities to utilize when preparing to submit their applications. The sample ordinance is attached to this agenda sheet.
3. *A community forestry program with an annual budget of at least two dollars (\$2) per capita: the community must document at least \$2 per capita toward the planting, care, and removal of city trees.*
City Staff recommends the creation of Reforestation Fund to satisfy this requirement. The Reforestation Fund would be utilized for the care, irrigation, preservation, planting

and removal of trees. Developers would also have the option to pay into the Reforestation Fund should they not have the space to plant required mitigation trees.

4. *An Arbor Day Observance and Proclamation: an Arbor Day Celebration to join together and celebrate the benefits of community trees.*

The official State of Texas Arbor Day is the first Friday in November. The City also has several tree planting events during the year when Arbor Day could be observed.

FINANCIAL CONSIDERATION:

There is no financial impact to the taxpayers of Lake Dallas.

RECOMMENDED MOTIONS:

There is no action required as part of this agenda item. Staff requests City Council provide direction on potential amendments.

ATTACHMENT(S):

1. Tree City USA Standards
2. Draft Public Tree Care Ordinance
3. City of Lake Dallas Tree Preservation Ordinances
4. City of Corinth Tree Preservation Ordinances
5. City of Hickory Creek Tree Preservation Ordinances

Tree City USA Standards

To qualify as a Tree City USA community, you must meet four standards established by the Arbor Day Foundation and the National Association of State Foresters. These standards were established to ensure that every qualifying community* would have a viable tree management program and that no community would be excluded because of size.

Four Standards for Tree City USA Recognition

Standard 1

A Tree Board or Department

Someone must be legally responsible for the care of all trees on city- or town-owned property. By delegating tree care decisions to a professional forester, arborist, city department, citizen-led tree board or some combination, city leaders determine who will perform necessary tree work. The public will also know who is accountable for decisions that impact community trees. Often, both professional staff and an advisory tree board are established, which is a good goal for most communities.

The formation of a tree board often stems from a group of citizens. In some cases a mayor or city officials have started the process. Either way, the benefits are immense. Involving residents and business owners creates wide awareness of what trees do for the community and provides broad support for better tree care.

Standard 2



■ Standard 1 | ■ Standard 2 | ■ Standard 3 | ■ Standard 4

opportunity to set good policy and back it with the force of law when necessary.

A key section of a qualifying ordinance is one that establishes the tree board or forestry department—or both—and gives one of them the responsibility for public tree care (as reflected in Standard 1). It should also assign the task of crafting and implementing a plan of work or for documenting annual tree care activities.

Qualifying ordinances will also provide clear guidance for planting, maintaining and/or removing trees from streets, parks and other public spaces as well as activities that are required or prohibited. Beyond that, the ordinance should be flexible enough to fit the needs and circumstances of the particular community.

For tips and a checklist of important items to consider in writing or improving a tree ordinance, see [Tree City USA Bulletin #9](#).

Standard 3

A Community Forestry Program With an Annual Budget of at Least \$2 Per Capita

City trees provide many benefits—clean air, clean water, shade and beauty to name a few—but they also require an investment to remain healthy and sustainable. By providing support at or above the \$2 per capita minimum, a community demonstrates its commitment to grow and tend these valuable public assets. Budgets and expenditures require planning and accountability, which are fundamental to the long-term health of the tree canopy and the Tree City USA program.

To meet this standard each year, the community must document at least \$2 per capita toward the planting, care and removal of city trees—and the planning efforts to make those things happen. At first this may seem like an impossible barrier to some communities. However, a little investigation usually reveals that more than this amount is already being spent on tree care. If not, this may signal serious neglect that will cost far more in the long run. In such a case, working toward Tree City USA recognition can be used to reexamine the community's budget priorities and redirect funds to properly care for its tree resources before it is too late.



Standard 4

An Arbor Day Observance and Proclamation

An effective program for community trees would not be complete without an annual Arbor Day ceremony. Citizens join together to celebrate the benefits of community trees and the work accomplished to plant and maintain them. By passing and reciting an official Arbor Day proclamation, public officials demonstrate their support for the community tree program and complete the requirements for becoming a Tree City USA!

This is the least challenging—and probably most enjoyable—standard to meet. An Arbor Day celebration can be simple and brief or an all-day or all-week observation. It can include a tree planting event, tree care activities or an award ceremony that honors leading tree planters. For children, Arbor Day may be their only exposure to the green world or a springboard to discussions about the complex issue of environmental quality.

The benefits of Arbor Day go far beyond the shade and beauty of new trees for the next generation. Arbor Day is a golden opportunity for publicity and to educate homeowners about proper tree care. Utility companies can join in to promote planting small trees beneath power lines or being careful when digging. Fire prevention messaging can also be worked into the event, as can conservation education about soil erosion or the need to protect wildlife habitat.

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Tree City USA is an Arbor Day Foundation program in cooperation with:



**SAMPLE MUNICIPAL TREE
ORDINANCE – WITH TREE BOARD**

Be it ordained by the City Council of the City of:

(City) _____

(State) _____

Section 1. Purpose.

To enhance the quality of life and the present and future health, safety, and welfare of all citizens, to enhance property values, and to ensure proper planting and care of trees on public property, the City Council herein delegates the authority and responsibility for managing public trees, creates a Tree Advisory Board, establishes practices governing the planting and care of trees on public property, and makes provision for the emergency removal of trees on private property under certain conditions.

Section 2. Definitions.

As used in this Article, the following words and phrases shall have the meanings indicated:

Damage – any injury to or destruction of a tree, including but not limited to: uprooting; severance of all or part the root system or main trunk; storage of material on or compaction of surrounding soil; a substantial change in the natural grade above a root system or around a trunk; surrounding the tree with impervious paving materials; or any trauma caused by accident or collision.

Nuisance – any tree, or limb thereof, that has an infectious disease or insect; is dead or dying; obstructs the view of traffic signs or the free passage of pedestrians or vehicles; or threatens public health, safety and welfare.

Parkway – the area along a public street between the curb and the sidewalk; or if there is no curb or sidewalk, the unpaved portion of the area between the street right-of-way line and the paved portion of the street or alley.

Public property – all grounds and rights-of-way (ROWS) owned or maintained by the City.

Public tree – any tree or woody vegetation on city-owned or city-maintained property or rights-of-way.

Top or Topping – the non-standard practice of cutting back of limbs to stubs within a tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

Section 3. Authority and power.

- (a) *Delegation of authority and responsibility.* The Director of the _____ Department and/or his designee, hereinafter referred to as the "Director", shall have full authority and responsibility to plant, prune, maintain and remove trees and woody plants growing in or upon all municipal streets, rights-of-ways, city parks, and other public property. This shall include the removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer line, or any tree that is affected by fungus, insect, or other pest disease.
- (b) *Coordination among city departments.* All city departments will coordinate as necessary with the Director and will provide services as required to ensure compliance with this Ordinance as it relates to streets, alleys, rights-of-way, drainage, easements and other public properties not under direct jurisdiction of the Director.
- (c) *Interference.* No person shall hinder, prevent, delay, or interfere with the Director or his agents while engaged in carrying out the execution or enforcement of this Ordinance.

Section 4. Tree advisory board.

The City Council hereby creates a "Tree Advisory Board," hereinafter referred to as the "Board."

- (a) *Membership.* The Board shall consist of seven members approved by City Council. Members of the Board will serve without compensation.
- (b) *Term of office.* Board members shall be appointed for three-year staggered terms. If a vacancy shall occur during the term of any member, a successor shall be appointed by City Council.
- (c) *Officers.* The Board shall annually select one of the members to serve as chair, may appoint a second member to serve as vice-chair, and may appoint a third member to serve as secretary.
- (d) *Meetings.* The Board shall meet a minimum of four times each year. All meetings shall be open to the public. The Board chair may schedule additional meetings as needed.
- (e) *Duties.* The Board shall act in an advisory capacity to the Director and shall:
 - (1) Coordinate and promote Arbor Day activities;
 - (2) Review and update a five-year plan to plant and maintain trees on city property;
 - (3) Support public awareness and education programs relating to trees;
 - (4) Review city department concerns relating to tree care;
 - (5) Submit an annual report of its activities to the city council;
 - (6) Assist with the annual application to renew the Tree City USA designation;
 - (7) Develop of a list of recommended trees for planting on city property, and a list of prohibited species; and
 - (8) Other duties that may be assigned by City Council.

Section 5. Tree planting and care standards.

- (a) *Standards.* All planting and maintenance of public trees shall conform to the American National Standards Institute (ANSI) A-300 "Standards for Tree Care Operations" and shall follow all tree care Best Management Practices (BMPs) published by the International Society of Arboriculture.
- (b) *Requirements of franchise utility companies.* The maintenance of public trees for utility clearance shall conform to all applicable utility industry standards.
- (c) *Preferred species list.* The Director shall maintain an official list of desirable tree species for planting on public property in two size classes: Ornamental (20 feet or less in height at maturity) and Shade (greater than 20 feet at maturity). Trees from this approved list may be planted without special permission; other species may be planted with written approval from the Director.
- (d) *Planting distances.* The Director shall develop and maintain an official set of spacing requirements for the planting of trees on public property. No tree may be planted within the visibility triangle of a street intersection or within ten (10) feet of a fire hydrant.
- (e) *Planting trees under electric utility lines.* Only trees listed as Ornamental trees on the official city tree species list may be planted under or within fifteen (15) lateral feet of any overhead utility wire.
- (f) *Protection of public trees during construction.* Any person, firm, corporation, or city department performing construction near any public tree must employ appropriate measures to protect the tree, including, but not limited to, placing barriers around the tree to prevent damage.

Section 6. Prohibition against harming public trees.

- (a) It shall be unlawful for any person, firm or corporation to damage, remove, or cause the damage or removal of a tree on public property without written permission from the Director.
- (b) It shall be unlawful for any person, firm or corporation to attach any cable, wire or signs or any other object to any street, park, or public tree.
- (c) It shall be unlawful for any person, firm or corporation to "top" any public tree. Trees severely damaged by storms or other causes, where best pruning practices are impractical may be exempted from this provision at the determination of the Director.

Section 7. Adjacent owner responsibility.

- (a) The owner of land adjacent to any city street or highway, when acting within the provisions of this Ordinance, may plant and maintain trees in the adjacent parkway area. Property owners are responsible for the reasonable and routine maintenance of trees and other landscaping in the adjacent parkway area.
- (b) No property owner shall allow a tree, or other plant growing on his or her property or within the adjacent parkway to obstruct or interfere with pedestrians or the view of drivers, thereby creating a hazard. If an obstruction persists, the Director shall notify the property owner to prune or remove the tree or plant. If the owner fails to comply with the notice, the City may undertake the necessary work and charge the cost to the property owner.

Section 8. Certain trees declared a nuisance.

- (a) Any tree, or limb thereof, on private property determined by the Director to have contracted a lethal, communicable disease or insect; to be dead or dying; to obstruct the view of traffic signs or the free passage of pedestrians or vehicles; or that threatens public health, safety, and welfare is declared a nuisance and the City may require its treatment or removal.
- (b) Private property owners have the duty, at their own expense, to remove or treat nuisance trees on their property. The City may remove such trees at the owner's expense if the owner does not comply with treatment and/or removal as specified by the Director within the written notification period.

Section 9. Violations and penalty.

Any person, firm or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each offense.

Section 10. Appeals.

Appeals to decisions by the Director, the Tree Advisory Board, or penalties imposed after violations of this ordinance, shall be heard by City Council.

DIVISION 3. - TREE PRESERVATION

Sec. 122-1161. - Purpose.

- (a) The purposes of this division are to establish rules and regulations governing the protection of trees and vegetation cover within the city, to encourage the protection of healthy trees and vegetation, and to provide for the replacement and replanting of trees that are necessarily removed during construction, development or redevelopment.
- (b) The provisions of this division allow trees located within necessary public rights-of-way and easements to be removed prior to issuance of a building permit; trees within the buildable area of a property may also be removed. All other tree removal requires a tree permit.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-1162. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Buildable area means that portion of a building site exclusive of the required yard area on which a structure or building improvements may be erected, and including the actual structure, driveway, parking lot, pool and other construction as shown on the site plan.

Dripline means a vertical line running through the outermost portion of the crown of a tree and extending to the ground.

Historic tree means a tree which has been found by the city to be of notable historic interest because of its age, type, size or historic association and which has been so designated as part of the official records of the city.

Person means any corporation, partnership, association or other artificial entity; or any individual; or any agent or employee of the foregoing.

Specimen tree means a tree which has been determined by the city to be of high value because of its type, size or other professional criteria, and which has been so designated as part of the official records of the city.

Tree means any self-supporting woody perennial plant which has a trunk diameter of three inches or more when measured at a point of 4½ feet above ground level, and which normally attains an overall height of at least 20 feet at maturity, usually with one main stem or trunk and many branches. It may appear to have several stems or trunks as in several varieties of oak.

Yard area means the front, side and rear yard areas as required under this chapter and the applicable zoning district requirements.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-1163. - Applicability.

The terms and provisions of this division shall apply to real property as follows:

- (1) All real property upon which any designated specimen or historic tree is located.
- (2) All vacant and undeveloped property.
- (3) All property to be redeveloped, including additions and alterations.
- (4) The yard areas of all developed property, excluding developed and owner-occupied single-family residential property.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-1164. - Tree preservation permit.

- (a) *Required.* No person, directly or indirectly, shall cut down, destroy, remove or move, or effectively destroy through damaging, any tree, specimen tree or historic tree situated on property described in this article without first obtaining a tree permit, unless the conditions of section 122-1165 apply.
- (b) *Application.*
 - (1) Permits for removal or replacement of trees covered in this article shall be obtained by making application on a form prescribed by the city to the zoning administrator. The application shall be accompanied by a preliminary plat or tree survey showing the exact location, size (trunk diameter and height) and common names of all trees to be removed. The application shall also be accompanied by a written document indicating the reasons for removal or replacement of trees, and two copies of a legible site plan drawn to the largest practicable scale indicating the following:
 - a. Location of all existing or proposed structures, improvements and site uses, properly dimensioned and referenced to property lines, setback and yard requirements and special relationships.
 - b. Existing and proposed site elevations, grades and major contours.
 - c. Location of existing or proposed utility easements.
 - d. The location of trees, on the site, to be removed or replaced.
 - (2) Tree information required in this section shall be summarized in legend form on the plan and shall include the reason for the proposed removal or replacement.
 - (3) Application involving developed properties may be based on drawings showing only that portion of the site directly involved, adjacent structures, and incidental landscaping or natural growth.
 - (4) Aerial photographs, at an appropriate scale, may be substituted at the discretion of the zoning administrator for a site plan, if adequate site information is supplied on the aerial photographs.
- (c) *Application review.* Upon receipt of a proper application, the commission shall review the application for new subdivisions and the zoning administrator shall review applications for platted lots; such reviews may include a field inspection of the site, and the application may be referred to such departments as deemed appropriate for review and recommendations. If the application is made in conjunction with a site plan submitted for approval, the application will be considered as part of the site plan; and no permit shall be issued without site plan approval. Following the review and inspection, the permit applications will be approved, disapproved or approved with conditions by the commission or zoning administrator, as appropriate, in accordance with the provisions of this article.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-1165. - Tree removal.

- (a) No tree shall be removed prior to issuance of a building permit unless one of the following conditions exists:
 - (1) The tree is located in a utility easement, public street, right-of-way, or drainage easement. If certain trees outside these areas are requested to be removed to allow the operation of equipment, the applicant shall submit a plat and site plan which indicates the exact operation area needed. The zoning administrator may approve selected removal under this condition.
 - (2) The tree is diseased, injured, in danger of falling, interferes with utility service, creates unsafe visions clearance, or conflicts with other ordinances or regulations.
 - (3) The trees are willows, mesquites or thorn trees.
- (b) Except as provided in the foregoing subsection, under no circumstances shall there be clear-cutting of trees on a property prior to issuance of a building permit.
- (c) Upon issuance of a building permit, a developer or property owner may remove trees located on the buildable area of the property. Trees located in required yard areas, buffers and open space areas shall be maintained and shall not be removed. The buildable area shall include sufficient adjacent area to allow the normal operation of construction equipment.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-1166. - Tree replacement.

- (a) If it is necessary to remove trees outside the buildable area, the developer, as a condition to issuance of a tree removal permit, shall be required to replace the trees being removed with comparable trees of the same caliper elsewhere within the site or lot.
- (b) A sufficient number of trees shall be planted equal in caliper to the diameter of the tree removed. Such replacement trees shall be a minimum of three inches caliper and seven feet in height when planted, and shall be selected from the list of approved replacement trees maintained by the zoning administrator as approved by the commission from the recommendations of the county extension service.
- (c) At the time of application review, the person responsible for replacement, time of replacement and location may be determined by the commission.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-1167. - Tree protection.

- (a) During any construction or land development, the developer shall clearly mark all trees to be maintained and may be required to erect and maintain protective barriers around all such trees or groups of trees. The developer shall not allow the movement of equipment or the storage of equipment, materials, debris or fill to be placed within the dripline of any tree.
- (b) During the construction stage of development, the developer shall not allow cleaning of equipment or material under the canopy of any tree or group of trees marked to remain. Neither shall the developer allow the disposal of any waste material such as but not limited to paint, oil, solvents, asphalt, concrete,

mortar, etc. under the canopy of any tree or groups of trees marked to remain.

- (c) No attachment or wires of any kind, other than those of a protective nature, shall be attached to any tree.

(Ordinance 06-09, § 2, 3-23-06)

Sec. 122-1168. - Hazardous trees.

- (a) If any tree shall be determined to be in a hazardous or dangerous condition so as to endanger the public health, welfare or safety, and require immediate removal without delay, authorization may be given by the zoning administrator; and the tree may then be removed without obtaining a written permit as required in this division.
- (b) During the period of an emergency such as a tornado, storm, flood or other act of God, the requirements of this article may be waived as may be deemed necessary by the city council.
- (c) All licensed plant or tree nurseries shall be exempt from the terms and provisions of this article only in relation to those trees planted and growing on the premises of such licensee which are so planted and growing for the sale or intended sale to the general public in the ordinary course of the licensee's business.
- (d) Utility companies franchised by the city may remove trees which endanger public safety and welfare by interfering with utility service; except where such trees are on owner-occupied properties developed for one-family use, disposal of such trees shall be at the option of the property owner.

(Ordinance 06-09, § 2, 3-23-06)

Secs. 122-1169—122-1220. - Reserved.

2.09.02. - Tree Preservation

- A. Definitions For the purposes of this Section 2.09.02, Tree Preservation, the following terms shall have the special meaning respectively ascribed to them below, which special meanings shall govern in case of any conflict with other definitions set forth in the City Code of Ordinances.
1. Approval. Approval of a Preliminary Plat Application, or Site Plan Application pursuant to a duly executed Application for a Tree Survey, Tree Protection Plan, or Tree Mitigation Plan.
 2. Owner. The person who has legal title to the property or a lessee, agent, employee or other person acting on behalf of the titleholder with authorization to do so.
 3. Protected Tree.
 - a. Any tree having a trunk caliper of six inches (6") or more, measured 4' 6" above natural grade level.
 - b. The following trees are excluded from the above definition of Protected Tree:

Table 16: Trees Excluded from the Protected Tree Definition

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

4. Removal. As applied to a Protected Tree, means uprooting, severing the main trunk of the tree, or any act which causes, or may reasonably be expected to cause, the tree to die, including but not limited to:
 - a. Damage inflicted upon the root system by machinery, storage of materials, or soil compaction;

- b. Substantially changing the natural grade above the root system or around the trunk;
 - c. Excessive pruning; or
 - d. Paving with concrete, asphalt, or other impervious materials in a manner which may reasonably be expected to kill the tree.
5. Tree. A self-supporting, woody, perennial plant which may have one or more stems or trunks, in which case the cumulative total diameters of those trunks shall be calculated in determining whether the trunk of the tree is six inches (6") in diameter or larger.
- B. Tree Preservation and Replacement
- 1. City Approval Required. Any person commits an offense if the person, directly or indirectly, causes, permits or allows the cutting down, destruction, removal, or damaging of any Protected Tree prior to the approval of a:
 - a. Tree Survey,
 - b. Tree Protection Plan, or
 - c. Tree Mitigation Plan.
 - 2. The following are exempt from Section 2.09.02. B.1:
 - a. A tree is located in the yard area of developed and owner-occupied residential property, or
 - b. A tree or parts of trees and branches over hang and extend laterally into the space over public property.
 - 3. Replacement Trees Required.
 - a. The owner of the property from which a Protected Tree was removed or where such tree died shall replace the tree with new trees having a total tree caliper width equal to the width of the tree(s) removed.
 - b. Replacement trees must be of a variety listed within Table 15: Recommended Plant Material List.
 - 4. Heavily Treed Lots.
 - a. A lot shall be considered "heavily treed" if the lot has tree canopy coverage of 50 percent or more of the lot's land area.
 - b. The Applicant shall be responsible for showing and calculating the tree canopy coverage on the Application.
 - c. A heavily treed lot shall be allowed to reduce the amount of Protected Trees (required in 2.09.02. B.3) needing to be replaced by 50 percent.
- C. Tree Survey Every Preliminary Plat Application, or Site Plan Application must be accompanied by a Tree Survey and Tree Protection Plan.
- 1. The Tree Survey shall graphically identify all trees including Protected Trees and be in a format acceptable to the Director of Planning.
 - 2. The Tree Survey shall be prepared by a Registered Professional Landscape Architect or Certified Arborist.
 - 3. No Application shall be deemed complete for filing until a Tree Survey has been submitted.
- D. Tree Protection Plan At or before the Preliminary Plat or Site Plan review and prior to the removal of any trees, the Applicant shall submit a Tree Protection Plan, which shall graphically identify Protected Trees and identify those being preserved and those being removed. Notably, the Tree Protection Plan is submitted jointly with the Tree Survey or a previously approved Tree Survey, if development is occurring in stages or phases.
- E. Tree Mitigation Plan If a property owner or his agent removes a Protected Tree without an approved Tree

Survey/Tree Protection Plan, he shall submit a Tree Mitigation Plan to remedy the damage and such plan shall not become effective until approved by the City Council.

- F. Tree Removal Prohibited Any person commits an offense if the person, directly or indirectly, causes, permits or allows development subject to 2.09.02. C. Tree Survey to begin; including, but not limited to, grading or tree removal on applicable sites prior to the approval of a Tree Survey and Tree Protection Plan.
- G. Tree Protection at Time of Construction
1. All trees within an approved building site to be preserved shall be flagged and encircled with protective fencing that extends beyond the full spread of the tree branches.
 2. No construction is to occur within an area that constitutes more than fifty (50) percent of the critical root zone (as measured from the edge of the drip line to the trunk of the tree) for each tree being preserved.
 3. Additionally, no more than thirty (30) percent of the viable portion of a Protected Tree's crown may be removed.
 4. No grading or tree removal shall occur on a lot until the grading and Tree Protection Plan has been approved.
 - a. Tree wells. Tree wells shall be limited to a maximum depth of four (4) feet measured from finished grade.
 - b. Tree Islands. Tree islands shall be limited to a maximum height of four (4) feet measured from finished grade.
- H. Enforcement and Violations
1. Enforcement of these criteria shall be in the field as well as on the plan.
 2. Plan adjustments made during construction must be approved by the Director of Planning.
- I. Protected Tree Removal Information
1. Application for the removal of a Protected Tree located on privately owned property shall be made by the owner of the property on which such tree is located.
 2. An application for the removal of a Protected Tree shall specify:
 - a. The location of the tree.
 - b. The caliper of the trunk of the tree, as measured 4' 6" above natural grade level.
 - c. The approximate crown size of the tree.
 - d. The species and/or common name of the tree.
 - e. The approximate size of the lot, tract, or parcel on which it is located.
 - f. The reason for the proposed removal.
 - g. Such other information as may be reasonably required by the Director of Planning.
- J. Protected Tree Removal
1. Approval Criteria for Public Land. The City shall approve an Application for the removal of a Protected Tree in connection with construction, maintenance, or repair of public facilities in or above a public street, alley, Right-of-Way or easement, or other public land under one or more of the following conditions:
 - a. The location of the tree prevents the opening of reasonable and necessary vehicular traffic lanes in a street or alley;
 - b. The location of the tree prevents the construction of utility lines or drainage facilities which may not feasibly be rerouted;

- c. The location of the tree prevents all reasonable access to the property; or
 - d. The denial of approval of such Application would deny a political subdivision of the state the reasonable use of public property for the achievement of its public purpose.
 2. Approval Criteria for Building Sites. The City shall approve an Application for the removal of a Protected Tree in connection with one or more of the following conditions:
 - a. Building pad site (including an area 5' from the edge of the building pad),
 - b. Street Right-of-Way,
 - c. Utility Easement, or
 - d. Driveway.
 3. Special Approval Criteria. Notwithstanding any of the foregoing provisions of this section, the City shall approve an Application for the removal of a Protected Tree under the following circumstances:
 - a. The Building Official determines that the tree constitutes a hazard to life or property which cannot reasonably be mitigated without removing the tree; or
 - b. The Building Official determines that the tree is dying, dead or diseased to the point that its restoration to sound condition is not practicable, or that its disease can be expected to be transmitted to other trees and to endanger their health.
- K. Approval of Alternative Compliance
 1. Replacement Trees.
 - a. The City Council may approve a developer's request to plant replacement tree(s) either on the same property from which the tree was removed or on other property within the City Limits. Trees may be planted on City property.
 - b. The applicant shall plant trees selected from the City approved list of trees and purchase them from a nursery or supplier approved by the City. A list of approved suppliers shall be kept on file in the Planning and Development Department.
 - c. The trees shall be shown on the approved Landscape Plan as part of the Site Plan.
 2. Fee in Lieu of Replacement Trees.
 - a. The City Council may approve payment of a fee in lieu of replacement trees. A developer may apply for approval of a fee in lieu of replacement only for developments which meet one of the following criteria:
 - i. If the proposed subdivision is heavily treed and the existing tree canopy would prohibit the growth of the replacement trees, or
 - ii. If the required replacement trees were to be installed, the replacement trees would be planted under the canopy of any existing tree.
 - iii. If the required replacement trees were to be installed, the economic viability of the property is compromised. (Ex. The value of mitigated trees exceeds the value of the property.)
 - iv. If the City has no available property for additional trees to be planted.
 3. The fee in lieu of replacement trees may be found in the City's fee schedule located in Title XVI of the City's Code of Ordinances.
 4. Administration of Tree Fund.
 - a. The City shall administer the Tree Fund. Tree funds shall be used only for the following purposes: to purchase, plant and irrigate trees on public property, to preserve wooded property that remains in

a naturalistic state in perpetuity, to perform and maintain a city-wide tree inventory and to educate citizens and developers on the benefits and value of trees.

- b. Fees contributed to the Tree Fund shall be paid prior to the pre-construction meeting on all Commercial, Industrial, Multi-Family Residential, Residential and Mixed Use Developments, and prior to filing a Final Plat in the Denton County Clerk's Office for all single-family Residential Subdivisions.
- c. No acceptance of public improvements shall be authorized until all replacement trees have been planted or a fee in lieu of replacement has been approved, and required payments have been made to the Tree Fund.
- d. Voluntary contributions for tree preservation shall be placed in the Tree Fund.

(Ord. No. 15-11-19-23, § I, 11-19-15; Ord. No. 19-2-21-06, § 2.02, 2-21-19; Ord. No. 19-12-05-46, § 2.02, 12-5-19)

ARTICLE 10.02. - TREE PRESERVATION

Sec. 10.02.001. - Compliance; variances.

- (a) Developers and builders must make every reasonable effort to preserve trees six inches or more DBH (diameter at breast height).
- (b) It is required that the developers and builders comply with this article when planning any type of development or redevelopment in the town.
- (c) If, for some reason, the developer cannot follow the guidelines, it is required that they put in writing reasons why a variance is requested. This is to be presented with the preliminary plat plan.

(1999 Code, § 9.201; Ord. 2010-12-660, § 3.01, 12-21-10)

Sec. 10.02.002. - Penalty for violation.

Any person, firm or corporation who shall violate any of the provisions of this article or who shall fail to comply with any provision herein shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine as provided for in the general penalty in section 1.01.009 of this code. The removal of each protected tree shall be deemed a separate offense.

(1999 Code, § 9.208)

Sec. 10.02.003. - Guidelines for landscaping.

- (a) *Objectives.* To promote the immediate and long-term public health, safety, economic stability and general welfare by establishing and managing the town's urban tree canopy coverage by:
 - (1) Preservation, protection, and enhancement of the ecological and aesthetic attributes of the town.
 - (2) Ecological stabilization through urban forest management that contributes to the processes of air purification, oxygen regeneration, groundwater recharge, stormwater runoff retardation; and promote energy efficiency and water conservation, thereby abating noise, heat and glare.
 - (3) Protection, preservation and advancement of the urban forest's appearance and value that includes all properties within the community, and that contributes to a strong sense of neighborhood, community, and quality of life.
 - (4) Protection and preservation of native and specimen vegetative species, their ecosystems and natural habitats and preventing damage to and unnecessary removal of vegetation during the land development and construction processes.
 - (5) Acknowledgment that trees and landscaping add value to property, protect public and private investment to the general benefit of the town and its residents.
 - (6) More specifically, to:
 - (A) Protect water resources, floodplains, environmental quality, and the natural and manmade physical and visual quality of the town.
 - (B) Mitigate the effects of impervious surface land coverage by structures and paving that tend to increase ambient air temperature and generate greater water runoff causing erosion, flooding and water pollution.
 - (C) Prevent clear-cutting and mass grading of land by encouraging the use of natural terrain for building sites, and by providing cluster development incentives.
 - (D) Promote native plant species preservation and replenishment, and encourage the use of drought

tolerant and low water usage vegetation.

- (E) Provide incentives for tree preservation.
- (F) Protect and provide wildlife habitats.
- (G) Require landscaping and screening to promote land use compatibility and improved aesthetic quality.
- (H) Promote soil conservation by minimizing natural terrain disturbances, thereby reducing sedimentation, and air and surface water pollution.

(b) *Definitions.*

Clear-cutting means a clearing activity conducted over an entire lot.

Clearing means an intentional act to cut down, remove all or a substantial part of the trees and other vegetation on a tract of land that will cause the tree or other vegetation to decline and/or die. Clearing is defined to include, but is not limited to, chemical, physical, compaction, or grading damage.

Common town property means any property owned or under the jurisdiction of the town. This includes but is not limited to parks, easements, rights-of-way and other public town property.

Critical root zone means a circular region measured outward from a tree trunk representing the essential area of the roots that must be maintained or protected for the tree's survival. A tree's critical root zone is measured as one foot of radial distance outward from the trunk for every inch of tree DBH, and may be no less than a radius of eight feet.

DBH (diameter at breast height) means the tree trunk diameter measured in inches at a height of four and one-half feet above ground level. If a tree splits into multiple trunks below the four and one-half feet level, DBH will be defined as the sum of each individual trunk measured at four and one-half feet above ground level, or the single trunk at its most narrow dimension, whichever is greater.

Developer means an individual, partnership, corporation, or governmental entity undertaking the subdivision or improvement of land and other activities covered by the subdivision ordinance, including the preparation of a subdivision plat showing the layout of the land and the public improvements involved therein. The term "developer" is intended to include the term "subdivider" even though personnel in successive stages of a project may vary.

Dripline means the area beneath the canopy of a tree defined by a vertical line extending from the outermost edges of the tree branches to the ground.

Erosion means the detachment and movement of soil or rock fragments, or the wearing away of the land's surface by water, wind, ice, or gravity.

Grading means the mechanical or physical act of disturbing, moving, removing, transferring, or redistributing soil or earthen surfaces.

Gross lot area means an area under public or private property ownership, whose lot lines are described by plat or deed.

Ground cover means low growing plants, vines, or grasses that form dense, extensive growth, and have a positive effect against soil erosion and soil moisture loss.

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Live plant materials means, including grasses, perennials, bulbs, groundcover, shrubs, and trees, botanical plants that are nourished through the processes of air, water, and soil nutrients. Plant materials such as plastic, fibrous, silk or other nonlive materials are not considered live plant materials.

Outdoor storage area means any area that contains trash collection areas or dumpster refuse containers; outdoor loading and unloading spaces; docks or outdoor shipping and receiving areas; outdoor storage of bulk materials and/or parts; or areas regularly used for outdoor repair, outdoor storage areas of service stations, motor vehicle dealers, or inspection stations. Temporary construction and related activities are excluded from this definition.

Permanent tree protection devices means structural measures, such as retaining walls or aeration devices, that are designed to protect the tree and its root system throughout its lifetime.

Planting area means an outdoor area, the surface of which may not be covered by impervious surface materials such as asphalt or concrete, nor by structures, and devoted entirely to the planting or construction and maintenance of trees, shrubs, ground covers, fences, walls, and/or earthen berms.

Protected tree(s) means any tree found listed in section 10.02.006(d)(1) that has a DBH of six inches or greater and any tree of any species of having a DBH greater than 12 inches.

Removal means The cutting down or any other killing or destruction of a living tree.

Severe trimming means the cutting of branches and/or the trunk of a tree in a manner which will substantially reduce the overall size of the tree area thus destroying the existing symmetrical appearance or natural appearance of the tree.

Street trees means trees located within the right-of-way easement areas of the town.

Subdivision means any land, vacant or improved, which is divided into two or more lots, blocks, parcels, sites, units, plots, or interests for the purpose of offer for sale, sale, lease, or development, either on the installment plan or upon any and all other plans, terms, and conditions, including resubdivision.

Temporary tree protection fences means physical barriers, at least four feet in height, installed prior to construction for the purpose of preventing damage to trees. Such devices, including snow fencing, chain link fence, barbed wire fence, vinyl construction fencing or other similar temporary barrier, may be no less than four feet in height, and nonintrusive to the tree critical root zone.

Tree inventory plan means a detailed description of property showing the location of existing structures (including driveways, water wells, etc.), location(s) and type of existing trees and the DBH of the trees.

Tree restoration fund means a reserve fund within the general fund set aside for purchasing and planning of trees and other landscaping, or for building retaining walls, walks or other park facilities for the purpose of improving the outdoor public and recreational areas of the town.

Tree topping means the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree that removal of the top canopy disfigures and invites probable disease to the tree.

Vegetation means all plant life; however, for purposes of this article, it shall be restricted to mean trees, shrubs, ground cover, and vines with the exception of state and federally protected or endangered vegetative species which in all cases shall be preserved.

Vehicular surface area means any outdoor off-street area used to store or drive motor vehicles that does not contain defined off-street parking spaces. Paved areas used for drive-through windows, parking lot access lanes, or gas station pump lanes are considered to be vehicular surface areas.

- (c) *Applicability* means any property being subdivided or developed within the town limits is subject to the provisions of this article. Clearing and grading permits shall be required for all property prior to the commencement of clearing and grading activity. Tree removal permits shall be required before the removal of a protected tree. Tree inventory plans shall be required prior to preliminary plat approval. Landscape plans, which may also demonstrate

satisfactory clearing and grading requirements, shall be required prior to final plat approval. Approved plot plans shall be required prior to issuance of building permits, and inspected for compliance prior to final inspection and/or issuance of the certificate of occupancy. Previously platted lots shall be subject to the provisions of this article when one of the following occurs:

- (1) Remodeling or redevelopment is proposed that would expand existing gross floor area of the lot's structure or structures by 25 percent or more; or
- (2) Parking lot or vehicular surface area improvements are proposed, which would result in an impervious surface expansion of 25 percent or greater, or would result in impervious surface reconstruction amounting to 25 percent or greater.
- (3) Development on a previously platted vacant lot is proposed.

(1999 Code, § 9.202; Ord. 2010-12-660, §§ 3.02, 3.03, 12-21-10)

Sec. 10.02.004. - Requirements generally.

(a) *Tree requirements.*

- (1) All commercial property shall provide trees at a ratio of ten trees per acre (43,560 square feet), or one tree per 2,904 square feet of gross lot area. This requirement is only relevant if ten or more trees exist on the property at the time of purchase.
- (2) All trees planted to satisfy the tree standards must be a minimum of three inches in diameter at breast height (DBH).
- (3) At the discretion of the town and the request of the property owner, the ten trees per acre may be satisfied by planting trees elsewhere in the town at the direction of the building official.
- (4) See section 10.02.006(d) for a suggested species list that may be used to meet the requirements of this section. No trees with a maximum mature height of 25 feet or greater may be planted within 25 feet, measured horizontally, from the nearest overhead utility line.

(b) *Land requirements.*

- (1) *Planting area.* All property shall reserve as planting area a minimum of 15 percent of gross lot area.
- (2) *Limits of clearing and grading.* The limits of clearing and grading shall be designated on the approved landscape plan prior to commencement of any construction activity. The limits of clearing and grading shall designate the outermost edge of the area within which the existing topography is to be altered by cutting, filling, and vegetation removal. The extent of land disturbance shall be minimized and shall accommodate only the following activities:
 - (A) Street construction and necessary slope construction. However, such clearing shall meet the criteria of the town.
 - (B) Public service or utility easements and rights-of-way. This shall include areas for utility line installation with any temporary construction easements necessary for such installation and easements for maintenance access. These easements shall not be cleared prior to actual line installation. Temporary construction easements shall be located to minimize soil disturbance and tree removal.
 - (C) Building roof coverage area and ancillary structures, such as covered patios and porches, plus up to ten feet on all sides for construction activity.
 - (D) Driveways, alleys, walkways, parking lots, and other land area necessary to the installation of the proposed development or use. Other necessary land area may include area for tennis courts, swimming pools, and related structures and uses.
 - (E) Area for septic field as required by the utility department. This shall not include area necessary for reserve lines until such time as the reserve lines must be installed.

- (F) Sediment basins. Only the area necessary for the construction of the dam, the area in which sediment will collect, and the area necessary for construction and maintenance of the basin shall be cleared of vegetation. Configuration of the basin shall use natural terrain as much as possible to minimize vegetation removal. The property owner shall remove any vegetation that dies as a result of the deposit of sediment and/or debris.
 - (G) Detention ponds. Only the area necessary for the construction of the dam and the area necessary for construction and maintenance of the pond shall be cleared of vegetation. Configuration of the pond shall use natural terrain as much as possible to minimize vegetation removal. The property owner shall remove any vegetation that dies as a result of the deposition of sediment and/or debris.
 - (H) Other types of construction, or land activity associated with construction, not listed in items a through (G) (above), that are necessary for the reasonable completion of the project.
- (c) *Street trees (easement trees)*. Town rights-of-way shall be used to install street trees; street trees may be used to demonstrate compliance with the ten trees per acre standard; adjacent town rights-of-way may be used as credit toward the 15 percent planting area requirement (subsection (b)(1)).
- (d) *Tree credits*.
- (1) Preservation of existing trees may be used to receive credit toward meeting the tree standard of ten trees per acre, if the trees are healthy and without substantial damage or defect. Tree credits shall be earned in the following increments:

<i>DBH of Existing Tree (in inches)</i>	<i>Tree Credits</i>
1 to 3	1.0
3 to 6	2.0
6 to 9	3.0
9 to 12	4.0
12 to 24	6.0
24 to 36	8.0
36 +	10.0

- (2) Tree credits may not be earned for preservation of existing trees located on land required to be dedicated for public right-of-way or easement purposes, unless the property owner can demonstrate the ability to protect the credited trees by way of restrictive covenant or other legal instrument considered satisfactory by the town council.
- (3) Tree credit protection measures. Tree credits will not be permitted unless temporary tree protection devices are installed at least to the limit of the critical root zone or the dripline, whichever is greater, during construction activity. The following activities shall be prohibited within the limits of the critical root zone or dripline of any tree being preserved for credit:

- (A) *Physical damage.* Any physical damage to a tree preserved for credit that is considered to place the survival of the tree in doubt shall be eliminated as a credited tree. Tree topping is prohibited for trees preserved for credit.
 - (B) *Equipment cleaning and liquid disposal.* No equipment shall be cleaned or other liquids deposited or allowed to flow overland within the limits of the critical root zone of a protected tree. This includes paint, oil, solvents, asphalt, concrete, mortar, tar or similar materials.
 - (C) *Grade changes.* No grade changes (cut or fill) shall be allowed within the limits of the critical root zone of any protected tree unless adequate construction methods are approved by the building inspector.
 - (D) *Impervious paving.* No paving with asphalt, concrete or other impervious materials in a manner which may reasonably be expected to kill a tree shall be placed within the limits of the critical root zone of a protected tree, unless otherwise specified within this article.
 - (E) *Material storage.* No materials intended for use in construction or waste materials accumulated due to excavation or demolition shall be placed within the limits of the critical root zone of any protected tree.
 - (F) *Tree attachments.* No signs, wires or other attachments, other than those of a protective nature, shall be attached to any protected or monarch tree.
 - (G) *Vehicular traffic.* No vehicular and/or construction equipment traffic, parking, or storage shall take place within the limits of the critical root zone of any protected tree other than on existing street pavement. This restriction does not apply to single incident access within the critical root zone for purposes of clearing underbrush, establishing the building pad and associated lot grading, vehicular access necessary for routine utility maintenance or emergency restoration of utility service or routine mowing operations.
- (e) *Residential subdivisions.* Residential subdivisions may demonstrate compliance with the ten trees per acre tree standard by calculating the average number of trees per acre for the area contained within the entire subdivision.
- (f) *Public property.*
- (1) All land owned as individual lots by governmental entities are subject to the provisions of this article to the extent allowed by law. The town appreciates the participation of federal, state, county, and other jurisdiction in the management of the town's tree cover.
 - (2) Construction projects located within public rights-of-way and easements. The area defined by project limit lines will be used to determine tree standard compliance. Trees removed must be replaced on the same basis used to calculate tree credits. If replacement trees cannot be planted within the project area, they must be planted within areas designated by the town and consistent with town open space plans.
 - (3) The public works director and/or his designees shall have the responsibility to plant, prune, maintain and remove trees and woody plants on all town streets, rights-of-ways, and/or town parks. The public works director and/or his designee in appropriate cases, and upon consultation with a property owner, may remove or prune a tree on private property which threatens the safety of those who may use a town street or town park.
 - (4) The public works director and/or his designee may recommend the removal of any tree or part thereof that threatens the safety of any person or by which by reason of its location or nature threatens any electric line, telephone line, gas line, or any municipal water or sewer line or any public improvement, or any tree which is affected by any injurious fungus, insect or other pest disease.
 - (5) No person shall remove, destroy, or cause the removal or destruction of a tree on town property or in any town park without first having obtained written permission for such removal or destruction from the public works director.
 - (6) It shall be unlawful for any person, firm or corporation to attach any cable, wire, rope, sign or any other object to any town tree, plant or shrub without the written permission of the public works director.

- (7) At least annually or at the direction of the town administrator, the public works director shall present an annual c plan which details a program for the planting, maintenance, and removal of trees on public property for the upcc
- (g) *Functional requirements.*
- (1) View obstructions. All landscaping, trees and screening devices required by this article shall be constructed, installed and maintained so as not to obstruct the view of motorists between the street and the access drives and parking aisles near the street yard entries and exits, nor shall any landscaping which creates an obstruction of view be located in the radius of any curb return.
 - (2) Traffic barriers. All planting areas, including critical root zones around trees and those used for parking lot screening and interior landscaping areas which abut any parking lot or vehicular area, shall be protected with curbs, parking blocks or similar barriers sufficient to protect vegetation from vehicular intrusion.
 - (3) Plant and planting quality conformance. All plant materials, including replacement trees, shall be specified and planted with plants using the standards of the most recently published version of the American Standards for Nursery Stock, by American Association of Nurserymen. All plants shall be clearly tagged by the providing nursery for easy inspection with the botanical name.
- (h) *Removal.*
- (1) Generally. No person, directly or indirectly, shall cut down, destroy, remove or effectively destroy, through damaging, any protected tree on any real property being developed or subdivided within the town without first obtaining a tree removal permit as provided in this section.
 - (2) Permit required. Protected trees shall not be removed prior to the issuance of a tree removal permit. Under no circumstances shall the clear-cutting of trees on any real property within the town be allowed prior to the issuance of a tree removal permit for such property.
 - (3) Replacement trees required. It shall be the responsibility of any person obtaining a tree removal permit for a protected tree to provide replacement with trees having a total caliper width equivalent to one and one-half times that of the trees to be removed. Total caliper width for replacement trees shall be measured as follows: For single-trunk trees, the width shall be measured at four feet above ground level; for multitrunk trees, total caliper width shall be calculated by combining the caliper width of the largest stem or branch with one-half of the caliper width of each additional stem or branch, all measured at four feet above ground level. An example: If a six-inch protected tree is removed, then that tree must be replaced by trees with a total caliper width of nine inches. This total caliper width could be satisfied by one nine-inch-caliper replacement tree, or three three-inch-caliper width replacement trees, or any other combination providing a total caliper width of nine inches. Such replacement trees shall be container-grown and have a minimum caliper width of two and one-half inches to three inches, measured at six inches above ground level. Alternatively, container-grown replacement trees may have a minimum caliper width of four inches measured at 12 inches above ground level. In any event, replacement trees shall have a minimum height of at least six feet, and shall be planted in locations approved by the tree preservation and enforcement officer or his authorized designee. At the discretion of the building official or authorized designee, money may be paid to the town instead of providing the replacement trees required by this subsection. Any such payments shall be deposited in a special account or fund and used by the town to provide and/or support supplemental landscape plantings in public areas of the town and/or to support the administration and enforcement of the town's tree preservation regulations. A per-caliper-inch cash value for replacement trees shall be set annually by the town council after review and recommendation by the planning and zoning commission. The building official or authorized designee shall maintain a record of the current per-caliper-inch cash value of replacement trees.
 - (4) A protected tree may be removed without replacement, after the issuance of a permit and permission from the town, if:
 - (A) The protected tree is damaged by natural causes or is declared diseased beyond the point of recovery by

- a licensed arborist;
 - (B) The protected tree is in danger of falling and is deemed a hazard to public safety;
 - (C) The protected tree threatens to damage property;
 - (D) The protected tree is dead; or
 - (E) The protected tree is transplanted to a suitable location on the same property or to an approved off-site location provided that the current generally accepted transplanting methods are used and that the protected tree survives for at least two years after relocation.
- (5) Penalties for unauthorized removal. If any protected trees are removed from any real property without a tree removal permit, or if a protected tree is injured because of failure to follow required tree protection measures such that the tree dies or may reasonably be expected to die, the town shall have the authority to enact one or more of the following administrative and civil penalties on the developer and/or owner of the property:
- (A) A monetary penalty of \$250.00 per caliper inch of width of the protected trees removed, payable to the town. Funds paid to the town as tree removal penalties shall be deposited in a special account or fund and used by the town to provide and/or support supplemental landscape plantings in public areas of the town, and/or to support the administration and enforcement of the town's tree preservation regulations.
 - (B) Replacement with new trees having a total tree caliper width equivalent to five times that of the removed trees. Such replacement trees shall be container-grown and have a minimum caliper width of two and one-half inches to three inches, measured at six inches above ground level. Alternatively, container-grown replacement trees may have a minimum caliper width of four inches measured at 12 inches above ground level. In any event, replacement trees shall have a minimum height of at least six feet, and shall be planted in locations as approved by the tree preservation and enforcement officer or authorized designee.
- (i) *Review of permit application.*
- (1) An application for a tree removal permit for a protected tree shall be accompanied by the administrative fee as listed in the town's fee schedule per tree proposed for removal, not to exceed a total per permit application of an amount listed in the fee schedule. Upon receipt of a proper application accompanied by the appropriate fee, the building official or his authorized designee shall review the application and may conduct field inspections of the development and/or refer the permit application to other departments for review and recommendations as deemed necessary and appropriate by the building official or his authorized designee.
 - (2) The application for a tree removal permit, if required, shall be considered an integral part of the application for development plan approval, and no development plan for any development, subject to the terms and provisions of this subsection, shall be approved without approval of such tree removal permit. It is further provided that if a property owner and/or developer do not submit a tree removal permit application prior to town approval of a development plan covering a particular site, then if a tree removal permit application for the site is submitted later, approval of the development plan may be revoked. In this event, a revised development plan must be submitted for review by the town.
 - (3) The building official may approve, approve with conditions or deny a request for a tree removal permit for protected trees. An appeal of the decision of the building official may be made to the planning and zoning commission.
 - (4) The planning and zoning commission shall not recommend an application for a tree removal permit be approved or approved with conditions, unless the commission finds that the subject development, subdivision or resubdivision cannot reasonably be developed, based on economic and/or practical considerations, without removal of the trees included in the permit application.
 - (5) The planning and zoning commission's recommendation concerning an application for a tree removal permit shall be reviewed by the town council. The town council may then approve the application, approve it with

conditions, or deny the application.

(1999 Code, § 9.203; Ord. 2007-12-606, 12-11-07; Ord. 2010-12-660, § 3.04, 12-21-10)

Sec. 10.02.005. - Landscaping, screening and buffer yards.

(a) *Parking lot screening and landscaping.*

- (1) *Perimeter screening.* Any parking lot or portion thereof that is visible from the public right-of-way and contains ten parking spaces or more shall provide perimeter screening. The perimeter of each parking lot, excluding driveways, which fronts upon or is adjacent to a public street other than a public alley shall be provided with shrub screening with a minimum mature height of 36 inches and installation height of 18 inches or greater, and spaced no more than 24 inches apart, edge to edge. The use of berms and planter walls will be allowed to contribute to installation and mature height requirements. The slope of any earthen berm shall not exceed one foot of height for each three feet in width.
- (2) *Interior landscaping.* Any parking lot or portion thereof which is constructed and contains 40 parking spaces or more shall provide permanently landscaped areas consisting of islands, peninsulas, medians or adjacent planting areas. One canopy tree shall be provided for every 15 parking spaces, and one shrub will be required for every five parking spaces. All interior landscaped areas shall be covered by trees, shrubs, or ground cover.
- (3) *Compliance with tree and land requirement.* The trees or planting areas used to comply with the parking lot screening and landscaping requirements contained in this section may also be used to demonstrate compliance with the ten trees per acre standard and the 15 percent planting area lot requirements contained in this article.
- (4) *Distribution of landscaped areas.* The required landscaped areas for parking lots shall be more or less evenly distributed throughout the parking lot, although adjustments may be approved by the town council, where the shape or size of the parking lot, the location of existing trees or other natural constraints reasonably prevent such distribution.
- (5) *Vehicular surface areas.* Vehicular surface areas (VSA) must comply with the requirements of this section. Perimeter screening is required as indicated in section 10.02.004(a)(1) above. Interior landscaping requirements shall be met by providing one tree per 4,500 square feet of VSA, and one shrub per 1,500 square feet of VSA. Tree canopy cover shall be evenly distributed throughout the VSA.

(b) *Outdoor storage area screening.*

- (1) Any outdoor storage area, or portion thereof, must be screened from public rights-of-way using live evergreen screening plants, six feet in height at installation, spaced no more than 18 inches apart, edge to edge.
- (2) A fence or wall may also be used for outdoor storage area screening, provided it is at least six feet tall, opaque, and of masonry, stone, or wooden material, or of the same material as that of the principal building. Dumpster enclosure openings may not face public rights-of-way unless they are gated.

(c) *Buffer yards.*

- (1) Buffer yards shall be required under the following conditions: Multifamily uses shall buffer when adjacent to single-family or attached housing areas.
- (2) Where town code requires the installation of a buffer yard between residential and multifamily land uses, plant materials or fencing may be used to provide the required buffer within the ten feet wide required yard as described.

(1999 Code, § 9.204)

Sec. 10.02.006. - Plan submissions.

- (a) *Tree inventory plan.* No preliminary plat may be approved without the submission and acceptance of a tree

inventory plan. The tree inventory plan shall delineate the location and species of each tree with a trunk greater than six inches in diameter measured at a point four and one-half feet above the ground.

- (b) *Landscape plans required.* Prior to the issuance of a final plat a landscape plan shall be submitted, as an element of the required site plan, to the building official or his appointed designee. The building official or his appointed designee, which may be either a staff member or other official body of the town, shall review such plans and shall approve same if the plans are in accordance with the criteria of these regulations. If the plans are not in accordance, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance.
- (c) *Content of landscaping plans.* Landscaping plans shall be prepared by a state-licensed landscape architect. Landscape plans shall contain the following information:
 - (1) Minimum scale of one inch equals 40 feet except as approved by the building official or his approved designee;
 - (2) Location of all trees to be preserved;
 - (3) Location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscape features;
 - (4) Species of all plant material to be used;
 - (5) Size of all plant material to be used;
 - (6) Quantity and spacing of plant material where appropriate;
 - (7) A general layout and description of irrigation, sprinkler or water systems, including placement of water sources as designed by a licensed irrigation [installer];
 - (8) Description of maintenance provisions for the landscape plan;
 - (9) All landscape plans to be sealed by a state-licensed landscape architect;
 - (10) Provide planting and irrigation specifications as part of the landscape plan;
 - (11) Provide name and address of the owner, location of the subject property, surrounding zoning, utility lines, water mains and easements, public or private streets and drives;
 - (12) Provide a general grading and drainage plan.
- (d) *Description of planting material.* Landscape plant material may be selected from the following list(s); however, the applicant may use other plant material not listed, as approved by building officials, if it is determined to be an appropriate and functional element of the landscape plan. Whenever possible, consideration should be given to native vegetation and xeroscaping.
 - (1) *Overstory trees (range from 30 to 60 feet).*

Ash, Green	Fraxinus pennsylvanica
Ash, Texas	Fraxinus texensis
Cedar, Eastern Red	Juniperus virginiana
Chinese Pistache	Pistacia chinensis
Chitalpa	Chilopsis x Catapulpa
Chittamwood	Bumelia lanuginosa

Cypress, Bald	Taxodium distichum
Elms	Ulmus species
Hickories	Carya species
Locust, Black	Robinia pseudoacacia
Magnolia, Southern	Magnolia grandiflora
Maple, Caddo	Acer saccharum 'Caddo'
Oaks	Quercus species
Pecans	Carva species
Persimmon, Common	Diospyros virginiana
Pines	Pinus species
Sweet Gum	Liquidambar styraciflau
Western Soapberry	Sapindus drummondii

(2) *Accent trees (range from 10 to 20 feet).*

Blackhaw, Rusty	Viburnum rufidulum
Buckeye, Mexican	Ungnadia speciosa
Buckthorn, Carolina	Rhamnus caroliniana
Chitalpa	Chilopsis x Catapulpa
Crab Apple	Malus augustifolia
Crepe Myrtle	Langerstroemia indica
Deciduous Holly	Illex dacidua
Dogwood, Rough-leaf	Cornus drummondii
Flameleaf Sumac	Rhus copallina

Hawthorn, Downy	Crataegus mollis
Hawthorn, Washington	Crataegus phaenopyrum
Maple, Japanese	Acer palmatum
Mesquite	Prosopis glandulosa
Persimmon, Texas	Diospyros texana
Plum, Mexican	Prunus Mexicana
Redbud	Cercis canadensis
Smoketree	Cotinus obovatus
Texas Sophora (Eve's Necklace)	Sophora affinis
Wild Plum	Prunus americana
Willow, Desert	Chilopsis linearis
Yaupon Holly	Ilex vomitoria

(3) *Shrubs (range from 3 to 5 feet).*

Beautyberry	Callicarpa Americana
Dwarf Buford Holly	Illex cornua 'barfordii nana'
Dwarf Chinese Holly	Illex cornuta 'rotunda'
Dwarf Crepe Myrtle	Langerstoemia indica nana
Dwarf Yaupon Holly	Illex vomitoria 'nana'
Fountain Grass	Pennisetum sp.
Juniper supp.	Juniperus chinensis
Purple Leaf Japanese Barberry	Berbis thunbergii 'atropurpurea'
Purple Sage	Leucophyllum frutescens

Sumac species	Rhus spec.
Yucca, Red	Hesperaloe parviflora

(4) *Ground cover (range from 18 inches).*

Asian Jasmine	Trachelosperum asiaticum
Buffalo Grass	Buchloe Dactyloides
Confederate Star Jasmine	Trachelospermum jasminoides
Juniper supp.	Juniperus horizontalis or procumbens
Liriope	Liriope muscari
Monkey Grass	OP hipogon
Periwinkle	Vinca major
Thyme, Creeping	Thymus spec.
Wood Fern	Woodsia obtusa

(5) *Vines.*

Boston Ivy	Parthenocissus tricuspidata
Carolina Yellow Jasmine (Jessamine)	Gelsemium sempervirens
Coral Honeysuckle	Lonicera sempervirens
Mandevilla	Mandevilla
Virginia Creeper	Parthenocissus quinquefolia

(6) *Perennial and annual flowers.*

Caladium	Caladium hortulanum 'candidum' 'pink beauty'
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Canna	Canna generalis
Chrysanthemum	Chrysanthemum supp.
Copper Leaf	Acalyopha Wikesiana
Gayfeather	Liatris spp.
Iris	Iris supp.
Lantana	Lantana camera
Marigold	Tagetes supp.
Moss Rose or Portulaca	Portulaca grandiflora
Periwinkle	Catharanthus roseus
Petunia	Petunia hybrida
Plumbago	Plumbago spp.
Salvia	Salvia spec.
Tulip	Tulipa supp.
Wild Flowers	
Zinnia	Zinnia supp.

(1999 Code, § 9.205; Ord. 2010-12-660, § 3.05, 12-21-10)

Sec. 10.02.007. - Planting and maintenance requirements.

(a) Planting.

- (1) All trees, shrubbery and other vegetation shall be planted so that the height and/or circumference of the crown and root system, at maturity, shall not interfere with:
 - (A) Any existing or planned overhead or underground transmission lines or equipment;
 - (B) Any traffic-control device or sign;
 - (C) Any fire hydrant, or main water line;
 - (D) The required visibility triangle at any intersection; or
 - (E) Create a public nuisance.
- (2) No tree with a maximum mature height of 25 feet or greater may be planted within 25 feet, measured

- horizontally, from the nearest overhead utility line.
- (3) After the passage of this article, no tree shall be planted where the distance from the tree trunk, at maturity, shall be nearer than five feet from the nearest curb, street, sidewalk, or public right-of-way. No overstory tree shall be planted nearer than ten feet from the nearest curb, street, sidewalk or public right-of-way.
 - (4) Trees shall be planted at least ten feet from the street opening of any driveway or alley.
 - (5) Roots of any tree or other plant which damage or interfere with sidewalks, curbs or drives shall be corrected by the owner or person in control of the property on which the tree or plant is located and any sidewalk, curb or drive thus damaged shall be repaired at the expense of the owner in a manner approved by the director of public works.
- (b) The property owner or his/her agent shall be responsible for the maintenance, repair and replacement of all preserved vegetation and landscaping plants and materials as may be required by the provisions of this article.
 - (c) Fences, walls, gates and any other outdoor structures shall be maintained in good repair. Openings within the barriers may be required by the building inspector for accessibility to an area for necessary public maintenance.
 - (d) All plant material and planting areas shall be tended and maintained in a healthy growing condition, replaced when necessary and kept free of refuse and debris.
 - (e) It shall be the duty of any person owning, occupying, or in control of real property bordering any street, alley, sidewalk, or other public land or right-of-way to maintain trees and other vegetation in a manner that does [not] create a hazard to the public safety including but not limited to: obstructing the view of any traffic-control device or sign, obstructing or shading street lights, obstructing passage of pedestrians on sidewalks, obstructing traffic views at any street or alley intersection, driveway, etc.
 - (1) The minimum clearance of any overhanging vegetation over any sidewalk shall be eight feet.
 - (2) The minimum clearance of any overhanging vegetation over any public street, alley or thoroughfare shall be 14 feet.
 - (3) No landscaping or other object may be maintained at a height greater than three feet or less than ten feet above the road grade of any abutting public roadways when such object(s) shall interfere with the visibility triangle at any intersection as described in article 3.08 of this code.
 - (4) Plants and shrubs less than eight feet in height shall be maintained so as not to extend more than four inches into or over any public street, alley, sidewalk, or thoroughfare.
 - (f) No person shall intentionally damage, cut, carve, transplant, or remove any tree: attach any wire, rope, nails, advertisements, posters or other contrivance to any tree. Gaseous liquid, or solid substance which is harmful to such trees shall not be allowed to come in contact with them. No person shall set fire to or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree.
 - (g) Areas adjacent to any fire hydrant, sign or traffic-control device shall be kept clear of any vegetation over six inches or under eight feet for a circumference of three feet.
 - (h) Violations of any provision of this section shall be subject to notification and penalties described in sections 6.02.062, 6.02.064 and 6.02.065 of this code.

(Ord. 2010-12-660, § 3.06, 12-21-10)

Sec. 10.02.008. - Existing nonconforming uses and/or structures.

All uses that are in existence at the time of these landscape guidelines, which do not meet the requirements provided herein, will be considered as being nonconforming to these landscape requirements. These nonconforming uses/structures will be subject to article XXIII of the zoning ordinance of the town, unless otherwise provided for in this section. A variance to landscaping requirements may be granted, regardless of areas of noncompliance, upon completion of the following:

- (1) Provide the building inspector or his appointed designee with a landscape plan prepared by the landscape architect and approval.
- (2) Said landscape plan will illustrate a plan to landscape area as available, provide for irrigation, and provide for completing the plan.
- (3) The installation of landscaping as indicated by the landscape plan is completed and approved by the building official or his appointed designee.

(1999 Code, § 9.207)

Sec. 10.02.009. - Permits.

- (a) A permit shall be required for any work provided for in this article.
- (b) A public utility must obtain a permit from the town prior to the pruning of any trees in a utility corridor or on any public right-of-way. Trees must be pruned in accordance to the latest ANSI Tree Care Performance Standards. Tree topping and severe pruning must be approved on an individual basis prior to the start of work.
- (c) Severe pruning involving the removal of more than 30 percent of a tree's canopy or branches shall require a permit.
- (d) The town reserves the right revoke a tree permit if any work is done in a manner that is unapproved, dangerous, or poses an unreasonable or unwarranted threat to the health of the tree.
- (e) Permits shall be posted or otherwise maintained at the site of the work or be produced and exhibited upon the request of any town official or agent. Permits shall not be attached to any sign, traffic-control device or public structure or to any tree by the use of nails, tacks or any other device which may cause harm to the tree.
- (f) Exceptions:
 - (1) The tree has been damaged by wind, fire or other natural disaster and creates an imminent danger to public safety.
 - (2) During the period of an emergency such as a tornado, storm, flood, or other act of God, the requirements of this article may be waived as may be deemed necessary by the town council or director of public works.

(Ordinance 2010-12-660, § 3.07, 12-21-10)

Sec. 10.02.010. - Interference.

No person, firm or corporation shall interfere with the director of public works, or persons acting under his authority while the director is engaged in planting, maintaining or removing any tree, shrub, or plant on any street, alley, sidewalk, public right-of-way, easement or any other public place within the town or in the correction of any violation of this article.

(Ord. 2010-12-660, § 3.08, 12-21-10)



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Michele Sanchez, Finance Director

August 27, 2020

Budget Amendments

DESCRIPTION:

Consider adoption of an Ordinance 2020 amending the Fiscal Year 2019-2020 Budget of the City of Lake Dallas.

BACKGROUND INFORMATION:

The City's FY 2019-2020 Budget was approved at the September 12, 2019 Council meeting. Staff is proposing to amend the City's FY 2019-2020 Budget as follows:

1. Edit the language for allowable usage of the Police Departments Kids N' Cops Fund
 - a. Current Language: The Kids n' Cops Special Revenue Fund is dedicated and may only be spent on items or vendors related to the annual police department and municipal court community engagement event and safety fair.
 - b. Amended Language: The Kids n' Cops Special Revenue Fund is dedicated and may only be spent on items or vendors related to police department and municipal court community engagement events and the annual safety fair.
2. Create an Additional Special Revenue Fund called the Capital Project Fund
 - a. In October of 2019, the City of Lake Dallas issued Debt to pay for various capital projects, staff needs formal approval to establish an additional special revenue fund to keep these funds in. With an authorized expenditure of \$800,000
3. Amend the Street Maintenance Fund to allow for authorized expenditures of \$340,000, previously approved at \$291,000
 - a. The expenditure increase is due to the higher than budgeted cost of Swisher Rd.
4. Amendment to Willow Grove Park to allow for Authorized Expenditures of \$125,000, previously approved at \$114,352.
 - a. This expenditure increase is due to the higher than anticipated park maintenance costs and the purchase of Solar Lights
5. Amendment to Animal Services Special Revenue Fund to allow for authorized expenditures of \$30,000, previously approved at \$21,000
 - a. This expenditure increase is due to a donation from the Denton Animal Support Foundation that allowed for the Animal Shelter to purchase additional Cat Kennels.

6. Amend the Court Technology Fund to allow for authorized expenditures of \$12,000, previously approved at \$11,000
 - a. This expenditure increase is due to the early payoff and contract cancellation of the Clear Skip Tracking Software
7. Amend the Community Development Corporation Fund to allow for authorized expenditures of \$615,000, previously approved at \$460,075
 - a. This expenditure increase is due to the cash purchase of a property at 312 Main Street

FINANCIAL CONSIDERATION:

This ordinance will amend the FY 2019-20 Budget as summarized below:

Fund	Original Budget	Revised Budget
Capital Projects Fund	\$ 0	\$ 800,000
Street Maintenance Fund	\$291,000	\$340,000
Willow Grove Park Fund	\$114,352	\$125,000
Animal Services Fund	\$21,000	\$30,000
Court Technology Fund	\$11,000	\$12,000
Community Development Corporation	\$460,075	\$615,000

None of these adjustments will have any impact on the General Fund.

RECOMMENDED MOTIONS:

I move to **approve/deny** an ordinance amending the Fiscal Year 2019-2020 Budget of the City of Lake Dallas to allow for adjustments to (funds and amounts).

ATTACHMENT(S):

1. Ordinance

**CITY OF LAKE DALLAS, TEXAS
ORDINANCE NO. 2020-__**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ADOPTING AMENDMENTS TO THE FISCAL YEAR 2019-2020 BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lake Dallas, Texas has lawfully adopted a budget for fiscal year 2019-2020 (“2019-2020 Budget”); and

WHEREAS, the City Council of the City of Lake Dallas has determined that this budget amendment is necessary and appropriate to preserve and protect the health, safety and welfare of the citizens of the City of Lake Dallas as well as other persons in the City.

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

SECTION 1. The fiscal year 2019-20 Budget amendments, attached hereto as Exhibit “A” and incorporated herein by reference, are hereby authorized, approved and adopted.

SECTION 2. If any section, subsection, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared severable.

SECTION 3. This Ordinance shall take effect immediately from and after its passage on second reading.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ON, THIS THE 27th DAY OF AUGUST 2020.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney

(kbl:8/21/2020:117511)

Ordinance No. 2020-__
Exhibit "A"

Fund	Original Budget	Revised Budget
Capital Projects Fund	\$ 0	\$ 800,000
Street Maintenance Fund	\$291,000	\$340,000
Willow Grove Park Fund	\$114,352	\$125,000
Animal Services Fund	\$21,000	\$30,000
Court Technology Fund	\$11,000	\$12,000
Community Development Corporation	\$460,075	\$615,000



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Michele Sanchez, Finance Director

August 27, 2020

Public Hearing on FY 2020-2021 Proposed Tax Rate

DESCRIPTION:

Conduct a Public Hearing on the proposed Tax Rate for the 2020 Tax Year (Fiscal Year 2020-2021).

BACKGROUND INFORMATION:

Truth in Taxation requires one public hearing before implementing a tax rate if a rate is considered which will exceed the lower of the No New Revenue Rate or the Voter Approval Rate. The No New Revenue Rate is generally equal to the prior year's taxes divided by the current taxable value of properties that were also on the tax roll in the prior year. The proposed tax rate of \$0.642060 for the 2020 Tax Year (Fiscal Year 2020-21), is lower than the Voter Approval Rate of \$0.656432, but exceeds the No New Revenue Rate of \$0.634190, so the public hearing is required.

Below is the calendar of the remaining dates for the FY 2020-2021 Proposed Budget and Tax Rate discussions, public hearings, and adoption of the budget.

Sept. 3	Adoption of Tax Rate and Budget
Sept. 10	Back update for Adoption of Tax Rate and Budget
Sept. 30	Last day to adopt a Tax Rate and Budget (Tax Code 26.05 & Local Govt. Code 102.009)

FINANCIAL CONSIDERATION:

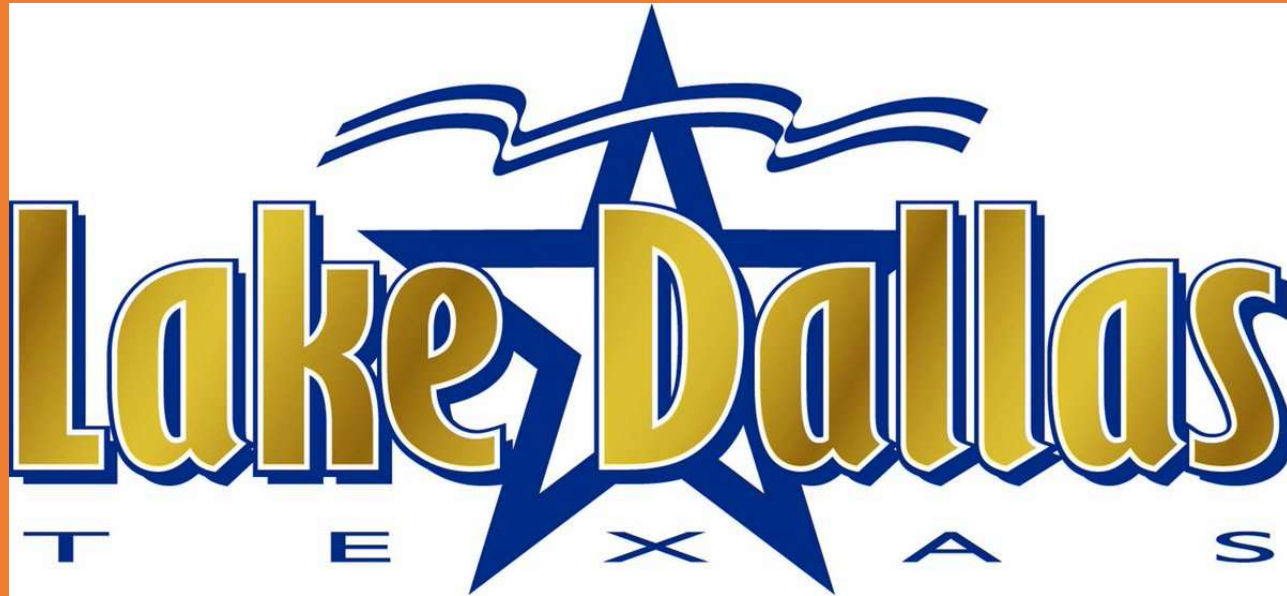
FY 2020-2021 Proposed Budget will contain the projected revenues and expenses for the City.

RECOMMENDED MOTIONS:

None

ATTACHMENT(S):

None



TAX RATE WORKSHOP

Michele Sanchez
Finance Director
August 27, 2020



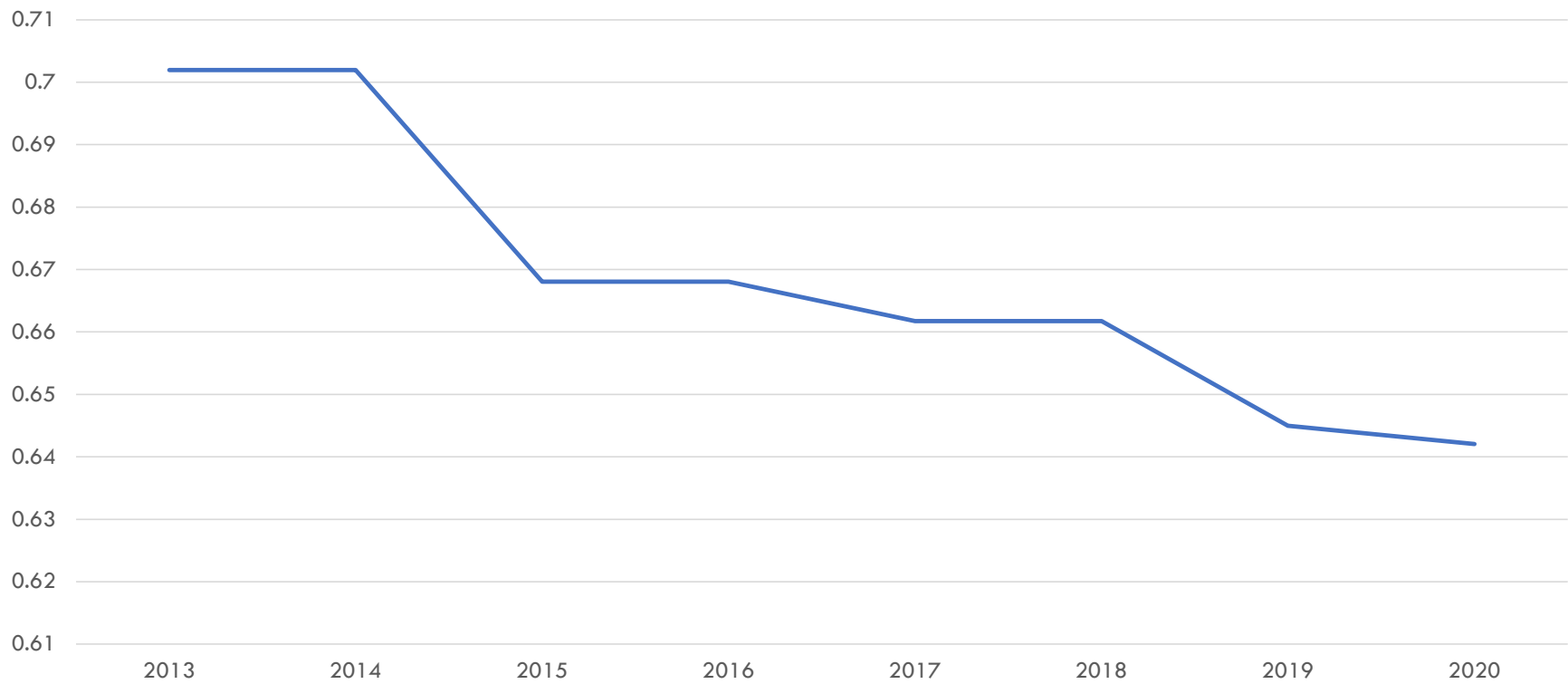
OVERVIEW OF PRESENTATION

- Proposed Tax Rate
- Proposed Tax Rate Comparison
- General Fund Comparison

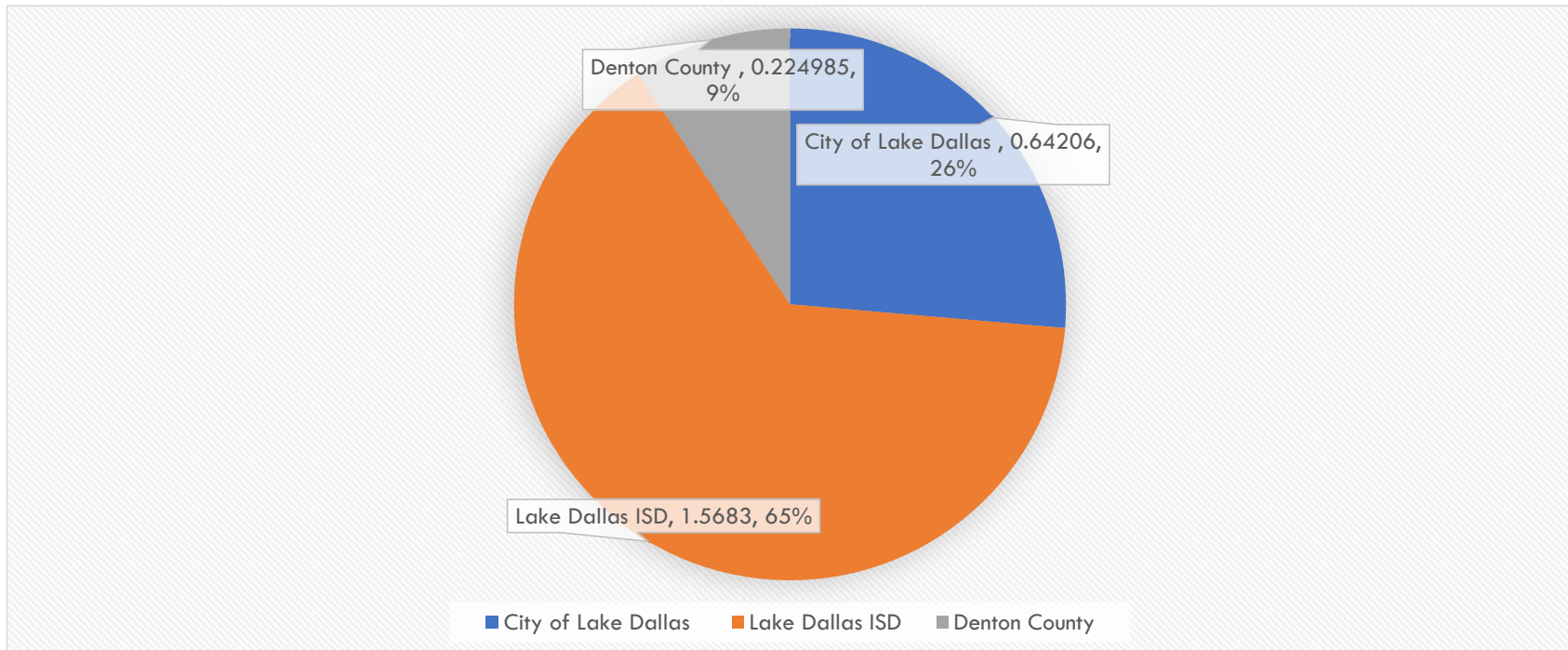
PUBLIC NOTICE TAX RATE

- Proposed Tax Rate: .642060 Per \$100
- Current Year Tax Rate .644971 Per \$100
- No New Revenue Rate .63419 Per \$100
- Voter Approval Rate .656432 Per \$100

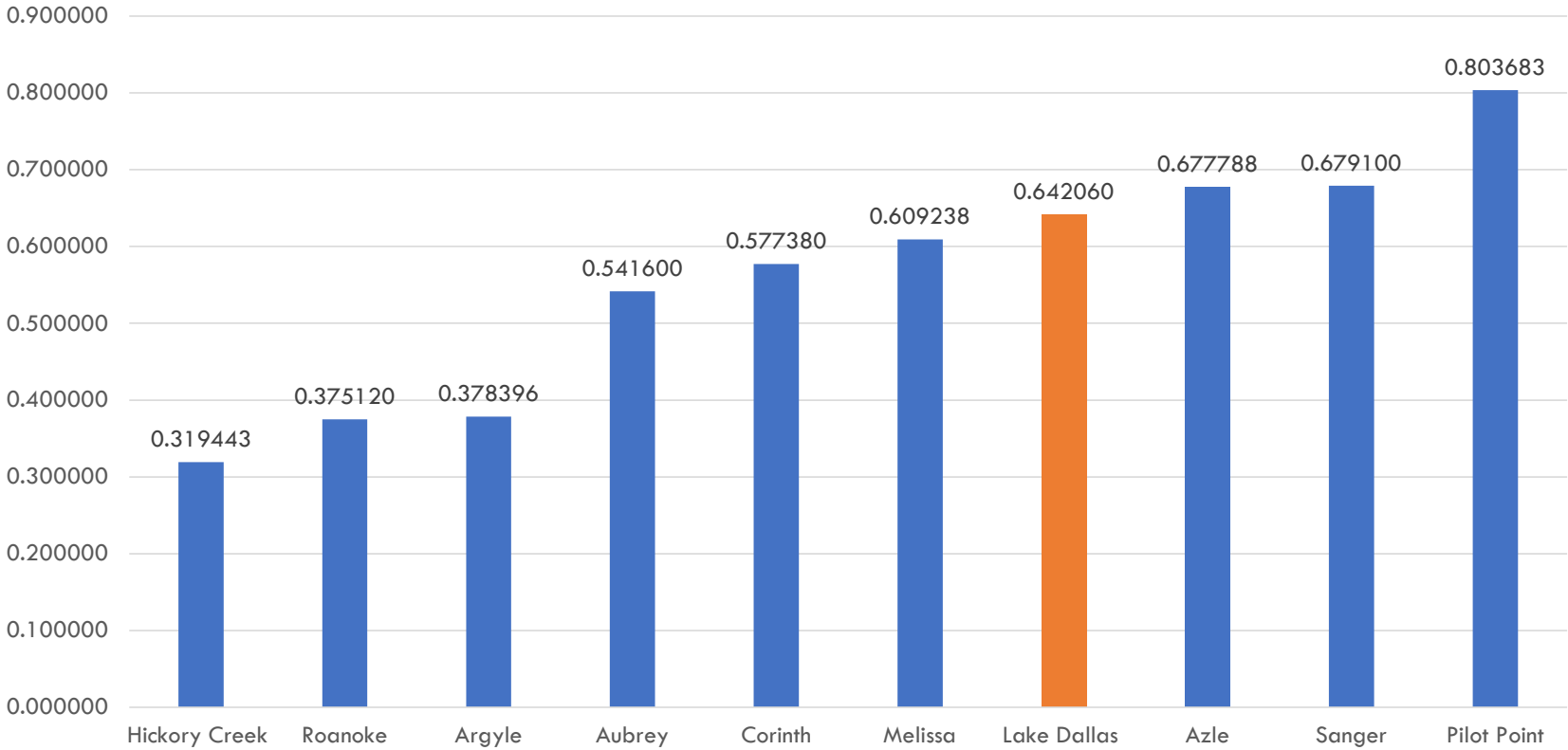
PROPOSED TAX RATE



2020-2021 PROPOSED TAX RATE FOR LAKE DALLAS RESIDENTS



PROPOSED PROPERTY TAX RATE COMPARISON





QUESTIONS?



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Michele Sanchez, Finance Director

August 27, 2020

Public Hearing on the FY 2020-2021 Proposed Budget

DESCRIPTION:

Conduct a Public Hearing to consider the proposed budget for the fiscal year beginning on October 1, 2020 and ending on September 30, 2021.

BACKGROUND INFORMATION:

The City is required by Section 102.006 of the Texas Local Government Code and Section 7.03.02.01 of the City Charter to hold a public hearing on the proposed budget. During the public hearing on the proposed budget, all interested persons shall be given the opportunity to be heard, either for or against, any item of the proposed budget.

The Fiscal Year 2020-2021 Proposed Budget was filed with the City Secretary and distributed to the City Council on July 20, 2020. The proposed budget has been on file for review at City Hall and on the City's internet website. The City Council has received presentations, held discussions and had the opportunity to receive citizen comments on the following dates.

May 28	Budget Workshop
June 11	Budget Workshop
June 25	Budget Workshop
July 09	Budget Workshop
July 23	Budget Workshop
Aug. 13	Budget Workshop
Aug. 27	Public Hearing on Tax Rate

FINANCIAL CONSIDERATION:

The Fiscal Year 2020-2021 Proposed Budget will contain the projected revenues and expenses for the City.

RECOMMENDED MOTIONS:

None

ATTACHMENT(S):

1. Proposed Budget
2. Copy of Public Notice



Fiscal Year 2020-21
Annual Operating and Capital
Budget
Proposed Budget

Revised on: August 19, 2020

212 Main Street Lake Dallas, TX 75065

lakedallas@lakedallas.com

940-497-2226

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Fiscal Year (FY) 2020-21 Budget Memo

Submitted to: The Mayor and City Council on July 20, 2020

The following statement is provided in accordance with Texas Local Government Code 102.005:

This budget will raise more revenue from property taxes than last year's budget by \$93,727, which is a 3.24% increase from last year's budget. The property tax revenue to be raised from new property added to the tax rolls this year is \$28,488.

Prepared by:

John Cabrales Jr.
City Manager

Codi Delcambre
City Secretary

Michele Sanchez
Finance Director

Daniel Carolla
Chief of Police

Layne Cline
Public Works Superintendent

Natalie McAdams
Director of Library Services

Cynthia Uber
Animal Services Manager

Angela Manglaris
Director of Development Services

Lancine Bentley
Community Development Coordinator

Maria Fernandez
Municipal Court Clerk

Elected Officials

**Michael Barnhart, Mayor Term
expires May 2022
mbarnhart@lakedallas.com**

**Megan Ray, Council Member Place 1 Term
expires May 2021
mray@lakedallas.com**

**Brian Bailey, Council Member Place 2 Term
expires May 2022
bbailey@lakedallas.com**

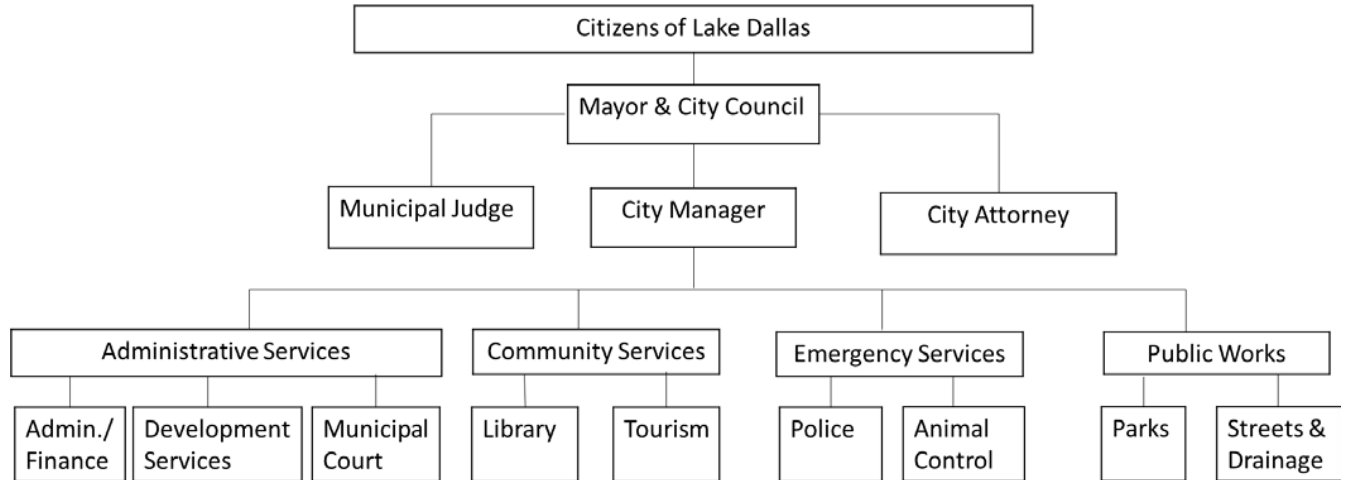
**Cheryl McClain, Council Member Place 3 Term
expires May 2021
mcclain@lakedallas.com**

**Charlie Price, Council Member Place 4 Term
expires May 2022
cprice@lakedallas.com**

**Andi Nolan, Mayor Pro Term, Council Member Place 5 Term
expires May 2021
anolan@lakedallas.com**



Organizational Chart for FY 2020-2021



Boards and Commissions

The City of Lake Dallas Animal Shelter Advisory Board

The city is required by the State of Texas to have an Animal Advisory Board to assist the city in complying with the standards for animal shelters as contained in V.T.C.A. and the Health and Safety Code. The Advisory Board must meet no less than three times a year. The Advisory Board must also have one licensed veterinarian, one city official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization.

Board of Appeals

The purpose of this board is to hear testimony of terminated city workers as well as hearing charges of corruption, discrimination, abuse of power, or abuse of policies from active city workers or citizens.

Board of Adjustment

Members of this board meet at the call of the chairperson within 30 days of receipt of written notice from anyone aggrieved as a result of the refusal to issue a building permit or an administrative decision made by the City Building Official.

Community Development Corporation

The Community Development Corporation (CDC) was created in January 2003 to foster improvements in the commercial areas of the city and to enhance the quality of life in the city, and functions as a tool to attract new businesses and residents.

Parks and Recreation Board

The Parks and Recreation Board is an advisory body to the City Council on the planning and development of parks and recreational facilities and the regulations governing their use.

Keep Lake Dallas Beautiful Committee

The Parks and Recreation Board serves as the Keep Lake Dallas Beautiful Committee, which serves as an advisory body to the City Council on planning, development and implementation of litter abatement and aesthetic improvement policies.

Planning & Zoning Commission

The Planning and Zoning Commission is an advisory body to the City Council that makes recommendations regarding the administration of the zoning ordinance, the development of the comprehensive plan for the physical development of the City. Other duties include regulating zoning and ordinance amendments and platting.

Manager's Message

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

Introduction

As required by the City of Lake Dallas Home Rule Charter, I respectfully submit to you for your consideration the annual operating and capital budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021. This budget has been developed to allocate available resources to accomplish the goals and objectives of the City Council and City Boards and Commissions.

I would like to extend my thanks to all the department directors, the Finance Director, City Secretary, and the Community Development Coordinator for their outstanding performance in preparing this budget document.

Budget Highlights

Beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, spread through the world, and was declared a global pandemic by the World Health Organization. The various levels of government took actions to address the evolving COVID-19 situation. On March 13, 2020, Texas Governor Greg Abbott Proclaimed a State of Disaster in Texas Due To COVID-19. On that same day, Denton County Judge Andy Eads issued a Disaster Declaration. On March 15, the Centers for Disease Control (CDC) issued an interim guidance that recommended canceling or postponing in-person events that consist of 50 people or more throughout the United States. On March 17, 2020 Lake Dallas Mayor Michael Barnhart issued a Disaster Declaration Order under the authority of the Texas Government Code Section 418.108. On March 24, 2020, Denton County Judge issued a "Stay at Home" order for all county residents except for specific essential activities and work to provide essential business and government services. On March 31, 2020, Governor Abbott also issued a "Stay at Home Order" including the closing of non-essential businesses. Eventually some businesses would reopen, while others remained closed.

The impacts of these stay at home orders and closures had a negative impact to some of our municipal revenues. However, staff delayed certain expenditures and reduced some operational costs. Also, on June 11, 2020, the City entered an Interlocal Agreement with Denton County to receive federal funding under the Coronavirus Aid, Relief, and Economic Security Act to address and respond to the impact and effects of the COVID-19 Emergency. The County established a COVID-19 municipality funding program, allowing the County to grant money to municipalities. The funding calculation was based on the higher of each city's 2019 NCTCOG estimated population (7,260) or 2018 ACS estimated population of (7,944) multiplied by \$55 per capita. Lake Dallas received \$436,920. The City gave back \$100,000 to the County to include in their OPEN for Business grant program for exclusive use by Lake Dallas businesses, and retained the remaining \$336,920 for reimbursement of COVID-19 related expenses.

2020 has been an unprecedented year, and staff reacted to each new executive order and tried to anticipate the impacts to the municipal budget.

In preparing the FY 2020-21 budget, the focus was on trying to keep all staff employed; avoid any negative impact to salaries and, in fact, includes some equity adjustments based on the employee compensation plan study; continue all existing services for our citizens; maintain appropriate staffing levels; update the capital improvement plans; and maintain a fund balance level in accordance with the city's fiscal policies.

Requests for operational needs, personnel and capital items were evaluated and recommendations are based upon need and available funds. These items have been included in the FY 2020-21 budget, as presented.

Highlights of the budget are detailed below:

- The property tax rate for the upcoming fiscal year will decrease from \$0.644970 to \$0.642060 per \$100 of assessed valuation. This is a 0.00291 cent decrease in the tax rate.
- Sales Tax revenues are projected to increase due to the opening of some commercial developments, and increased sales of alcoholic beverages in our liquor stores.
- Franchise Fees are projected to have a slight increase.
- Fines and Fee are projected to decrease due to the effects of COVID-19.
- There are no cuts in programs or services to citizens.
- The full-time equivalents (FTE) will increase from 37.5 to 39.5, due to the addition of a 0.5 FTE in the Library Department that will be added to an existing 0.5 FTE to make a new full time (Library Technician); the addition of 1 FTE to the Development Services Department to assist with increased workload and special projects and to be shared with the Public Works Department; and a 0.5 FTE in the Police Department to help with administrative, record keeping and other duties.
- Equity adjustment for most employees based on the recently adopted Employee Compensation Plan. The plan was the result of the research and recommendations by PayPoint HR, a consultant contracted by the City, and direction by the City Council.
- There is no cost increase to the employee group health coverage with the TML Pool Plans.
- There is a \$400,000 transfer included from the General Fund Balance to the newly created Fire Contract Stabilization Fund.
- Capital Improvement Plan projects include the replacement of a vehicle for Police, replacement truck for public works and replacement zero turn mower for Parks; replacement air conditioning units for City Hall, Library, Animal Shelter and Fire Station; an automated external defibrillator for City Hall; a storage shed for the animal shelter; a replacement DVD Burner for the Police Department; and new blue tooth switches for body cameras for the Police Department. All the capital improvement requests for Parks are going to be covered by the Lake Dallas Community Development Corporation.

- There is a new Technology Capital Improvement Plan added to this budget that includes \$8,983 in new technology replacements. These costs are for the replacement of a DVD Writer and for Bluetooth connectors needed by the Police Department. CARES Act funds received from Denton County will be used to purchase other needed technology.
- One-time strategic planning items include the hiring of a consultant to assist with the Zoning Ordinance update and a consultant to help with the update of the Parks Master Plan, as recommended by the Parks Board.

General Fund

Revenues

The General Fund revenues are proposed at \$5,403,031, which represents an increase of 5.47% from the previous year's budget. Additional property taxes of \$93,727, which is a 3.3% increase from last year's budget, will be realized from increased values and new construction. Sales tax revenues are projected to increase, and franchise fees are expected to have to increase. Fines and fees are projected to decrease by \$81,700 due to a decrease in court fine collections and the projected number of building and other permits.

Expenses

General Fund operating expenses are proposed at \$5,402,805, which represents an increase of 5.479% from the from the previous year's budget. This increase is primarily attributed to the employee compensation package, and consultant fees for special projects. There is also a onetime transfer to the Special Revenue Fire Contract Stabilization Fund. This increase also includes \$8,983 in new technology replacements for the Police Department as part of the new Technology Capital Improvement Plan.

Capital Improvement Program (CIP)

The Capital Improvements Program totals \$141,583 including: an additional vehicle for Police, and a replacement vehicle as well as a replacement zero turn mower for the Public Works Department; replacement AC Units for City Hall, Library, Animal Shelter, & Fire Station; an automated external defibrillator for City Hall; and a storage building for the Animal Shelter. There is also \$8,983.30 budget for technology updates. There is \$69,000 in capital improvement requests for Parks are going to be covered by the Lake Dallas Community Development Corporation, except for Willow Grove Park.

Closing Comments

Preparation of this budget included a city-wide effort to provide affordable quality services to our citizens. I believe this proposed budget allows us to accomplish this, while implementing a reduction in the tax rate. I think this is a fiscally sound budget that meets our city's primary objectives including: maintaining financial integrity; providing public health and safety services to the community; maintaining and improving infrastructure; planning for the future;

employing and retaining high-quality, professional personnel; providing quality leisure opportunities; and instilling a “sense of community” in residents.

I would like to thank the members of the Lake Dallas City Council for their hard work and dedication to the citizens of Lake Dallas, and for your input into the preparation this budget. I also want to express my appreciation to the staff for all their research and input into the preparation of this document. With your support, and the dedication of our capable staff, I am confident that we will ensure that quality services are provided to the citizens of Lake Dallas.

FY 2020-2021 Budget Overview

GENERAL FUND

Reserve Fund Balance

The importance of cash reserves, generally identified as Reserve Fund Balance, cannot be stressed enough in any governmental function. The ability to overcome unexpected disasters or to be able to fund an unbudgeted expenditure that may be significant to the City requires available but unencumbered funds. Council recently adopted a fiscal policy to maintain a level of unassigned fund balance in the general fund equal to 25 percent of the fund’s operating expenditures. For FY 2020-2021 that would require approximately \$1,340,931 in the fund balance. The estimated reserve balance at the end of FY 2019-20 is \$2,168,976 and the estimated reserve fund balance for FY 2020-2021 is \$1,769,033, this includes a \$400,000 transfer to the Fire Contract Stabilization Fund. The table below provides a listing of the ending reserve fund balances for the previous fiscal year, budgeted and projected ending fund balance for FY 2019-2020, and the proposed ending fund balance for FY 2020-2021. City Management will continue to monitor our financial performance and make appropriate expenditure and/or revenue adjustments as necessary to manage the reserve fund balance.

Description	Actual FY18-19	Budget FY19-20	Projected FY19-20	Proposed FY20-21
Fund Balance, Beginning	1,168,328	1,753,229	1,753,229	2,168,976
Transfer to Special Revenue Fund				(400,000)
Fund Balance, Ending	1,753,229	1,753,995	2,168,976	1,769,202
Fund Balance as % of Expenditures	37%	34%	45%	33%

Bond Rating

The City has a Standard and Poor’s Bond Rating of AA- (double A minus). This rating means the City has very strong capacity to meet its financial commitments and it differs from the highest rating (AAA) only to a small degree. There are three major rating agencies that evaluate municipalities and their bond: Standard and Poor’s (S&P), Moody’s, and Fitch. They assign municipal bonds a credit rating making it easier for market participants to evaluate risk. A credit rating performs the same service for institutional borrowers and investors. A bond’s credit rating is the rating agency’s opinion as to the creditworthiness of the bond’s issuer (City) and is often the single most important factor affecting the interest cost on bonds.

Ratings agencies consider all the economic characteristics of the City and the bond issue in assigning a rating. They evaluate the economic well-being of the City including: the median income, the community’s dependence on certain employers or industries, the diversity of the tax base, the rate of population growth, tax revenue trends, tax rates, and reserve fund balance.

Revenues

The key General Fund revenue sources are discussed below.

Property Tax

Approximately 54.7% of the total General Fund revenue is generated from ad valorem taxes. The certified taxable value for 2020 is 534,173,569. The table below is based on projections and subject to change. The certified value is \$539,275,339, is a 3.38% increase from last year's value. Analysis of the increase shows there was approximately \$3,658,280 in new value added to the appraisal roll for new property added.

The FY 2020-2021 Budget includes a decrease in the overall tax rate of .00291 cents. The proposed tax rate of \$0.642060 per \$100 of assessed valuation is above the effective tax rate of \$0.63419 of the proposed tax rate, \$0.58800 is provided for Maintenance and Operations (M&O), and \$0.08326 is provided for the Interest and Sinking (I&S) or debt service. The rate for the M&O decreased \$0.0008 and the rate for the I&S decreased \$0.00215.

Fiscal Year	Tax Year	CERTIFIED NET TAXABLE VALUE (INCLUDING ARB TOTAL)		Tax Rate				Tax Levy				
		NTV PER DCAC	% CHANGE NTV	M&O	I&S	Total	No New Revenue	M&O	% CHANGE M&O	I&S	Total	% Change Total Levy
2020-21	2020	534,173,569	2.51%	0.558800	0.08326	0.642060	0.63419	2,984,961.90	3.24%	444,753	3,429,714.82	2.95%
2019-20	2019	516,697,993	9.84%	0.5596	0.085411	0.644971	0.605546	2,891,235.29	7.99%	441,317	3,332,552.21	7.39%
2018-19	2018	468,988,326	7.10%	0.569128	0.092622	0.66175	0.627628	2,669,143.88	9.06%	434,386	3,103,530.25	7.10%
2017-18	2017	437,893,906	8.49%	0.55892	0.102829	0.661749	0.626613	2,447,476.62	10.20%	450,282	2,897,758.54	7.46%
2016-17	2016	403,644,299	7.33%	0.550225	0.117843	0.668068	0.634182	2,220,951.84	7.33%	475,667	2,696,618.40	7.33%
2015-16	2015	376,064,041	5.59%	0.550225	0.117843	0.668068	0.668068	2,069,198.37	3.49%	443,165	2,512,363.52	0.49%
2014-15	2014	356,162,311	5.37%	0.561354	0.140575	0.701929	0.66394	1,999,331.38	6.87%	500,675	2,500,006.55	5.37%
2013-14	2013	338,010,097	2.71%	0.553476	0.148485	0.7019613	0.701929	1,870,804.76	9.53%	501,895	2,372,700.07	1.54%

Sales Tax

The second largest revenue source in the General Fund is sales tax. The FY 2019-20 year-end estimate of \$800,000 is 13.79% greater or \$97,000 above budgeted revenue.

The FY 2020-2021 Budget projects that sales tax revenues are going to increase due to the opening of additional commercial business.

Sales Tax Revenue				
	FY 2018-2019 Actual	FY 2019-2020 Budget	FY 2019-2020 Projected	FY 2020-2021 Proposed
Total	\$756,680	\$703,000	\$800,000	\$815,000

Franchise Fees

Franchise Fees are expected to increase slightly during the FY20-2021 fiscal year.

Franchise Fee Revenue				
	FY 2018-2019 Actual	FY 2019-2020 Budget	FY 2019-2020 Projected	FY 2019-20 Proposed
Total	\$424,136	\$384,750	\$419,277	\$429,800

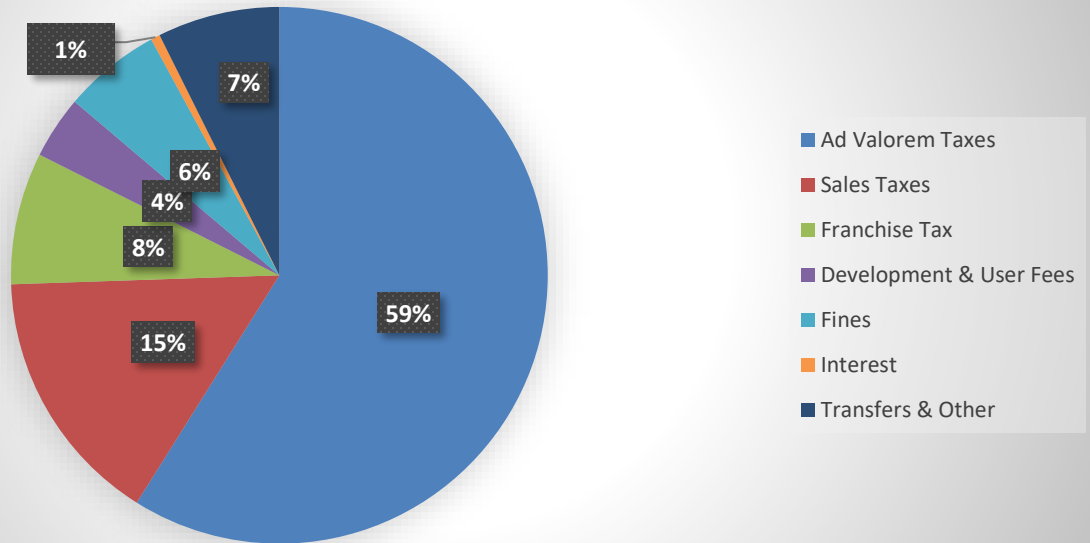
Other Major Revenues

There is a projected increase of an \$8,000 transfer from CDC and a \$5,000 increase in transfer from Willow Grove Park.

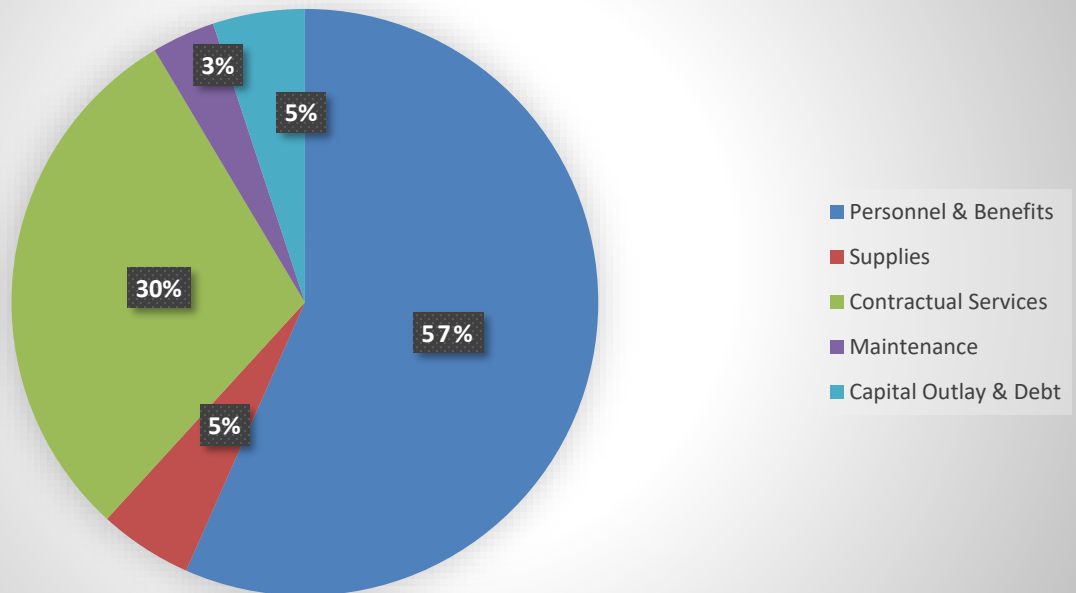
**GENERAL FUND
RESOURCE & EXPENDITURE SUMMARY**

REVENUES				
	Actual	Budget	Projected	Proposed
Description	FY18-19	FY19-20	FY19-20	FY20-21
Ad valorem taxes	2,897,640	3,042,750	3,089,000	3,183,362
Sales & Use Tax	780,678	725,000	821,056	840,000
Franchise Tax	434,163	384,750	430,322	429,800
Development and User Fees	256,892	203,958	229,960	203,978
Fines	422,728	399,700	338,100	318,000
Interest Income	40,644	40,000	22,000	30,000
Other Revenue	411,673	229,732	209,739	287,891
Transfers	93,534	97,000	89,601	110,000
Total Revenues	5,357,952	5,122,890	5,229,779	5,403,031
EXPENDITURES				
	Actual	Budget	Projected	Proposed
Description	FY18-19	FY19-20	FY19-20	FY20-21
Personnel & Benefits	2,385,442	2,716,845	2,558,819	3,059,742
Supplies	234,487	271,818	213,853	278,073
Contractual Services	1,494,453	1,621,458	1,540,333	1,602,809
Maintenance	163,455	180,209	164,371	188,401
Capital Outlay	388,989	204,944	206,579	141,583
Transfers	37,808	5,000	8,226	19,821
Debt Service	68,417	121,851	121,851	112,375
Total Expenditures	4,773,050	5,122,125	4,814,032	5,402,805
Net Change in Fund Balance	584,901	765	415,746	227
Fund Balance, Beginning	1,168,328	1,753,229	1,753,229	2,168,976
Transfer to Special Revenue Fund				(400,000)
Fund Balance, Ending	1,753,229	1,753,995	2,168,976	1,769,202
Fund Balance as % of Expenditures	37%	34%	45%	33%

GENERAL FUND REVENUE



GENERAL FUND EXPENDITURES



Personnel

The full-time equivalents (FTE) will increase by two to 39.5 due to the reclassification of one part time employee in the Library to full time, the addition of one full time employee to the Development Services Department, and the addition of a .5 FTE employee to the Police Department.

City Personnel

Department Personnel Full Time Equivalents (FTE)	FY 2018-19 Proposed	FY 2019-20 Actual	FY 2020-21 Proposed
Streets & Drainage	4.5	4.5	4.5
Parks & Facilities	1.5	1	1
Animal Services	3	3	3
Library	3	3.5	4
Police	16	17*	17.5*
Municipal Court	1	1	1
Development Services	3	3	4
Tourism	0	0	0
Administration	4	4	4
Willow Grove Park	.5	.5	.5
TOTAL	36.5	37.5	39.5

* One position is paid from the VAWA Grant

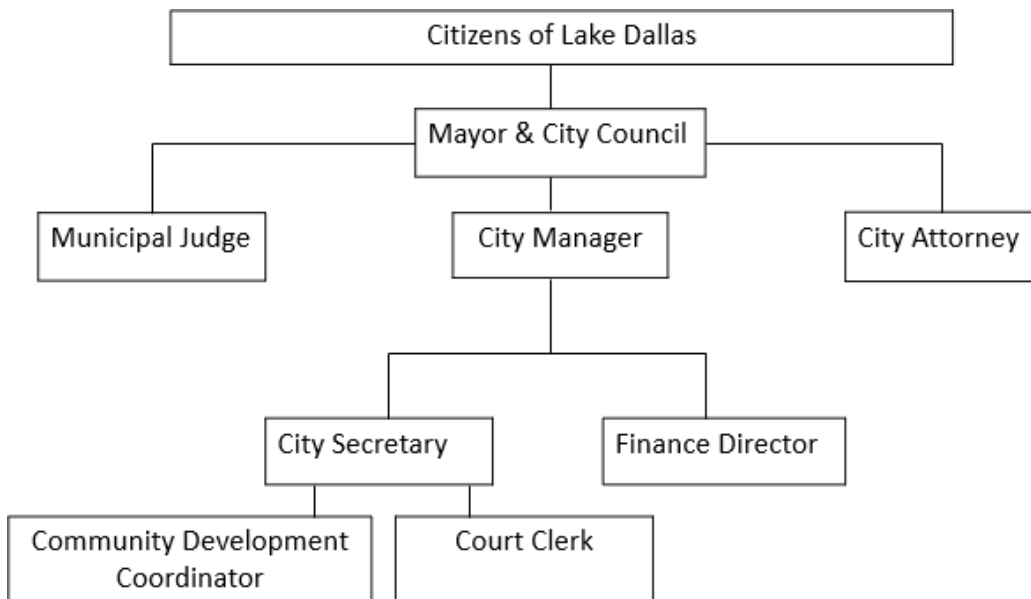
Approved Supplemental Requests

All Departments are required to submit a supplemental request form for anything that is not considered a routine item or is a one-time capital purchase for the following fiscal year. Below are the requests, and the financial impact of the items that were approved for FY2020-2021.

Department	Request	Financial Impact
All Departments	Pay Equity Program	\$ 195,440.62
Development Services	Code Enforcement/ PW Admin	\$ 55,359.64
Library	Reclassification of Part Time Employee to Full Time	\$ 25,511.23
Police	Part Time Property Room Clerk	\$ 20,421.39
Administration	AC Unit for City Hall	\$ 9,000.00
Administration	AC Unit for Fire Station	\$ 9,000.00
Administration	AED	\$ 2,000.00
Police	Replacement Vehicle	\$ 45,900.00
Police	DVD Writer	\$ 5,533.00
Police	Switches for Body Camera	\$ 3,450.00
Library	AC Unit	\$ 9,000.00
Animal Services	AC Unit	\$ 9,400.00
Animal Services	Storage Building	\$ 3,000.00
Street and Drainage	Replacement Vehicle	\$ 35,000.00
Street and Drainage	Zero Turn Mower	\$ 10,300.00
	Total Supplemental Request	\$ 438,351.88

Department Expenditures Information Administration

The purpose of the Administration Department is to provide leadership necessary for the implementation of City Council policy direction, administration of the organization, and delivery of service to the citizens of Lake Dallas. The department is responsible for overseeing the management of day-to-day operations of the City and is comprised of the City Manager, City Secretary, Community Development Coordinator, and the Finance Director. The department also provides administrative support to the City Council, the Community Development Corporation and other boards and commissions.



Department Accomplishments for Fiscal Year 2019-2020 include:

- Implementation of 5-year CIP for Technology
- Implementation of Council/CDC Economic Development Goals
- Work on Capital Projects
- Fire/EMS Services
- Continued work with Lake Cities partners

Department Goals for Fiscal Year 2020-21 include:

- Continue the implementation Council/ CDC Economic Development Goals
- Continue to work on Capital Projects and Bond Projects
- Ensuring financial stability through the COVID-19 pandemic
- Continue to work with Lake Cities partners and, specifically, to bring back a Broadband Technology Plan

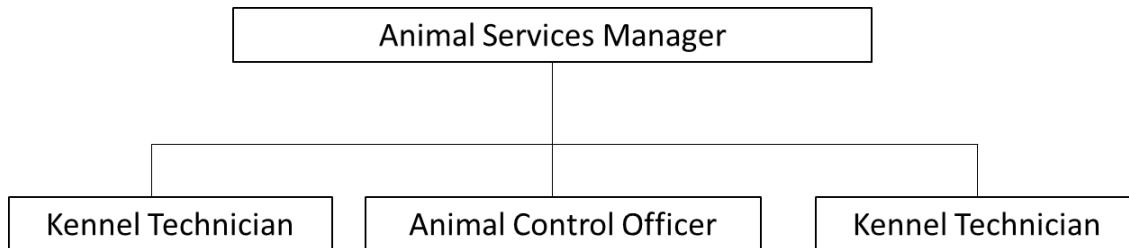
- Implementation of additional financial policies
- Bringing back City Charter revisions for discussion
- Continued cross-training of multiple employees

Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Personnel			
Salaries-Full Time	279,227.31	315,122.22	332,363.20
Certification Pay	1,500.20	6,810.16	6,810.16
Stipend/Auto Allowance	3,599.96	3,599.96	3,599.96
Longevity	312.00	348.00	606.00
FICA/Medicare Tax	4,042.57	4,741.09	4,970.21
Unemployment Tax	82.28	648.00	648.00
Worker's Compensation	909.89	1,471.37	1,542.48
Group Health Insurance	11,563.98	32,838.24	34,345.44
Retirement/TMRS	40,617.98	49,045.75	51,416.00
Internship			
Accrued Compensation	34.50		
Physicals & Evaluations	24.00		
Life Insurance	-		
Subtotal	341,914.67	414,624.79	436,301.45
Supplies			
Office Supplies	2,240.88	4,000.00	4,000.00
Operating Supplies	7,801.63	8,500.00	8,500.00
Postage & Shipping	2,652.48	3,000.00	3,000.00
Printing	15,005.68	11,500.00	11,500.00
Uniforms	312.25	400.00	400.00
Advertising	1,596.00	2,000.00	2,000.00
Travel & Training	11,088.30	11,225.00	9,250.00
Dues & Memberships	5,490.23	5,580.00	5,580.00
Office Equipment	-	10,200.00	4,700.00
Flowers/Gifts/Plaques	68.24	400.00	400.00
Subscriptions & Publications	2,821.50	900.00	5,230.00
Telephone-Mobile	1,493.88	2,000.00	2,040.00
Subtotal	50,571.07	59,705.00	56,600.00
Contractual Services			
Utilities	40,684.08	37,000.00	37,000.00
Accounting & Auditor	16,000.00	17,000.00	17,000.00
Legal Services	57,482.66	45,000.00	45,000.00
Consultants & Professionals	18,501.50	45,000.00	8,000.00
Elections	-	8,500.00	8,500.00
Denton County Tax	18,184.59	22,810.00	22,810.00
Property & Liability Insurance	46,717.00	52,500.00	52,500.00
Fire Contract	978,606.96	988,393.03	979,605.00
Janitorial Services	11,304.00	11,304.00	11,304.00

Franklin Legal Services- MuniCode	375.00	4,000.00	4,000.00
Shredder Services	488.05	1,000.00	1,000.00
SPAN	1,300.00	1,700.00	1,700.00
Email Hosting Services	2,002.21	6,400.00	-
Civic Plus	4,744.61	4,981.84	4,981.84
Financial Advisory Services	-	3,500.00	1,500.00
Discovery Benefits	600.00	600.00	900.00
Bank Fees	84.28	4,000.00	-
YAC	2,113.59	2,800.00	4,000.00
Subtotal	1,199,188.53	1,256,488.87	1,199,800.84
Maintenance			
Facilities Maintenance	6,830.55	10,000.00	10,000.00
Vehicle Maintenance	45.66	100.00	
Software Maintenance	24,831.30	28,000.00	27,000.00
Subtotal	31,707.51	38,100.00	37,000.00
Capital Outlay			
Capital Outlay-Information Technology	6,311.49	2,350.00	-
Capital Outlay-Building/Facilities	236,700.97	24,000.00	20,000.00
Subtotal	243,012.46	26,350.00	20,000.00
Debt Service Expenditures			
Transfer to Special Revenue Fund	(500.00)		
Subtotal	(500.00)	-	-
Transfers			
Transfer to Special Revenue Fund	5,000.00		
Transfer to Capital Projects	32,807.92		
Subtotal	37,807.92	-	-
Total Expenditures	1,903,702.16	1,795,268.66	1,749,702.29

Animal Services

The Lake Dallas Animal Services Department assists pet owners, promotes positive animal health, and protects the public from zoonotic diseases and animal nuisances.



Department Accomplishments for Fiscal Year 2019-2020 include:

- Updating Animal Services city ordinances
- Implementation of Shelter Pro Software
- Improvements to the yard
- Replacement of cat kennels
- Increased awareness of Spay/Neuter, Microchipping, and Vaccination Clinics
- Purchase of a new washer and dryer through donations

Department Goals for Fiscal Year 2020-2021 include:

- Add additional storage space
- Additional dog kennels/ better presentation
- Continued financial support

Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Personnel			
Salaries-Full Time	99,196.75	86,577.60	91,769.60
Salaries-Part Time	-	23,804.35	30,035.20
Overtime	5,124.91	5,000.00	6,000.00
Longevity	282.00	144.00	318.00
FICA/Medicare Tax	3,011.65	1,673.04	1,838.67
Unemployment Tax	104.07	810.00	810.00
Worker's Compensation	3,575.95	7,211.37	7,925.30
Group Health Insurance	15,688.03	24,409.08	25,162.68
Retirement/TMRS	10,035.42	17,307.29	19,020.72
Accrued Compensation	-		
Physicals & Evaluations	460.00		460.00
Life Insurance	-		
subtotal	137,478.78	166,936.74	183,340.17

Supplies			
Office Supplies	73.47	200.00	350.00
Operating Supplies	5,885.74	4,500.00	7,950.00
Postage & Shipping	-	50.00	200.00
Printing	300.73	750.00	750.00
Uniforms	655.66	1,200.00	800.00
Advertising	-	200.00	200.00
Travel & Training	596.18	2,000.00	2,370.00
Dues & Memberships	-	100.00	320.00
Vehicle Fuel	607.42	650.00	650.00
Equipment-Field	-	250.00	250.00
Safety Equipment & Supplies	228.33	100.00	200.00
Flowers/Gifts/Plaques	-	250.00	250.00
Telephone-Mobile	854.74	456.00	788.04
Land Lease	1,284.61	1,300.00	1,350.00
Minor Equipment Field	-		
Subtotal	10,486.88	12,006.00	16,428.04
Contractual Services			
Utilities	12,154.52	10,000.00	12,700.00
Consultants & Professionals	2,696.66	6,000.00	9,000.00
Subtotal	14,851.18	16,000.00	21,700.00
Maintenance			
Facilities Maintenance	2,914.75	2,000.00	2,000.00
Vehicle Maintenance	680.92	500.00	500.00
Software Maintenance	2,129.00	3,800.00	3,800.00
Subtotal	5,724.67	6,300.00	6,300.00
Capital Outlay			
Capital Outlay-Information Technology	2,323.53	1,550.00	-
Capital Outlay-Buildings/Facilities	18,133.39	19,300.00	12,400.00
Capital Outlay-WM Settlement	-		
Capital Outlay-Landscaping	-		
Subtotal	20,456.92	20,850.00	12,400.00
Total Expenditures	188,998.43	222,092.74	240,168.21

City Council

The City of Lake Dallas operates under a Home Rule Charter with the Council/Manager form of government. All policy-making decisions are vested in the City Council. The City Council is comprised of five Council members and a Mayor. The City Council appoints the City Manager, City Attorney, Municipal Judge, and members to boards/commissions/committees and various ad hoc committees. The Mayor and Council provide policy direction and input to the City Manager and staff to meet the public service needs of the residents and businesses of Lake Dallas.

City Council Accomplishments for Fiscal Year 2019-2020 include:

- Worked on an Economic Development Goals for all three business districts
- Passed a new Municipal Solid Waste Collection and Transportation agreement
- Passed a new Interlocal Agreement with Corinth for Fire and Emergency Medical Services
- Continued work with the Lake Cities partners on regional issues
- Joint retreat with City Council and CDC.
- Entered an Interlocal Agreement with Denton County for the Shady Shores Road Bridge Project.

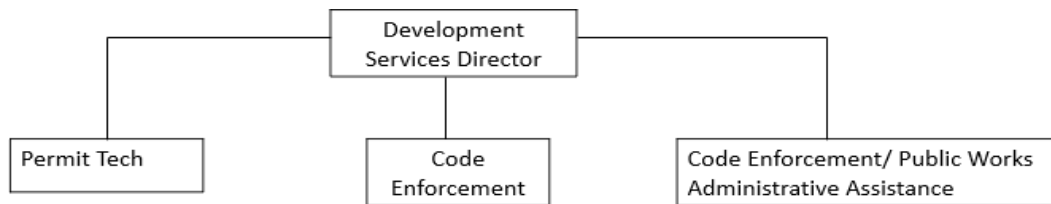
City Council Goals for Fiscal Year 2020-2021 include:

- Adoption of Comprehensive Zoning Ordinance.
- Implement a Drainage Improvement Plan.
- Adopt an Ethics Ordinance.
- Continue to work with Lake Cities partners on regional issues.

Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Supplies			
Office Supplies	-		
Operating Supplies	222.43	300.00	300.00
Postage & Shipping			
Printing			
Uniforms	490.72	600.00	-
Advertising			
Travel & Training	8,086.79	9,200.00	7,450.00
Dues & Memberships	-	2,000.00	2,000.00
Vehicle Fuel			
Office Equipment			
Safety Equipment & Supplies			
Flowers/Gifts/Plaques	1,035.58	300.00	300.00
Subscriptions & Publications			
Legislative	3,789.72	-	3,800.00
Telephone-Mobile			
Gov't & Misc Operating			
Subtotal	13,625.24	12,400.00	13,850.00
Total Expenditures	13,625.24	12,400.00	13,850.00

Development Services

Development Services is responsible for Planning, Code Enforcement, Building Inspections, Plan Reviews, and Health Inspections. This department provides support to the Planning and Zoning Commission, the Board of Adjustment, and oversees Floodplain Management and Storm Water Education. Long-term planning is provided through the maintenance of the Zoning Map and Comprehensive Planning and Zoning Ordinances. Current planning is provided through site plan and subdivision plat review.



Department Accomplishments for Fiscal Year 2019-2020 include:

- Updated Subdivision Ordinance
- Adoption of Engineering and Design Standards Manual
- Rental Registration Committee-Chapter 22, Article II Proposed Revisions
- Adoption of Falcon Place Zoning Ordinance
- Progression towards electronic permitting processes
- Ahern Rentals Certificate of Occupancy Issued
- Jess' Laundry Zoning Change
- Various Ordinance and Text Amendments

Department Goals for Fiscal Year 2020-2021 include:

- Update the Comprehensive Zoning Ordinance
 - Incorporate Use Tables into Code of Ordinances
- Implementation of GIS Technology
- Update permitting forms and procedures
- Develop a Hazard Mitigation Plan
- Provide training opportunities to City Staff and Elected/Appointed Officials
- Organization and culling of records
- Continue to update vague/antiquated Ordinances and incorporate new polices where needed:
 - Accessory Structure Ordinances
 - Refine Overlay Districts
 - Implementation of grading and drainage policies
 - Outside Storage
 - Various areas pertaining to Code Enforcement Requirements (parking surfaces, refuse containers, junked vehicles, etc.)

- Continual refinement and improvement of internal standard operating procedures
- Improvements to Flutterby Garden
- Work towards Tree City USA Designation:
 - Creation of a Tree Reforestation Fund
 - Update Tree Preservation Ordinance
 - Arbor Day
- Work towards Scenic City Designation

Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Personnel & Benefits			
Salaries-Full Time	147,993.99	150,989.00	194,396.80
Overtime	2,327.18	1,500.00	1,500.00
Certification Pay	-	-	-
Stipend/Auto Allowance	-		
Longevity	108.00	426.00	444.00
FICA/Medicare Tax	2,046.54	2,211.09	2,840.50
Unemployment Tax	61.70	648.00	810.00
Worker's Compensation	733.74	915.86	1,131.58
Group Health Insurance	22,366.32	29,498.40	39,214.20
Retirement/TMRS	19,377.71	22,873.35	29,384.52
Accrued Compensation			
Physicals & Evaluations	-		
Life Insurance			
Contract Labor	-		
Subtotal	195,015.18	209,061.70	269,721.60
Supplies			
Office Supplies	1,142.79	1,000.00	1,000.00
Operating Supplies	324.78	300.00	300.00
Postage & Shipping	1,407.22	1,000.00	1,200.00
Printing	378.75	5,500.00	5,400.00
Uniforms	275.36	500.00	400.00
Advertising	1,435.30	1,000.00	1,000.00
Travel & Training	979.47	2,545.00	2,590.00
Dues & Memberships	712.54	950.00	550.00
Vehicle Fuel	1,157.83	1,200.00	1,000.00
Office Equipment	50.83	400.00	2,000.00
Safety Equipment & Supplies	-	100.00	100.00
Flowers/Gifts/Plaques	-	100.00	100.00
Subscriptions & Publications	-	1,000.00	1,100.00
Telephone-Mobile	1,004.47	1,100.00	2,268.16
Keep Lake Dallas Beautiful	687.05	800.00	1,500.00
Subtotal	9,556.39	17,495.00	20,508.16
Contractual Services			
Engineering	(14,657.72)	15,000.00	12,000.00
Consultants & Professionals	18,827.19	-	13,000.00

Inspection Services	37,695.58	28,000.00	35,000.00
Health Inspections	4,480.00	3,500.00	4,700.00
Comprehensive Zoning Ordinance		40,000.00	
Property Abatements		5,000.00	5,500.00
Subtotal	46,345.05	91,500.00	70,200.00
Maintenance			
Vehicle Maintenance	659.14	600.00	900.00
Software Maintenance	1,479.00	2,500.00	4,705.25
Subtotal	2,138.14	3,100.00	5,605.25
Capital Outlay			
Capital Outlay-Information Technology	-	6,907.00	
Capital Outlay Property Abatements	6,018.00	-	
Capital Outlay-Comprehensive Plan	-		
Subtotal	6,018.00	6,907.00	-
Total Expenditures	259,072.76	328,063.70	366,035.01

Library

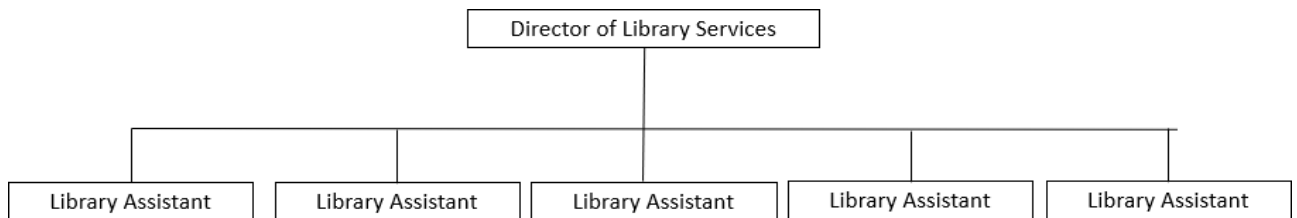
The Lake Dallas Public Library has served, in various capacities, the community of Lake Dallas and other surrounding towns since its beginnings in 1975. The mission of the Lake Dallas Public Library is to provide the communities of Lake Dallas and Shady Shores with technology resources, print and digital information, and programming that meets their educational and leisurely pursuits. Along with providing the technology and print/digital materials that the community needs and/or wants, the Lake Dallas Public Library provides a space for citizens and organizations to meet, share, and learn together, further enhancing the quality of life for residents of both Lake Dallas and Shady Shores.

Department Accomplishments for Fiscal Year 2019-2020 include:

- Developed new Staff training
- Purchase of 9 mobile hotspots
- Met new accreditation standards
- Reconfiguration of the building
- Expanded patronage
- Extend the library’s hours of service to meet the availability needs of the community
- New furniture, awarded by the Tocker Foundation, installed

Department Goals for Fiscal Year 2018-19 include:

- Expand the connectivity in the community
- Expand services outside the building
- Increase visibility to the community
- Expand social services
- Platform for civil discussion and education



Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Personnel			
Salaries-Full Time	99,855.08	64,628.00	103,043.20
Overtime	132.00		1,000.00
Salaries-Part Time	-	56,402.74	56,368.00
Longevity	72.00	144.00	216.00

FICA/Medicare Tax	3,956.47	1,774.66	2,325.96
Unemployment Tax	110.29	972.00	972.00
Worker's Compensation	365.41	673.15	882.26
Group Health Insurance	6,801.37	8,050.56	16,854.72
Retirement/TMRS	7,719.77	18,358.59	24,061.68
Physicals & Evaluations	61.00		
Life Insurance	-		
Subtotal	119,073.39	151,003.69	205,723.82
Supplies			
Office Supplies	948.09	1,000.00	1,000.00
Operating Supplies	847.88	1,000.00	1,000.00
Postage & Shipping	375.08	1,000.00	1,000.00
Printing	4,456.19	3,300.00	3,300.00
Uniforms	217.28	250.00	200.00
Advertising	782.18	2,000.00	2,500.00
Travel & Training	2,320.00	2,500.00	4,027.00
Dues & Memberships	5,719.30	5,000.00	5,000.00
Flowers/Gifts/Plaques	-	100.00	100.00
Library Books/Materials	13,932.21	20,000.00	20,000.00
Telephone-Mobile	472.44	540.00	540.00
Waste Management Annual Contribution	-		
Subtotal	30,070.65	36,690.00	38,667.00
Contractual Services			
Utilities	10,487.28	12,750.00	12,500.00
Security System	806.43	820.00	820.00
Platting Services	2,500.00	-	
Subtotal	13,793.71	13,570.00	13,320.00
Maintenance			
Facilities Maintenance	2,011.36	2,500.00	2,000.00
Software Maintenance	10,895.15	17,700.00	16,042.00
Subtotal	12,906.51	20,200.00	18,042.00
Capital Outlay			
Capital Outlay-Information Technology	18,738.43	-	0.00
Capital Outlay-Buildings/Facilities	7,200.00	16,000.00	9,000.00
Capital Outlay-WM Settlement	-		
Subtotal	25,938.43	16,000.00	9,000.00
Total Expenditures	201,782.69	237,463.69	284,752.82

Municipal Court

The mission of The Lake Dallas Municipal Court is to serve all citizens in a courteous, efficient and professional manner. Our service delivery provides case resolution through the judicial process, including enforcement. The court is dedicated to principles of fair and impartial justice administered with respect and equality. We are responsible for the prompt, accurate processing of Class C misdemeanor charges and collection of fines. Our pledge is to continue this commitment and offer courteous customer service to the citizens.

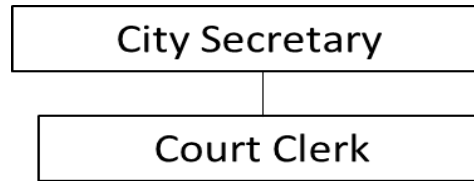
The Lake Dallas Municipal Court has jurisdiction over all fine-only offenses committed within the city limits of Lake Dallas. The offenses include animal services violations, code violations, and traffic offenses. The Municipal Court is responsible for collecting fines, holding trials, and processing defensive driving, deferred dispositions, payment plans, and warrants.

Department Accomplishments for Fiscal Year 2018-19 include:

- Continued warrant round-up on an annual/semiannual basis and possibly investigate an fta forgiveness program.
- Continued with the OMNI fta program.
- Completed the updated processes and procedures for a newly-revised court manual.
- Judge's outstanding orders have been revised, with the new procedures in place.
- All outstanding warrants have been audited.
- Sent out omni hold letters and pending warrant postcards to defendants with 2-year open citations.
- Organized with shred-it company for all old records and purged files to be shredded. A total of 67 boxes and 2 full bins of records were destroyed.

Department Goals for Fiscal Year 2019-20 include:

- Continue with the warrant forgiveness program.
- Continue to mail out OMNI notices to all defendants with OMNI holds.
- Purge all eligible 2014 cases out of court system.
- Update the Court System-Advanced Hosted MCRS-sql- requested in 2020 budget.
- Implement the truancy intervention program with the middle school. (Due to covid-19 the program stalled.)
- Work with the fire marshal to implement the fire codes and violations into the court system.
- Continue to be a liaison with the youth advisory council program.
- Implement a truancy prevention program.



Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Personnel			
Salaries-Full Time	57,971.85	53,040.00	57,241.60
Overtime	513.43	1,000.00	2,000.00
Certification Pay	853.96	600.08	600.08
Longevity	372.00		114.00
FICA/Medicare Tax	706.44	792.28	853.20
Unemployment Tax	41.14	324.00	324.00
Worker's Compensation	167.08	245.88	264.79
Group Health Insurance	8,497.39	13,492.20	13,869.00
Retirement/TMRS	5,713.61	8,196.01	8,826.25
Subtotal	74,836.90	77,690.45	84,092.92
Supplies			
Office Supplies	1,139.09	800.00	800.00
Postage & Shipping	1,391.99	1,000.00	1,000.00
Printing	1,085.45	700.00	700.00
Uniforms	76.23	100.00	100.00
Travel & Training	507.00	1,000.00	1,000.00
Dues & Memberships	115.00	140.00	140.00
Subtotal	4,314.76	3,740.00	3,740.00
Contractual Services			
Consultants & Professionals	130.00		
MVBA fees	20,881.57	22,000.00	15,000.00
Municipal Judge/Magistrate	14,400.00	14,400.00	14,400.00
Prosecutor	11,161.39	12,000.00	14,000.00
Jury Fee	186.68	500.00	500.00
Warrant Roundup	850.72	1,500.00	-
Subtotal	47,610.36	50,400.00	43,900.00
Capital Outlay			
Capital Outlay-Information Technology	-	1,300.00	-
Subtotal	-	1,300.00	-
Total Expenditures	126,762.02	133,130.45	131,732.92

Parks and Facilities

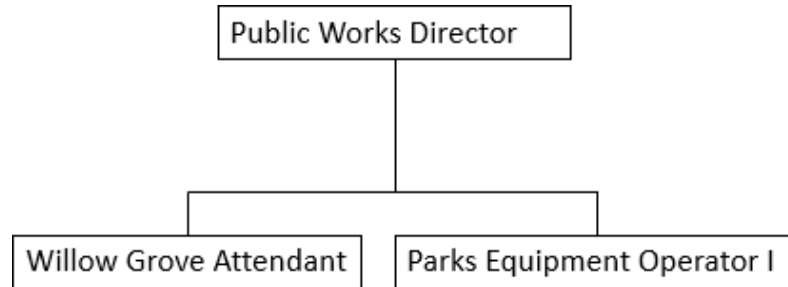
This department provides the maintenance and operations of the City's parks. A portion of the funding for parks maintenance comes from the CDC based on the time and equipment used to maintain the CDC improvements. The Park Improvement Special Revenue Fund also provides some funds for parks. Willow Grove Park maintenance and capital improvements are funded by the Willow Grove Park Special Revenue Fund.

Department Accomplishments for Fiscal Year 2019-2020 include:

- Updated kiosk and entry point into Willow Grove Park.
- Installed new solar lighting at Willow Grove Park.
- Made plans and arrangements for tree planting events at several parks.
- Repurposed stadium bleachers and picnic tables.
- Routine maintenance and cleaning of all parks and public restrooms.
- Narrowing down solutions to improve the boat launch, dock, and fishing pier to be less vulnerable to flooding.
- Pond maintenance at Thousand Oaks Park.
- Added new F-350 to the fleet trucks.

Department Goals for Fiscal Year 2019-20 include:

- Continue to work with Lake Cities Soccer Association towards making improvements to City Park fields.
- Expand mowing contract to include more mowing in Lake Dallas.
- Update the arrangement of Community Park and add a sidewalk trail.
- Add garbage receptacles at Thousand Oaks Park.
- Seal and stripe parking lots at Willow Grove Park and City Park.
- Add trees to City, Community, River Oaks, and Willow Grove Parks.
- Install concrete pads for picnic tables and benches at Thousand Oaks and Willow Grove Parks.
- Add to the walking trail around City Park.
- Work on development of an updated Parks Master Plan.
- Update and fulfill the needs listed in the 5-year Parks CIP.



Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Personnel			
Salaries-Full Time	45,237.18	31,074.67	32,094.40
Salaries-Part Time	-		
Overtime	3,535.83	2,500.00	2,500.00
Certification Pay	300.04	-	-
Longevity	258.00	-	108.00
FICA/Medicare Tax	1,186.25	450.58	465.37
Unemployment Tax	46.62	162.00	162.00
Worker's Compensation	3,673.05	1,308.24	1,351.17
Group Health Insurance	6,343.26	8,069.52	8,446.32
Retirement/TMRS	5,309.71	4,661.20	4,814.16
Physicals & Evaluations	-		
Life Insurance	-		
Subtotal	65,889.94	48,226.21	49,941.42
Supplies			
Office Supplies	15.96	50.00	50.00
Operating Supplies	590.08	800.00	800.00
Uniforms	788.73	500.00	500.00
Travel & Training	-	200.00	200.00
Dues and Memberships			974.25
Vehicle Fuel	1,267.26	2,500.00	2,500.00
Equipment-Field	706.04	1,000.00	1,000.00
Safety Equipment & Supplies	142.12	250.00	250.00
Flowers/Gifts/Plaques	81.30	50.00	50.00
Telephone-Mobile	192.40	200.00	186.94
Subtotal	3,783.89	5,550.00	6,511.19
Contractual Services			
Consultants and Professionals			42,000.00
Platting Services	7,500.00		
Mowing Contract	5,953.96	15,000.00	15,000.00
Subtotal	13,453.96	15,000.00	57,000.00

Maintenance			
Vehicle Maintenance	876.65	100.00	200.00
Equipment Maintenance	1,974.13	1,500.00	1,500.00
Park Maintenance	339.43	5,000.00	5,000.00
subtotal	3,190.21	6,600.00	6,700.00
Capital Outlay			
Capital Outlay Vehicles		55,000.00	-
Capital Outlay-WM Settlement	-		
Capital Outlay-Heavy Equipment			10,300.00
Subtotal	-	55,000.00	10,300.00
Debt Service			
Loan Principal			9,462.68
Loan Interest			1,774.38
Subtotal	-	-	11,237.06
Transfers			
Transfer to Special Revenue Fund	-		
Transfer to Debt Service Fund	-		
Subtotal	-	-	-
Total Expenditures	86,318.00	130,376.21	141,689.67

Police

The Police Department is responsible for protecting the citizens and visitors to Lake Dallas from the violent acts of others and protecting their property. This mission is accomplished through several strategies that include the prevention of crime whenever possible, the investigation of crime that has occurred, and the arrest of suspects including the preparation of case files to assist in the prosecution of the offender. The police department further protects citizens through the enforcement of traffic laws and city ordinances that affect the general welfare of the community. It is also responsible for educating the public on matters concerning public safety and for training police officers in the most current trends and practices to better serve the citizens. The Police Department is committed to a robust community engagement program to support the community policing model put into place in January of 2017.

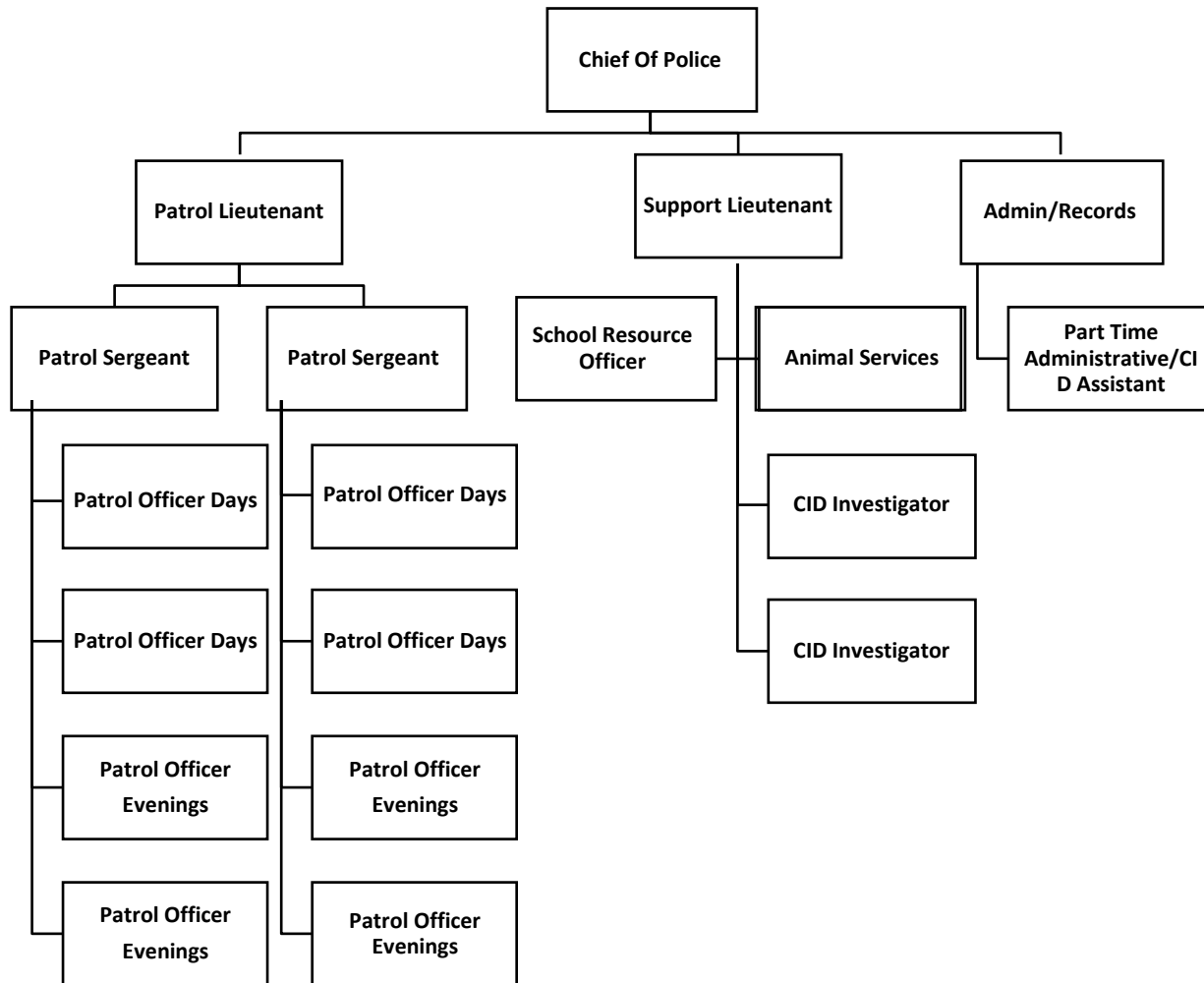
Department Accomplishments for Fiscal Year 2019-20 include:

- Continued to update old Policies and Procedures to Best Practices
 - 30 New General Orders
 - Civil Disturbances
 - Crisis Intervention
 - Special Events
 - Warrantless Searches
 - Planned Warrant Service
 - Basic Training
 - Juvenile Policy
 - Opioid Overdose
 - Records Management
- Implemented new training for defensive tactics, baton, and OC spray
- Successfully applied for and received VAWA funding for year two continuation.
- Implemented new VAWA training.
 - New Training Including
 - Domestic Violence
 - Sexual Assault Reporting
 - Strangulation
- Completed property and evidence destruction/disposal protocols
- Continuation of Kids n' Cops program and sought funding opportunities
- Expanded Department Taught In-Service Training
 - CJIS/TLETS updates
 - Firearms training
 - Body camera training
 - Defensive tactics training
 - Field Training Officer course
 - Taser certification and re-certification
 - FEMA (NIMS/ICS) training
 - Reality based training
 - Situation simulation training
 - Violence against women training

- Successes – Crime Control
 - Police Department clearance rate of reported offenses (183) in 2017 – 12.57%
 - Police Department clearance rate of reported offenses (238*) in 2018 – 37.82%
 - Police Department clearance rate of reported offenses (200*) in 2019 – 51%
- The Lake Dallas Police Department Criminal Investigations Division (CID) received 469 cases for investigation in 2019, compared to 556 in 2018.
 - Assault Offenses
 - 70 reported assault offenses in 2017, with 17 cleared by the department.
 - 126 reported assault offenses in 2018, with 42 of them cleared by the police department.
 - 76 reported assault offenses in 2019, with 43 cleared by the department.
- Interlocal Cooperation-2019 ILA
 - New Interlocal Agreement with Corinth Police Department and Hickory Creek Police Department

Department Goals for Fiscal Year 2020-21 include:

- Continue to improve relationships with the community through the department’s outreach efforts.
- Examine completed policy manual and make changes, as necessary, and implement training on new policies.
- Implement new training in use of force and de-escalation.
- Focus on officer health and wellness through department efforts.
- Implement new VAWA training.
- Implement an annual report.
- Continuation of Kids n’ Cops program and seek funding opportunities.



Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Personnel			
Salaries-Full Time	874,146.91	954,013.60	1,065,195.04
Salaries-Part Time			16,640.00
Overtime	25,157.06	30,000.00	40,000.00
Certification Pay	6,012.28	6,000.80	6,000.80
Longevity	6,234.00	4,854.00	5,832.00
FICA/Medicare Tax	12,964.06	14,370.86	15,773.62
Unemployment Tax	90.33	2,754.00	2,754.00
Worker's Compensation	26,420.05	43,427.61	47,600.54
Group Health Insurance	146,077.60	147,406.44	141,136.08
Retirement/TMRS	116,390.65	148,664.09	163,175.38
Accrued Compensation	-		
Physicals & Evaluations	2,142.00	2,325.00	2,266.25
Life Insurance	-		
Psychological Services	-	-	1,000.00
Bailiff Fees	1,650.00	-	

Subtotal	1,217,284.94	1,353,816.41	1,507,373.71
Supplies			
Office Supplies	3,661.16	4,000.00	4,000.00
Operating Supplies	5,160.26	6,000.00	6,000.00
Postage & Shipping	447.17	200.00	200.00
Printing	2,368.41	3,600.00	4,381.00
Uniforms	9,237.30	11,125.00	9,800.00
Advertising	-	800.00	900.00
Travel & Training	2,612.44	7,500.00	11,550.00
Dues & Memberships	13,511.00	16,415.00	12,630.00
Vehicle Fuel	19,597.62	21,000.00	21,000.00
Office Equipment	694.63	700.00	1,000.00
Safety Equipment & Supplies	15,253.15	9,358.00	7,750.00
Flowers/Gifts/Plaques	849.90	1,000.00	1,000.00
Subscriptions & Publications	4,443.00	5,474.00	5,501.88
Telephone-Mobile	9,899.88	12,320.00	10,275.00
Emergency Response Supplies	2,206.88	2,000.00	2,000.00
Subtotal	89,942.80	101,492.00	97,987.88
Contractual Services			
Utilities	4,980.00	4,980.00	4,980.00
Legal Services	2,668.41	6,500.00	3,500.00
Communications	31,771.00	51,619.00	47,348.00
Consultants & Professionals	15,026.15	7,250.00	13,365.00
Jail Services	250.00	1,500.00	1,500.00
SANE Exams	2,624.24	2,500.00	-
Subtotal	57,319.80	74,349.00	70,693.00
Maintenance			
Facilities Maintenance	1,757.61	1,600.00	1,600.00
Vehicle Maintenance	34,016.51	18,175.00	20,599.20
Equipment Maintenance	6,774.40	7,342.00	13,655.00
Software Maintenance	32,975.66	35,892.00	36,000.00
Property Loss	-	500.00	500.00
Subtotal	75,524.18	63,509.00	72,354.20
Capital Outlay			
Capital Outlay-Vehicles	53,108.86	43,000.00	45,900.00
Capital Outlay-Information Tech	-	7,800.00	8,983.00
Capital Outlay-Heavy Equipment	-	4,532.00	
Capital Outlay-Buildings/Facilities	-	11,705.00	-
Capital Outlay-WM Settlement	-		
Capital Outlay-CRIMES			
Capital Outlay-Body Cams	5,851.00	-	-
Capital Outlay-Other			-
Capital Outlay-Weather Sirens		11,500.00	-
Subtotal	58,959.86	78,537.00	54,883.00

Debt Service			
Loan Principal	50,709.75	96,382.00	76,970.46
Loan Interest	8,707.38	7,752.39	6,451.18
Subtotal	59,417.13	104,134.39	83,421.64
Transfers			
Transfer to Special Revenue Fund	-	5,000.00	19,821.00
Subtotal	-	5,000.00	19,821.00
Total Expenditures	1,558,448.71	1,780,837.80	1,906,534.43

Public Works: Streets & Drainage

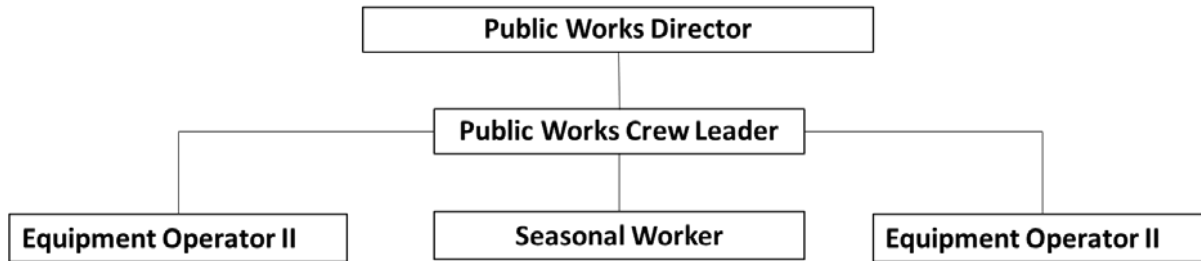
Public Works provides the maintenance of the City’s roads and rights-of-way, storm drainage system, and City buildings and properties. Street lighting is also funded through this department. The department also maintains the public works yard.

Department Accomplishments for Fiscal Year 2019-2020 include:

- Replaced shelving, furniture, and flooring in the Library
- Replaced flooring on PD side at City Hall
- Investigated and repaired roof leaks at the Library and City Hall
- Replacing new AC Units for City Hall, Library and Animal Shelter
- Exterior beautification of all City Facilities

Department Goals for Fiscal Year 2020-2021 include:

- To conduct crack-sealing preventative maintenance and address drainage issues and street failures
- Addition of a full-time employee to assist with administrative work
- Continue to work on development of Stormwater Utility Fee
- Implement a certification program and continue technical skill and safety training for employees
- Continue to implement fleet replacement plan
- Conduct a city-wide pavement condition index to rate street conditions



Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Personnel			
Salaries-Full Time	158,067.48	195,574.93	215,342.40
Overtime	3,489.68	3,500.00	3,500.00
Certification Pay			300.04
Longevity	906.00	1,044.00	1,152.00
FICA/Medicare Tax	2,405.90	2,850.98	3,177.57
Unemployment Tax	92.89	972.00	972.00
Worker's Compensation	12,129.86	20,502.16	22,876.06
Group Health Insurance	36,316.01	41,548.20	43,055.40
Retirement/TMRS	20,479.90	29,492.94	32,871.37

Accrued Compensation	-		
Physicals & Evaluations	60.00		
Life Insurance	-		
Contract Labor	-		
Subtotal	233,947.72	295,485.22	323,246.83
Supplies			
Office Supplies	278.68	300.00	300.00
Operating Supplies	1,108.10	1,500.00	1,500.00
Printing	-	-	-
Uniforms	1,091.62	1,200.00	1,200.00
Advertising	-		-
Travel & Training	328.68	2,000.00	2,000.00
Dues and Membership	-	390.00	1,624.25
Vehicle Fuel	8,042.55	6,500.00	6,500.00
Equipment-Field	1,363.69	1,500.00	1,500.00
Safety Equipment & Supplies	242.39	2,000.00	2,000.00
Telephone-Mobile	1,524.99	1,850.00	2,156.68
Subtotal	13,980.70	17,240.00	18,780.93
Contractual Services			
Utilities	3,101.29	3,500.00	3,500.00
Street Lighting	53,992.96	51,500.00	51,500.00
Engineering	3,593.25	10,000.00	10,000.00
Rentals	1,799.23	5,000.00	5,000.00
Consultants & Professionals	-	-	-
Stormwater Utility Fee Study	-	-	25,000.00
MS4	14,403.97	5,000.00	5,000.00
Traffic Signal Maintenance	-	4,149.76	4,194.96
Subtotal	76,890.70	79,149.76	104,194.96
Maintenance			
Facilities Maintenance	299.19	400.00	400.00
Vehicle Maintenance	2,323.00	2,500.00	2,500.00
Equipment Maintenance	4,753.27	7,000.00	7,000.00
IT Maintenance	1,803.00	1,500.00	1,500.00
Tree Maintenance	3,785.00	5,000.00	5,000.00
Sign Maintenance	5,621.45	6,000.00	6,000.00
Drainage Maintenance	13,678.51	20,000.00	20,000.00
Subtotal	32,263.42	42,400.00	42,400.00
Capital Outlay			
Capital Outlay-Vehicles	31,489.68	-	35,000.00
Capital Outlay-Information Technology	1,454.95	-	
Capital Outlay-Heavy Equipment	-		-
Capital Outlay-Buildings/Facilities	1,658.67	-	
Subtotal	34,603.30	-	35,000.00
Debt Service			
Loan Principal	8,301.00	15,346.68	15,892.27

Loan Interest	698.90	2,369.76	1,824.17
Subtotal	8,999.90	17,716.44	17,716.44
Total Expenditures	400,685.74	451,991.42	541,339.16

Tourism

The Tourism Department oversees the promotion of tourism and the City’s special events. The department serves to promote a positive image for the City and works with the community in promoting Lake Dallas and instilling community pride.

Description	FY18/19	FY19-20	FY20-21
	Actuals	Budget	Proposed
Supplies			
Advertising	0.00	0.00	0.00
Community Events	8,154.31	5,500.00	5,000.00
Subtotal	8,154.31	5,500.00	5,000.00
Contractual Services			
Fireworks	25,000.00	25,000.00	22,000.00
Subtotal	25,000.00	25,000.00	22,000.00
Total Expenditures	33,154.31	30,500.00	27,000.00

DEBT SERVICE FUND

The City of Lake Dallas uses a combination of debt and a pay-as-you-go approach to financing major projects. Examples include street construction, building construction, and park improvements. In order to continue to provide routine services in the operating budget such as police, fire and public works, a portion of these projects are funded by selling bonds. When bonds are sold, the city receives money from the sale which it uses to fund the project. The city must then make regular payments to pay off the principal and interest on the bond.

The Debt Service Fund provides for principal and interest payments for the City's General Obligation bonds. Revenues and expenditures will vary each year in relation to the timing of issuance and the schedule of repayments. Resources include an applicable portion of the Ad Valorem Tax levy and related income, and transfers from the Community Development Corporation for any debt commitments they have made.

For FY 2020-21 debt service is budgeted at \$693,680.98, which includes a \$240,028 transfer from the Lake Dallas Community Development Corporation.

DEBT SERVICE FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Property Taxes-Current	432,918.25	431,207.84	444,753.00
Property Taxes-Delinquent	5,545.13	6,000.00	2,000.00
Property Taxes-P & I	2,793.42	3,000.00	900.00
Interest Income - I&S	10,099.17	7,500.00	6,000.00
Bond Proceeds	725,000.00		
CDC Debt Payment Reimbursement	201,131.00	235,825.03	240,027.98
Total Revenues	1,377,486.97	683,532.87	693,680.98
Expenditures			
Debt Issue Costs	26,617.91	-	
Paying Agent Fees	1,500.00	-	
Payments to Escrow Agent	692,776.10		
2019 Go Refunding Series Principle	55,000.00	65,000.00	70,000.00
2019 Go Refunding Series Interest	31,710.96	15,204.28	12,276.00
2008 Street GO Bonds Principal	50,000.00	55,000.00	55,000.00
2008 Street Bonds Interest	25,868.11	23,786.00	21,471.00
2012 Refunding Bonds Principal	145,000.00	150,000.00	150,000.00
2012 Refunding Bonds Interest	8,021.28	5,847.28	3,598.32
2018 CO Bonds Principal (CDC New)	145,000.00	41,976.67	150,000.00
2018 CO Bonds Interest (CDC New)	38,637.52		30,489.00
2018 GO Refunding Series Principal		145,000.00	15,000.00
2018 GO Refunding Series Interest		34,563.00	29,400.00
2019 GF CO Series Principal		100,000.00	120,000.00
2019 GF Co Series Interest		42,592.81	27,550.00
Total Expenditures	1,220,131.88	678,970.04	684,784.32
Net Change in Fund Balance	157,355.09	4,562.83	8,896.66
Fund Balance, Beginning	160,576.57	317,931.66	340,690.58
Fund Balance, Ending	317,931.66	322,494.49	349,587.24

**All Outstanding General Obligation Debt
For Fiscal Year 2020-2021**

Period Ending	Principal	Interest	Total Debt
2/1/2021		62,392	62,392
8/1/2021	560,000	62,392	622,392
9/30/2021	5360,00	124,784	684,784
2/1/2022		55,896	55,896
8/1/2022	560,000	55,896	615,896
9/30/2022	560,000	111,792	671,792
2/1/2023		49,084	49,084
8/1/2023	500,000	49,084	549,084
9/30/2023	500,000	98,168	598,168
2/1/2024		42,295	42,295
8/1/2024	515,000	42,295	557,295
9/30/2024	515,000	84,589	599,589
2/1/2025		35,282	35,282
8/1/2025	535,000	35,282	570,282
9/30/2025	535,000	70,565	605,565
2/1/2026		28,001	28,001
8/1/2026	545,000	28,001	573,001
9/30/2026	545,000	56,001	601,001
2/1/2027		20,543	20,543
8/1/2027	505,000	20,543	525,543
9/30/2027	505,000	41,087	546,087
2/1/2028		13,150	13,150
8/1/2028	525,000	13,150	538,150
9/30/2028	525,000	26,299	551,299
2/1/2029		5,452	5,452
8/1/2029	400,000	5,452	405,452
9/30/2029	400,000	10,903	410,903
TOTAL	4,645,000	624,187	5,269,187

City of Lake Dallas
\$1,000,000 General Obligation Bonds
Series 2008

Period Ending	Principal	Interest	Total Debt
2/1/2021		10,736	10,736
8/1/2021	55,000	10,736	65,736
9/30/2021	55,000	21,471	76,471
2/1/2022		9,578	9,578
8/1/2022	55,000	9,578	64,578
9/30/2022	55,000	19,156	74,156
2/1/2023		8,420	8,420
8/1/2023	60,000	8,420	68,420
9/30/2023	60,000	16,840	76,840
2/1/2024		7,157	7,157
8/1/2024	60,000	7,157	67,157
9/30/2024	60,000	14,314	74,314
2/1/2025		5,894	5,894
8/1/2025	65,000	5,894	70,894
9/30/2025	65,000	11,788	76,788
2/1/2026		4,526	4,526
8/1/2026	70,000	4,526	74,526
9/30/2026	70,000	9,052	79,052
2/1/2027		3,052	3,052
8/1/2027	70,000	3,052	73,052
9/30/2027	70,000	6,105	76,105
2/1/2028		1,579	1,579
8/1/2028	75,000	1,579	76,579
9/30/2028	75,000	3,158	78,158
TOTAL	510,000	101,882	611,882
I&S pays 100%			

City of Lake Dallas
\$895,000 General Obligation Refunding Bonds
Series 2012

Period Ending	Principal	Interest	Total Debt
2/1/2021		1,799	1,799
8/1/2021	150,000	1,799	151,799
9/30/2021	150,000	3,598	153,598
2/1/2022		675	675
8/1/2022	90,000	675	90,675
9/30/2022	90,000	1,349	91,349
TOTAL	240,000	4,948	244,948
CDC pays 28.75%			
I&S pays 71.25%			

City of Lake Dallas
\$1,400,000 General Obligation Refunding Bonds
Series 2018

Period Ending	Principal	Interest	Total Debt
2/1/2021		15,244	15,244
8/1/2021	150,000	15,244	165,244
9/30/2021	150,000	30,489	180,489
2/1/2022		13,137	13,137
8/1/2022	155,000	13,137	168,137
9/30/2022	155,000	26,274	181,274
2/1/2023		10,959	10,959
8/1/2023	160,000	10,959	170,959
9/30/2023	160,000	21,918	181,918
2/1/2024		8,711	8,711
8/1/2024	165,000	8,711	173,711
9/30/2024	165,000	17,422	182,422
2/1/2025		6,393	6,393
8/1/2025	170,000	6,393	176,393
9/30/2025	170,000	12,786	182,786
2/1/2026		4,004	4,004
8/1/2026	175,000	4,004	179,004
9/30/2026	175,000	8,009	183,009
2/1/2027		1,546	1,546
8/1/2027	55,000	1,546	56,546
9/30/2027	55,000	3,091	58,091
2/1/2028		773	773
8/1/2028	55,000	773	55,773
9/30/2028	55,000	1,546	56,546
TOTAL	1,085,000	121,533	1,206,533
I&S pays 61.6636%			
CDC pays 38.3364%			

City of Lake Dallas
\$1,160,000 Combination Tax & Revenue Certificates of Obligation
Refunding 2019

Period Ending	Principal	Interest	Total Debt
2/1/2021		6,138	6,138
8/1/2021	70,000	6,138	76,138
9/30/2021	70,000	12,276	82,276
2/1/2022		5,487	5,487
8/1/2022	65,000	5,487	70,487
9/30/2022	65,000	10,974	75,974
2/1/2023		4,883	4,883
8/1/2023	70,000	4,883	74,883
9/30/2023	70,000	9,765	79,765
2/1/2024		4,232	4,232
8/1/2024	70,000	4,232	74,232
9/30/2024	70,000	8,463	78,463
2/1/2025		3,581	3,581
8/1/2025	75,000	3,581	78,581
9/30/2025	75,000	7,161	82,161
2/1/2026		2,883	2,883
8/1/2026	75,000	2,883	77,883
9/30/2026	75,000	5,766	80,766
2/1/2027		2,186	2,186
8/1/2027	75,000	2,186	77,186
9/30/2027	75,000	4,371	79,371
2/1/2028		1,488	1,488
8/1/2028	80,000	1,488	81,488
9/30/2028	80,000	2,976	82,976
2/1/2029		744	744
8/1/2029	80,000	744	80,744
9/30/2029	80,000	1,488	81,488
TOTAL	660,000	63,240	723,240
CDC pays 100%			

City of Lake Dallas
\$700,000 Sales Tax Revenue Bonds
Series 2019

Period Ending	Principal	Interest	Total Debt
2/1/2021		14,700	14,700
8/1/2021	15,000	14,700	29,700
9/30/2021	15,000	29,400	44,400
2/1/2022		14,385	14,385
8/1/2022	30,000	14,385	44,385
9/30/2022	30,000	28,770	58,770
2/1/2023		13,755	13,755
8/1/2023	55,000	13,755	68,755
9/30/2023	55,000	27,510	82,510
2/1/2024		12,600	12,600
8/1/2024	60,000	12,600	72,600
9/30/2024	60,000	25,200	85,200
2/1/2025		11,340	11,340
8/1/2025	60,000	11,340	71,340
9/30/2025	60,000	22,680	82,680
2/1/2026		10,080	10,080
8/1/2026	60,000	10,080	70,080
9/30/2026	60,000	20,160	80,160
2/1/2027		8,820	8,820
8/1/2027	135,000	8,820	143,820
9/30/2027	135,000	17,640	152,640
2/1/2028		5,985	5,985
8/1/2028	140,000	5,985	145,985
9/30/2028	140,000	11,970	151,970
2/1/2029		3,045	3,045
8/1/2029	145,000	3,045	148,045
9/30/2029	145,000	6,090	151,090
TOTAL	700,000	189,420	889,420
CDC pays 100%			

City of Lake Dallas
\$2,045,000 Certification of Obligation Bonds
Series 2019

Period Ending	Principal	Interest	Total Debt
2/1/2021		13,775	13,775
8/1/2021	120,000	13,775	133,775
9/30/2021	120,000	27,550	147,550
2/1/2022		12,635	12,635
8/1/2022	165,000	12,635	177,635
9/30/2022	165,000	25,270	190,270
2/1/2023		11,068	11,068
8/1/2023	155,000	11,068	166,068
9/30/2023	155,000	22,135	177,135
2/1/2024		9,595	9,595
8/1/2024	160,000	9,595	169,595
9/30/2024	160,000	19,190	179,190
2/1/2025		8,075	8,075
8/1/2025	165,000	8,075	173,075
9/30/2025	165,000	16,150	181,150
2/1/2026		6,508	6,508
8/1/2026	165,000	6,508	171,508
9/30/2026	165,000	13,015	178,015
2/1/2027		4,940	4,940
8/1/2027	170,000	4,940	174,940
9/30/2027	170,000	9,880	179,880
2/1/2028		3,325	3,325
8/1/2028	175,000	3,325	178,325
9/30/2028	175,000	6,650	181,650
2/1/2029		1,663	1,663
8/1/2029	175,000	1,663	176,663
9/30/2029	175,000	3,325	178,325
TOTAL	1,450,000	143,165	1,593,165
I&S pays 100%			

SPECIAL REVENUE FUNDS

Animal Rescue Special Revenue Fund

General

The Animal Rescue Special Revenue Fund is dedicated and may only be spent on animal rescue related expenses by the Lake Dallas Animal Services. This fund accounts for all applicable revenue and related expenditures.

Policy

The Animal Rescue Special Revenue Fund will account for monies received by donations and expended on animal rescue related services.

Condition

Presently, the Animal Rescue Special Revenue Fund revenues and expenditures are recorded in a dedicated fund independent of the City’s general fund. Related expenditure activities are used solely for animal rescue by the Lake Dallas Animal Services.

Recommendation

The projected revenue for FY 2020-2021 is based solely on donations and is estimated at \$18,100. Authorized expenditures are \$21,000 to fund veterinary bills, medical supplies, and other animal rescue needs.

ANIMAL RESCUE FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Interest Income - Special Revenue DFS	146	100	100
Donations Animal Rescue	20,297	21,000	18,000
Total Revenues	20,442	21,100	18,100
Contractual Services			
Animal Rescue Expenses	17,244	21,000	21,000
Transfer to General Fund	-	-	-
Total Expenditures	17,244	21,000	21,000
Net Change in Fund Balance	3,198	100	(2,900)
Fund Balance, Beginning	4,382	7,580	9,560
Fund Balance, Ending	7,580	7,680	6,660

Child Safety Special Revenue Fund

General

The Child Safety Special Revenue Fund is dedicated and may only be spent on certain, statutorily defined purposes. This fund accounts for all applicable revenue and related expenditures.

Policy

The Child Safety Special Revenue Fund is funded by a fee amount of \$25.00 that applies to all Rules of the Road offenses that occur in a school crossing zone; passing a school bus; failure to attend school; parent contributing to non-attendance; and some city ordinance parking violations. The funds can be used for a school crossing guard program if one exists; for programs designed to enhance child safety, health or nutrition; child abuse prevention/intervention; drug and alcohol abuse prevention; or programs designed to enhance public safety and security.

Condition

Presently, the Child Safety Fund revenues are recorded in a dedicated fund independent of the City's General Fund.

Recommendation

The projected revenue for FY 2020-2021 is \$8,250, which is based on historical numbers and are dependent on the amount of applicable offenses in the fiscal year. Authorized expenditures are \$5,000.

CHILD SAFETY FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Municipal Court Child Safety Fees	13,646	8,000	8,000
Interest Income - Special Revenue DFS	557	400	250
Total Revenues	14,203	8,400	8,250
Contractual Services			
Mun Ct Child Safety Program	6,895	8,000	5,000
Transfer to Kids n' Cops Fund	5,000		
Transfer to General Fund	-	-	-
Total Expenditures	11,895	8,000	5,000
Net Change in Fund Balance	2,308	400	3,250
Fund Balance, Beginning	14,030	16,338	23,600
Fund Balance, Ending	16,338	16,738	26,850

Court Security Special Revenue Fund

General

The Court Security Special Revenue Fund is dedicated and may only be spent on certain, statutorily defined purposes. This fund accounts for all applicable revenue and related expenditures.

Policy

The Court Security Special Revenue Fund is funded by a \$3.00 fee by any defendant convicted of a misdemeanor offense in the city’s municipal court. The funds can be used for statutorily-defined purposes including: the purchase or repair of X-ray machines and conveying systems; handheld metal detectors; walkthrough metal detectors; identification cards and systems; electronic locking and surveillance equipment; Bailiffs, Deputy Sheriffs, Deputy Constables, or contract security personnel during times when they are providing appropriate security services; signage; confiscated weapon inventory and tracking systems; locks, chains, alarms, or similar security devices; the purchase or repair of bullet-proof glass; and continuing education on security issues for court personnel and security personnel.

Condition

Presently, the Court Security Fund revenues are recorded in a dedicated fund independent of the City’s General Fund.

Recommendation

The projected revenue for FY 2020-2021 is \$4,950, which is based on historical numbers and are dependent on the amount of applicable offenses in the fiscal year. Authorized expenditures are \$13,000 for bailiff costs and security enhancement to court entry points.

COURT SECURITY FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Municipal Court Security Fees	7,009	5,500	3,500
Local Municipal Court Bldg Security			1,000
Interest Income - Special Revenue DFS	1,104	750	450
Transfer In	-	-	
Total Revenue	8,113	6,250	4,950
Supplies			
Bailiff	600	3,000	3,000
Office Expenses	-	20,000	10,000
Capital Outlay-Building/ Facilities	4,906	-	
Total Expenditures	5,506	23,000	13,000
Net Change in Fund Balance	2,607	(16,750)	(8,050)
Fund Balance, Beginning	42,748	45,355	48,155
Fund Balance, Ending	45,355	28,605	40,105

Court Technology Special Revenue Fund

General

The Court Technology Special Revenue Fund is dedicated and may only be spent on certain, statutorily defined purposes. This fund accounts for all applicable revenue and related expenditures.

Policy

The Court Technology Special Revenue Fund is funded by a \$4.00 fee by any defendant convicted of a misdemeanor offense in the city’s municipal court. The funds can be used for statutorily defined purposes including computer systems; computer networks; computer hardware; computer software; imaging systems; electronic kiosks; electronic ticket writers; and docket management systems.

Condition

Presently, the Court Technology Fund revenues are recorded in a dedicated fund independent of the City’s General Fund.

Recommendation

The projected revenue for FY 2020-2021 is \$5,310, which is based on historical numbers and are dependent on the amount of applicable offenses in the fiscal year. Authorized expenditures are \$12,000 for court technology initiatives.

COURT TECHNOLOGY FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Municipal Court Technology Fees	9,377	6,500	5,000
Local Municipal Court Technology			60
Interest Income - Special Revenue DFS	534	400	250
Total Revenues	9,911	6,900	5,310
Contractual Services			
Information Technology	18,444	11,000	12,000
Transfer to General Fund	-	-	-
Total Expenditures	18,444	11,000	12,000
Net Change in Fund Balance	(8,533)	(4,100)	(6,690)
Fund Balance, Beginning	24,806	16,273	11,991
Fund Balance, Ending	16,273	12,173	5,301

Asset Forfeiture Special Revenue Fund

General

The Asset Forfeiture Special Revenue Fund is dedicated and may only be spent on certain, statutorily-defined purposes according to Chapter 59 of the Texas Code of Criminal Procedure. The City will create an Asset Forfeiture Special Revenue Fund to account for revenue and related expenditures.

Policy

The Asset Forfeiture Special Revenue Fund will account only for asset forfeitures related to police seizures and related eligible expenditures.

Condition

Presently, the Asset Forfeiture Special Revenue Fund revenues and expenditures are recorded in a dedicated fund independent of the City’s general fund. Related expenditure activities are used solely for law enforcement purposes.

Recommendation

Revenue projections for FY 2020-2021 are not recorded because asset forfeiture is unpredictable based on seizures of property used in the commission of crimes and/or proceeds of criminal activity. Authorize \$5,000.00 from this account to purchase equipment and training used for the safety of the public and the safety of the police officers.

DRUG SEIZURE FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Seizure Revenue	-	-	
Forfeiture Revenue	7,118		
Interest Income - Special Revenue DFS	265	250	
Transfer from General Fund	(6,534)	-	
Total Revenues	848	250	-
Contractual Services			
Pub Saf Seizure Program	4,669	9,000	5,000
Total Expenditures	4,669	9,000	5,000
Net Change in Fund Balance	(3,821)	(8,750)	(5,000)
Fund Balance, Beginning	9,416	5,595	894
Fund Balance, Ending	5,595	(3,155)	(4,106)

Hotel Occupancy Tax Special Revenue Fund

General

The Hotel Occupancy Tax (HOT) is levied on the cost of use of a hotel room and is equal to seven percent of the price of the room. State law specifies that hotel occupancy taxes must be used on programs that enhance and promote tourism. State law allows up to 15% of revenues to be spent on the arts and up to 50% on historic preservation. Hotel Occupancy Taxes are dedicated and may only be spent for these statutorily defined purposes. This fund accounts for all applicable revenue and related expenditures of Hotel Occupancy Taxes.

Policy

The Hotel Occupancy Tax Fund will account only for HOT revenue and related eligible expenditures.

Condition

Presently, the hotel occupancy tax revenue and expenditures are recorded in a dedicated fund independently of the City’s General Fund. There two events that are financed through the HOT Fund, Mardi Gras, and Fourth of July.

The City presently has one hotel and one retreat-based rental facility that contribute to this fund.

Recommendation

The projected revenue for FY 2020-2021 is \$40,400, which is based on historical numbers and are dependent on the amount of revenue collected. Authorized expenditures are \$37,708 for special event expenditures for the Mardi Gras and Fourth of July events, except for the expenditures for fireworks display.

HOTEL OCCUPANCY TAX FUND	Actual FY18-19	Budget FY19/20	Proposed FY20/21
Revenues			
Hotel Occupancy Tax	32,321	65,000	40,000
Interest Income - Special Revenue DFS	770	750	400
Transfer from Gen Fd	-	-	-
Total Revenues	33,091	65,750	40,400
Personnel			
Contract Labor	4,675	10,000	4,850
Supplies			
Office Supplies	-	-	-
Printing	8	500	500
Advertising	470	2,000	2,000
Dues & Memberships	349	700	358
Telephone-Mobile	-	-	-
Community Events	28,391	30,000	30,000
Contractual Services			
Consultants & Professionals	-	-	-
Total Expenditures	33,893	43,200	37,708
Net Change in Fund Balance	(802)	22,550	2,692
Fund Balance, Beginning	71,569	70,766	62,033
Fund Balance, Ending	\$ 70,766	\$ 93,316	\$ 64,725

Juvenile Case Manager Special Revenue Fund

General

The Juvenile Case Manager Special Revenue Fund is dedicated and may only be spent on certain, statutorily defined purposes. This fund accounts for all applicable revenue and related expenditures.

Policy

The Juvenile Case Manager Special Revenue Fund is funded by a \$5.00 fee by any defendant convicted of a misdemeanor offense in the city's municipal court. The funds can be used for statutorily defined purposes including to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses of the juvenile case manager; and to implement programs directly related to the juvenile case management.

Condition

Presently, the Court Technology Fund revenues are recorded in a dedicated fund independent of the City's General Fund.

Recommendation

The projected revenue for FY 2020-2021 is \$3,400, which is based on historical numbers and are dependent on the amount of applicable offenses in the fiscal year. Authorized expenditures are \$30,000 to partner with the Counseling Center of Denton to create a diversion programs in lieu of the formal processing of youth in the juvenile delinquency system. The purpose of diversion programs is to redirect Juvenile offenders from the justice system. This also contains budgeted funds for a proposed truancy program.

JUVENILE CASE MANAGEMENT FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Juvenile Case Mgt Fees	344	-	100
Local Truancy Prevention & Diversion Fund			1,500
Interest Income - Special Revenue DFS	3,753	100	1,800
Total Revenues	4,096	100	3,400
Contractual Services			
Mun Ct JCM Program	539	20,000	20,000
Transfer to General Fund	-	10,000	10,000
Total Expenditures	539	30,000	30,000
Net Change in Fund Balance	3,557	(29,900)	(26,600)
Fund Balance, Beginning	149,842	153,399	127,048
Fund Balance, Ending	153,399	123,499	100,448

Kids n’ Cops Special Revenue Fund

General

The Kids n’ Cops Special Revenue Fund is dedicated and may only be spent on items or vendors related to police department and municipal court community engagement events and the annual safety fair. The City will create a Kids n’ Cops Special Revenue Fund to account for revenue and related expenditures.

Policy

The Kids n’ Cops Special Revenue Fund will account only for donations received for Kids n’ Cops and expenditures on items or vendors related to Kids n’ Cops community engagement events and annual safety fair.

Condition

Presently, the Kids n’ Cops Special Revenue Fund revenues and expenditures are recorded in a dedicated fund independent of the City’s general fund. Related expenditure activities are used solely for Kids n’ Cops events.

Recommendation

The projected revenue for FY 2020-2021 is \$5,100, which is based on historical numbers and is dependent on donations. Authorized expenditures are \$10,000 to fund the annual Kids n’ Cops community engagement event and safety fair.

KIDS N COPS FUND	Actual FY18-19	Budget FY19/20	Proposed FY20/21
Revenues			
Interest Income - Special Revenue DFS	254	100	100
Donations	5,129	5,000	5,000
Transfer In	5,500		
Total Revenue	10,883	5,100	5,100
Contractual Services			
Kids N Cops Program	7,085	10,000	10,000
Total Expenditures	7,085	10,000	10,000
Net Change in Fund Balance	3,798	(4,900)	(4,900)
Fund Balance, Beginning	9,625	13,423	14,995
Fund Balance, Ending	13,423	8,523	10,095

LEOSE Special Revenue Fund

General

The Law Enforcement Officer Standards and Education (LEOSE) Special Revenue Fund is dedicated and may only be spent on certain, statutorily defined purposes according to Chapter 1701 of the Texas Occupations Code. This fund accounts for all applicable revenue and related expenditures.

Policy

The LEOSE Special Revenue Fund will account only for continuing education for full time peace officers, telecommunicators, or to provide necessary training, as determined by the agency head, to full-time fully paid law enforcement support personnel in the agency.

Condition

Presently, the LEOSE Special Revenue Fund revenues and expenditures are recorded in a dedicated fund independent of the City's general fund.

Recommendation

The projected revenue for FY 2020-2021 is \$1,525, which is based on historical numbers and is dependent on the funding level from the State. Authorized is \$2,410 to supplement the police department's training budget to include mandated continuing education and training for contemporary topics related to law enforcement.

LEOSE FUND	Actual FY18-19	Budget FY19/20	Proposed FY20/21
Revenues			
LEOSE Revenue	1,481	1,500	1,500
Interest Income - Special Revenue DFS	88	25	25
Transfer from General Fund	-	-	
Total Revenues	1,570	1,525	1,525
Expenditures			
Travel & Training	2,853	5,000	2,410
Total Expenditures	2,853	5,000	2,410
Net Change in Fund Balance	(1,284)	(3,475)	(885)
Fund Balance, Beginning	4,415	3,132	1,546
Fund Balance, Ending	3,132	(343)	661

Library Donation Special Revenue Fund

General

The Library Donation Special Revenue Fund is dedicated and may only be used for Library related expenditures. This fund accounts for all applicable revenue and related expenditures.

Policy

The Library Donation Special Revenue Fund is funded by donations received for eligible expenditures by the Library. The funds can be used for expenditures including: the purchase of library books; DVDs; and materials for the Library's Summer Reading program.

Condition

Presently, the library donation revenues and expenditures are accounting for in a dedicated fund separately from the general fund.

Recommendation

The projected revenue for FY 2020-2021 is based solely on donations and is estimated at \$1,100. Authorized expenditures are \$3,000 to fund applicable Library expenditures.

LIBRARY DONATION FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Interest Income - Special Revenue DFS	203	125	100
Library Contributions	2,878	2,000	1,000
Transfer from General Fund	-	-	
Total Revenues	3,081	2,125	1,100
Expenditures			
Library Donations Expenses	2,835	3,000	3,000
Total Expenditures	2,835	3,000	3,000
Net Change in Fund Balance	246	(875)	(1,900)
Fund Balance, Beginning	8,944	9,190	9,190
Fund Balance, Ending	9,190	8,315	7,290

Park Improvement Special Revenue Fund

General

The Park Improvement Special Revenue Fund is dedicated and may only be spent on certain, statutorily defined purposes. This fund accounts for all applicable revenue and related expenditures.

Policy

The Park Improvement Special Revenue Fund is funded by the Park Improvement and Maintenance Fee collected on all residential building permits. The funds can only be used to fund improvements and maintenance of Lake Dallas’ parks including upgrading of facilities and playsets; adding park amenities; and maintenance costs.

Condition

Presently, the Park Improvement and Maintenance Fee revenues and expenditures are recorded in a dedicated fund separate from City’s general fund.

Recommendation

The projected revenue for FY 2020-2021 is \$1,500, which is based on historical numbers and is dependent on applicable permits. Authorized is \$1,500 from this account to fund applicable park improvement and maintenance expenditures.

PARK IMPROVEMENT FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Fees - Park Improvement	1,529	1,500	1,500
Interest Income - Special Revenue DFS	120	100	
Transfer In	9		
Total Revenue	1,658	1,600	1,500
Expenditures			
Capital Outlay-Park Improvements	6,236	1,500	1,500
Total Expenditures	6,236	1,500	1,500
Net Change in Fund Balance	(4,578)	100	-
Fund Balance, Beginning	5,603	1,025	2,575
Fund Balance, Ending	\$ 1,025	\$ 1,125	\$ 2,575

Street Maintenance Special Revenue Fund

General

The Street Maintenance Sales Taxes are dedicated and may only be spent on certain, statutorily defined purposes. This fund accounts for all applicable revenue from the sales tax collections dedicated for street maintenance, and related expenditures.

Policy

The Street Maintenance Special Revenue Fund will account only for Street Maintenance Sales Tax revenue and related eligible expenditures.

Condition

Presently, the Street Maintenance Sales Tax revenues and expenditures are recorded in a in a dedicated fund separated from the City's general fund.

Recommendation

The projected revenue for FY 2020-2021 is \$203,000 and is based on historical numbers and are dependent on sales tax collections. Authorized expenditures are \$261,000 from this account to fund applicable street and sidewalk maintenance projects.

STREET MAINTENANCE SALES TAX FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Sales Tax - Road Maintenance	189,168	175,750	200,000
Contributions for Street Maintenance			-
Interest Income - Special Revenue DFS	4,802	2,500	3,000
Total Revenues	193,970	178,250	203,000
Expenses			
Equipment Maintenance		5,000	5,000
Sidewalk Maintenance	374	6,000	6,000
Streets Repair Maintenance	25,978	250,000	250,000
Capital Outlay-Heavy Equipment	14,164	30,000	-
Total Expenditures	40,516	291,000	261,000
Net Change in Fund Balance	153,454	(112,750)	(58,000)
Fund Balance, Beginning	90,501	243,954	135,154
Fund Balance, Ending	\$ 243,954	\$ 131,204	\$ 77,154

Willow Grove Park Special Revenue Fund

General

The Willow Grove Park Special Revenue Fund is dedicated and may only be spent on expenditures at Willow Grove Park. This fund accounts for all applicable revenue and related expenditures.

Policy

The Willow Grove Park Special Revenue Fund is funded by revenues generated through both primitive and RV camping fees, park entry fees, boat launch fees, yearly passes, and pavilion rentals. The revenues generated at Willow Grove Park must be used to offset capital improvements, repairs, utility costs and maintenance costs. Revenues cannot be used for other purposes within the City.

Condition

Presently, the Willow Grove Park Special Revenue Fund revenues and expenditures are recorded in a dedicated fund independent of the City's General Fund.

Recommendation

The projected revenue for FY 2020-2021 is \$100,600 and is based on historical numbers and is dependent on fees generated from park use. Authorized expenditures are \$133,802 for campsite improvements, the addition of a part-time equivalent temporary seasonal worker to address increased workload, and security costs during certain holidays.

WILLOW GROVE PARK FUND	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Fees - Willow Grove Park	67,376	100,000	100,000
Interest Income - Special Revenue DFS	1,279	1,200	600
Insurance Proceeds	4,233	-	-
Total Revenues	72,888	101,200	100,600
Expenditures			
Salaries-Full Time	-	13,525	13,000
Overtime	-	500	500
FICA/Medicare Tax	-	196	196
Unemployment Tax	-	162	162
Worker's Compensation	86	569	570
Contractual Services			
Dues and Subscriptions			974
Legal Services	-	2,000	1,000
Security	2,340	8,400	8,400
Maintenance			
Park Maintenance	39,487	35,000	35,000
Capital Outlay			
Capital Outlay-Vehicles	10,500	-	-
Capital Outlay-Park Improvements	3,530	39,000	54,000
Transfers			
Transfer to General Fund	15,000	15,000	20,000
Total Expenditures	70,944	114,352	133,802
Net Change in Fund Balance	1,944	(13,152)	(33,202)
Fund Balance, Beginning	65,802	67,746	61,602
Fund Balance, Ending	67,746	54,594	28,400

Violence Against Women Grant:

General

The Violence Against Women Special Revenue Fund is dedicated and may only be spent on the salaries and benefits of a dedicated investigator that is specially trained in the unique issues frequently encountered in sexual assault, domestic assault, and other similar offenses.

Policy

The Violence Against Women Special Revenue fund is funded by a grant from the Office of the Attorney General, revenues cannot be used for any purpose other than the salary, benefits, and other approved costs for the investigator position.

Condition

Presently, the Violence Against Women Special Revenue Fund revenues and expenditures are recorded in a dedicated fund independent of the City's General Fund.

Recommendation

The projected revenue for FY 2020-2021 is \$81,578 and is based State grant information. Authorized expenditures are \$82,265 for salary, benefits, and other related training expenses.

Violence Against Women Grant	Actual FY18-19	Budget FY19/20	Proposed FY20/21
Revenues			
Violence Against Women	61,816	70,542	73352
Transfer In		5,000	19,821
Total Revenues	61,816	70,542	93,173
Expenditures			
Salaries-Full Time	49,612	56,319	56856
Overtime	754	-	0
Certification Pay	565	300	300
Longevity			708
FICA/Medicare Tax	667	821	824
Unemployment Tax	-	162	162
Worker's Compensation	1,343	2,593	2604
Group Health Insurance		12,283	12283
Retirement/ TMRS	6,134	8,493	8528
Physicals & Evaluations	-		
Supplies			
Operating Supplies	1,665	1,800	
Travel and Training	1,075	2,243	
Total Expenditures	61,816	85,014	82,265
Net Change in Fund Balance	-	(14,472)	10,908
Fund Balance, Beginning	-	-	(10,908)
Fund Balance, Ending	\$ -	\$ (14,472)	\$ 0

CAPITAL PROJECTS FUND

General

The Capital Projects Fund is dedicated to projects that will be paid for utilizing bonds proceeds from previous bond elections.

Policy

The Capital Projects Funds is funded by bond proceeds from debt that City of Lake Dallas has issued. The projects that this funding will be utilized for have been predetermined and voted on by the Lake Dallas City Council.

Condition

Presently, the Capital Projects Fund revenues and expenditures are recorded in a dedicated fund independent of the City’s General Fund.

Recommendation

The projected revenue for FY 2020-2021 is \$8,500 and is based State grant information. Authorized expenditures are \$800,000 for Capital Projects.

Capital Project Fund	Actual FY18-19	Budget FY19/20	Proposed FY20/21
Revenues			
Interest Income - Special Revenue DFS	2,400		8,500
Bond Proceeds	1,565,000		
Trf from General Fund	32,799		
Total Revenue	1,600,199	-	8,500
Expenditures			
Debt Issue Costs	45,000		
Capital Outlay Construction			800,000
Total Expenditures	45,000	-	800,000
Net Change in Fund Balance	1,555,199	-	(791,500)
Fund Balance, Beginning	5,603	1,560,802	859,302
Fund Balance, Ending	1,560,802	1,560,802	67,802

FIRE CONTRACT STABILIZATION FUND

General

The Fire Contract Stabilization Fund is dedicated to stabilizing the tax rate and utilizing additional revenues in the General Fund to pay for the upcoming increase to the Fire Contract Cost.

Policy

The Fire Contract Stabilization Fund is funded by unassigned fund balance from previous years of surplus revenue and unused expenditures.

Condition

Presently, the Fire Contract Stabilization Fund revenues and expenditures are recorded in a dedicated fund independent of the City’s General Fund.

Recommendation

The projected revenue for FY 2020-2021 is \$415,000. Authorized expenditures are \$0 for Fire Contract for the FY2020-2021 Fiscal Year.

Fire Contract Stabilization Fund	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
Revenues			
Interest Income - Special Revenue DFS			15,000
Trf from General Fund			400,000
Total Revenue	-	-	415,000
Expenditures			
Work Order Software			
Fire Contract			
Total Expenditures	-	-	-
Net Change in Fund Balance	-	-	415,000
Fund Balance, Beginning		-	-
Fund Balance, Ending	\$ -	\$ -	\$ 415,000

COMPONENT UNITS OF GOVERNMENT

The City of Lake Dallas has one Component of Unit of Government Fund, the Lake Dallas (Type B) Community Development Corporation (CDC). The main source of revenue for this fund is a special one-half (1/2) cent sales tax allocation, which was approved by the voters and went into effect in 2003. The CDC is governed by a board of directors. The CDC develops and submits its own budget to the City, for consideration and approval by the City Council. The projected revenue for FY 2020-2021 is \$419,949 and is based on historical numbers and is dependent on sales tax collections. Authorized expenditures are \$829,378 to cover operational costs and commitments, including \$240,028 in debt service payments and \$80,000 in transfers to the General Fund and Park Fund.

COMMUNITY DEVELOPMENT CORP	Actual	Budget	Proposed
	FY18-19	FY19/20	FY20/21
4B Sales Tax	378,336	360,000	400,000
Rental Property Income	10,500	18,000	12,000
Interest Income - 4B	10,917	8,000	7,949
Debt Proceeds	700,000	-	-
Total Revenue	1,099,753	386,000	419,949
Expenditures			
Contract Labor	-	-	-
Office Supplies	-	-	-
Special Events	-	-	-
Advertising	-	6,000	24,000
Travel & Training	175	2,000	2,000
Dues & Memberships	-	150	600
Flowers/Gifts/Plaques	79	-	-
Subscriptions & Publications	-	-	1,500
Utilities	8,914	11,000	11,000
Accounting & Auditor	2,750	3,000	3,250
Legal Services	3,793	3,000	3,000
Engineering	-	-	-
Consultants & Professionals	-	-	30,000
Bank Fees	-	2,000	-
Downtown Development	-	-	-
CDC Downtown BIG Grants	10,000	15,000	30,000
Keep Lake Dallas Beautiful	-	-	-
Park Maintenance	-	-	-
Rental Property Maintenance	10,572	3,600	4,000
Capital Outlay-CDC Projects	611,718	106,500	200,000
Debt Issue Costs	24,983	-	-
Transfer to General Fund Parks & Admin	72,000	72,000	80,000
Transfer to Debt Service Fund	201,131	235,825	240,028
Draw Down from Reserves			
Total Expenditures	946,115	460,075	629,378
Net Change in Fund Balance	153,639	(74,075)	(209,429)
Fund Balance, Beginning	446,808	600,447	411,201
Fund Balance, Ending	600,447	526,372	201,772

CAPITAL IMPROVEMENT PROGRAM

The Capital Improvements Program (CIP) has been updated and is included below. The FY 2020-2021 recommended projects total \$143,036.30 including: an additional vehicle for Police, and a replacement vehicle as well as a replacement zero turn mower for the Public Works Department replacement AC Units for City Hall, Library, Animal Shelter, & Fire Station; an automated external defibrillator for City Hall; replacement drop box for the library; and a storage building for the Animal Shelter. There is also \$8,983.30 budget for technology updates. All the capital improvement requests for Parks are going to be covered by the CDC.

Vehicle Replacement Plan										
	Year	Make	Model	Dept.	FY 2020-2021 Proposed	FY2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	Notes
1	2017	Ford	F250	PW						Replace 2023 or 2024
2	2016	Ford	F550 Dump Truck	PW						Replace 2028
3	2010	Ford	F150	PW	\$35,000					
4	2006	Ford	F250	PARKS						Replace with Utility Bed Truck
5	2006	Ford	F150	PW						Repurpose to Code Enforcement
6	1992	GMC	Top Kick Dump Truck	PW		\$50,000				
7	2004	Ford	F150	PW						
8	1999	Ford	F150	Code						
9	2007	Dodge	Durango	Admin						Replace with passenger van
10	2012	Dodge	Charger	PD						Replace 2018 due to hail damage
11	2013	Dodge	Charger	PD		\$43,000				Repurpose to CID - See Comment Notes
12	2015	Dodge	Charger	PD	\$45,853					Replace with Tahoe
13	2015	Dodge	Charger	CID						See Comment Notes
14	2015	Dodge	Charger	PD						SRO - Replaced 2025
15	2015	Chevrolet	Silverado	AS		\$60,000				
16	2017	Ford	Explorer	PD			\$60,000			
17	2017	Ford	Explorer	PD			\$60,000			
18	2017	Ford	Explorer	PD			\$60,000			
19	2017	Ford	Explorer	PD				\$60,000		
20	2017	Ford	Explorer	PD				\$60,000		
21	1990	Chevrolet	Command Van	PD						
22	2014	John Deere	Zero Turn Mower	PW						
23	2014	John Deere	Zero Turn Mower	PW						WGP - Keep as back up
24	2015	John Deere	Zero Turn Mower	PW	\$10,300					
25	2015	John Deere	Zero Turn Mower	PW		\$10,300				
26	2015	JCB	Backhoe Tractor	PW						Estimated 2025-26 Replacement
27	2015	Bobcat	Skid Steer S550	PW						Estimated 2026-27 Replacement
	2007	Bobcat	2200	PW						
28	n/a	n/a	Bucket Truck	PW						*Proposed Purchase
					\$91,153	\$163,300	\$180,000	\$120,000		

Facilities 5-Year Capital Improvement Plan

Capital Project	FY 2020-2021 Proposed	FY 2021- 2022	FY 2022- 2023	FY2023- 2024	FY2024- 2025	NOTES
City Hall	\$11,000	\$38,000	\$0	\$0		
Library	\$10,500	\$13,000	\$30,000	\$15,000		
Animal Shelter	\$12,400	\$26,000	\$0	\$0		
Public Works Yard	\$0	\$0	\$0	\$0		
Fire Station	\$9,000	\$0	\$8,000	\$0		
Old City Hall	\$0	\$8,000	\$0	\$0		
TOTAL	\$42,900	\$85,000	\$38,000	\$15,000		

Facilities 5-Year Capital Improvement Plan

City Hall

Capital Project	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	NOTES
Roof Replacement						\$61,796 remaining in insurance claim money
Foundation inspection/repairs						Covered by CO's
Repair/replace community room floor		\$10,000				Will not be done until foundation issue fixed
Door security implementation						Paid for from Court Security Fund
Kitchen removal		\$15,000				Will need further Discussions
Parking lot sealed and re-striped						Covered by CO's
AC Units (6) installed 2011						Covered by 's
AC Units (2) installed 2002						
AC Units (1) installed 2003	\$9,000					Smaller Unit
AC Units (1) installed 2018						Estimated replacement in 2030
Flooring in PD						We already have the tile this is installation cost
Remodel jail into property/evidence room						Work began in FY17-18
Carpet		\$8,000				City Hall Side of building
Paint building		\$5,000				
Tile PD Floor						
Renovation for Property Room						
AED	\$2,000					
Electronic Locks for PD						
Restriping City Hall and City Park Parking Lot						
TOTAL	\$11,000	\$38,000	\$0	\$0		

Facilities 5-Year Capital Improvement Plan

Library

Capital Project	FY 2020-2021 Proposed	FY 2021- 2022	FY 2022- 2023	FY2023- 2024	FY2024- 2025	Notes
New front door facing Shady Shores						* Will be done in FY17-18
Door to Director's office						
Door to Main office entry						
Seal and Stripe front parking		4,500				
AC unit replacement (2)						
AC unit replacement (3)	9,000	8,500				
Carpet/Flooring			15,000			
Cameras						
Check Out Table to be ADA			15,000			
Replace Wall/ Meeting Room Expansion				15,000		
Replacement Windows						
Digital Billboard						
Replacement of Doors in Restroom						
Remove old book drop box						
Replace Library Outdoor Dropbox	1,500					
TOTAL	\$ 10,500	\$ 13,000	\$30,000	\$15,000		

Fire Station						
Capital Project	FY 2019-2020	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY2023-2024	Notes
Bay ceiling tiles need to be replaced	\$1,500**					Bucket truck rental needed
RFP siding in bay - falling off						
Interior Painting						
Kitchen cabinets replacement						
Bricks on front of station						
Shower leaks						
Bathroom tiles						
Watch office countertops						
Drywall repairs behind washer						
AC (2) installed 2009	\$8,000					
AC (1) installed 2014				\$8,000		
AC (1) installed 2016						Estimated Replacement 2026
Sealing of exterior walls						
Total	\$8,000	\$0	\$0	\$8,000	\$0	
	UNFUNDED					

Animal Shelter						
Capital Project	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	Notes
New fence						Project began in FY 2017-18, will phase in
Storage Building	\$3,000					
Expanded parking		\$10,000				
AC Unit (3) installed 2008	\$9,400	\$16,000				Per new quote dated 6/24/19
Cat Kennels						Supplement requested submitted with estimate
Dog Kennels						
Freezer						Installed in 2008, waiting on results of diagnostic before determining replacement schedule
TOTAL	\$12,400.00	\$26,000.00	\$0.00	\$0.00		

Facilities 5-Year Capital Improvement Plan

Public Works Yard

Capital Project	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	Notes
New building						Debt Service
New fence and gate						Covered by CO's
Concrete storage bins						Covered by CO's
Site Plan/Engineering						
Parking Lot						Covered by CO's
Total	\$0	\$0	\$0			

Fire Station

Capital Project	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	Notes
Bay ceiling tiles need to be replaced						Bucket truck rental needed
RFP siding in bay - falling off						
Interior Painting						
Kitchen cabinets replacement						
Bricks on front of station						
Shower leaks						
Bathroom tiles						
Watch office countertops						
Drywall repairs behind washer						
AC (2) installed 2009	\$9,000					
AC (1) installed 2014			\$8,000			
AC (1) installed 2016						Estimated Replacement 2026
Sealing of exterior walls						
Total	\$9,000	\$0	\$8,000	\$0		

Old City Hall

Capital Project	FY 2020-2021 Proposed	FY 2021- 2022	FY 2022- 2023	FY2023- 2024	FY2024- 2025	Notes
AC Unit - Installed 2000						
Ac Unit - Installed 2010		\$8,000				
Roof						
Total	\$0	\$8,000	\$0	\$0		

Parks 5-Year Capital Improvements Plan

Capital Projects	FY 2020-2021 Proposed Projects	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	NOTES
City Park	\$61,300.00	\$398,000.00	\$0.00	\$100,000.00		
River Oaks Park	\$1,500.00	\$6,000.00	\$4,000.00	\$0.00		
Community Park	\$1,500.00	\$20,000.00	\$0.00	\$0.00		
Thousand Oak Park	\$4,700.00	\$10,000.00	\$70,000.00	\$3,800.00		
Total	\$69,000.00	\$434,000.00	\$74,000.00	\$103,800.00		
Willow Grove Park	\$129,000.00	\$17,000.00	\$52,000.00	\$45,000.00		

Parks 5-Year Capital Improvements Plan

City Park

Capital Project	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	NOTES
Install Field Lighting (work with local sport Assoc)		\$380,000				
Grade Soccer Fields (work with local sport Assoc)				\$100,000		
Adding Wind Screens for Tennis Courts						
Add Security Cameras for Concession Stand						
Add Security Cameras for Restrooms						
Concrete Walking Trail around Park	\$56,000					
Stage/Amphitheater						
Parking Lot Sealing and Work Out Equipment/ Flat Signage for Parks		\$15,000				Covered by CO's
Tree Replacement	\$3,000	\$3,000				
Sun Screen for Play Ground						
Soccer Field Improvements						Decision hasn't been made with LCSA
Tennis Courts- Bleacher Seats	\$2,000					
40 Amp Pedestals for Food Trucks						
Improvements to Basketball Court	\$300					
Temporary Lights for Soccer Field						
Total	\$61,300	\$398,000	\$0	\$100,000	\$0	

Parks 5-Year Capital Improvements Plan

River Oaks Park

Capital Project	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	NOTES
Add Additional Trees	\$1,500					
Replace Park Bench						
Signage for Parks						
Swing Set		\$6,000				
Park Benches			\$4,000			
Total	\$1,500	\$6,000	\$4,000	\$0		

Community Park

Capital Project	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	NOTES
New Picnic Tables						
New Garbage Receptacles						
New Park Benches						
Install Additional Parking						Covered by CO's
Add Security Cameras						
Walking Path		\$20,000				
Playground Replacement						
Tree Replacement	\$1,500					
Signage for Parks						
Sidewalk Trail						
Total	\$1,500	\$20,000	\$0	\$0		

**Parks 5-Year Capital Improvements Plan
Thousand Oak Park**

Capital Project	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	NOTES
Replace Thousand Oak Park Sign						
Install concrete Walking Trail		\$10,000				
Playset/Rec. Facility for Park			\$70,000			
Benches	\$1,200					
Garbage Cans	\$1,500					
Water Fountain Replacement				\$3,800		Still researching, it is operating properly.
Picnic tables	\$2,000					
Total	\$4,700	\$10,000	\$70,000	\$3,800	\$0	

Parks 5-Year Capital Improvements Plan

Willow Grove Park

Capital Project	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	NOTES
Repair Lights	\$13,000					
Add Parking						
Replace Bollards		\$4,000				
Repair/Replace Fishing Pier	\$20,000					
Improve RV Campsite Surface	\$2,000					
Add Additional Picnic Tables	\$4,000					
Add Additional Garbage Cans						
Lighting for Pavilion	\$12,000					
New Kiosk/Gate						
Improve Boat Launch	\$75,000					
Concrete Walking Trail			\$45,000	\$45,000		\$45,000 additional will be needed in FY 2023-24
Install Additional Camera System		\$10,000				
Repair Bird Viewpoint			\$7,000			
Purchase Mower						
Tree Replacement	\$3,000	\$3,000				
Signage for Parks						
Install water hydrant at Pavilion						
Total	\$129,000	\$17,000	\$52,000	\$45,000		

Information Technology 5-Year Capital Improvements Plan

Capital Projects	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY2023-2024	FY2024-2025	NOTES
Municipal Court	\$0.00	\$0.00	\$0.00	\$0.00		
Development Services	\$0.00	\$2,350.00	\$0.00	\$0.00		
Administration	\$0.00	\$2,350.00	\$2,350.00	\$0.00		
Library	\$0.00	\$1,400.00	\$6,000.00	\$4,000.00		
Animal Services	\$0.00	\$1,550.00	\$0.00	\$0.00		
Public Works	\$0.00	\$0.00	\$3,000.00	\$1,700.00		
Police	\$8,983.30	\$52,000.00	\$94,800.00	\$9,400.00		
Total	\$8,983.30	\$59,650.00	\$106,150.00	\$15,100.00	\$0.00	

Information Technology 5-Year Capital Improvements Plan

Municipal Court

Capital Projects	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY2024-2025	NOTES
Court Administrator desktop (BWH5BY1, Dell, OptiPlex 3010, Windows 7)						
Court Administrator laptop (2CE2062Z38, Hewlett-Packard, HP Pavilion dv7 Notebook PC) & docking station						
Court Administrator monitors (2)						
Municipal Judge laptop (46B93G2, Dell, Latitude E5570)						Will not replace
Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

Information Technology 5-Year Capital Improvements Plan

Development Services

Capital Projects	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY2024-2025	NOTES
Permit Coordinator monitors (2)						
Permit Coordinator desktop (CRDLXR1, Dell, OptiPlex 390, Windows 7)						
Director of Development Services desktop (CRDJXR1, Dell, OptiPlex 390, Windows 7)						Will not replace
Director of Development Services laptop (4XZB0N2, Dell, Latitude 5580) & docking station						
Director of Development Services monitors (2)						
Code Compliance Officer laptop (82S79H2, Dell, Latitude 5580)		\$2,000.00				
Code Compliance Officer monitors (2)		\$350.00				
Tablet for Development Services						
Tablet for Development Services						
Total	\$0.00	\$2,350.00	\$0.00	\$0.00		

Information Technology 5-Year Capital Improvements Plan

Administration

Capital Projects	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY2024-2025	NOTES
City Manager's desktop (5VB4QD2, Dell, OptiPlex 5040, Windows 7)						Will not replace
City Manager's monitors (2)						
City Manager's laptop (6VY83G2, Dell, Latitude E5570) & docking station						
City Secretary's desktop (FGT0BY1, Dell, OptiPlex 3010, Windows 7)						Will not replace
City Secretary's monitors (2)						
City Secretary's laptop (D6Q0SQ2, Dell, OptiPlex 3010) & docking station						
Finance Director's desktop (CRDKXR1, Dell, OptiPlex 390, Windows 7)						Will not replace
Finance Director's monitors (2)			\$350.00			
Finance Director's laptop (HMDF0N2, Dell, Latitude 5580) & docking station			\$2,000.00			
Com Dev Coord's monitors (2)		\$350.00				
Com Dev Coord's laptop (4FKZ7S2, Dell, Latitude 5590) & docking station		\$2,000.00				
Council Chamber laptop (FT6D3H2, Dell, Latitude E5570)						
Council chamber audio equipment						
Council chamber projector (BENQ)						
Total	\$0.00	\$2,350.00	\$2,350.00	\$0.00		

Information Technology 5-Year Capital Improvements Plan

Library

Capital Projects	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY2024-2025	NOTES
PC Monitors			\$1,200.00	\$800.00		
Director's Laptop (59955275053, Surface Pro)						
Patron Computer - not assembled (6NTCDV2, OptiPlex 3050)						Plan to replace FY2025/26
Patron Computer - not assembled (6NT8DV2, OptiPlex 3050)						Plan to replace FY2025/26
Patron Computer - not assembled (6NT7DV2, OptiPlex 3050)						Plan to replace FY2025/26
Circulation Desk Computer (6NTBDV2, OptiPlex 3050)						Plan to replace FY2026/27
Circulation Desk Computer (6NV6DV2, OptiPlex 3050)						Plan to replace FY2026/27
Staff Laptop (FRH7BV2, Latitude 3590)		\$1,400.00				
Patron Facing Online Catalog (FN3FMF2, OptiPlex 3040)			\$800.00			
Patron Facing Self-Checkout (D2BCMF2, OptiPlex 3040)			\$800.00			
Print Release Station (DW635F2, OptiPlex 3040)			\$800.00			
Computer Network PC (H3735F2, OptiPlex 3040)			\$800.00			
Staff Desk Computer (9X635F2, OptiPlex 3040)			\$800.00			
Staff Circulation Desk Computer (FHLHCH2, OptiPlex 3050)						Plan to replace FY2026/27
Staff Desk Computer (FX635F2, OptiPlex 3040)			\$800.00			
Patron Computer (HS0ZVP2, OptiPlex 3050)						Plan to replace FY2025/26
Patron Computer (6NT9DV2, OptiPlex 3050)						Plan to replace FY2025/26
Patron Computer (HSLZVP2, OptiPlex 3050)						Plan to replace FY2024/25
Computer Network PC (B5FFPS1, OptiPlex 390)						Will not be replaced
Patron Computer (2SH1MP2, OptiPlex 3050)						Plan to replace FY2024/25
Patron Computer (2RZYLP2, OptiPlex 3050)						Plan to replace FY2024/25
Patron Computer (2XFZLP2, OptiPlex 3050)						Plan to replace FY2024/25
Patron Computer (2S62MP2, OptiPlex 3050)				\$800.00		
Print Release Station (19C3JN1, OptiPlex 780)						Will not be replaced
Patron Computer (2RRZLP2, OptiPlex 3050)				\$800.00		
Patron Computer (OptiPlex 3050)				\$800.00		
Patron Computer (OptiPlex 3050)				\$800.00		
iPad Mini						Will not be replaced
iPad Mini						Will not be replaced
iPad						Will not be replaced
	\$0.00	\$1,400.00	\$6,000.00	\$4,000.00		

Information Technology 5-Year Capital Improvements Plan

Animal Services

Capital Projects	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY2024-2025	NOTES
Animal Services Manager's desktop (9NB8BY1, Dell, OptiPlex 3010. Windows Pro 10)						
Animal Services Manager's monitors (2)						
Animal Control Officer monitor						
Animal Control Officer desktop (9ND9BY1, Dell, OptiPlex 3010, Windows 7)						
Front Desk (6NB7DV2, Dell, OptiPlex 3050, Office Home and Business 2016)		\$1,400.00				
Front Desk monitor		\$150.00				
Laptop Docking Station & Screens For Manager						
Total	\$0.00	\$1,550.00	\$0.00	\$0.00		

Information Technology 5-Year Capital Improvements Plan

Public Works & Parks

Capital Projects	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY2024-2025	NOTES
Public Works Manager laptop (005102674054, Microsoft Surface Book II) & docking station			\$3,000.00			
Public Works Office desktop (MP1ALNW8, LENOVO)				\$1,700.00		
Tablet for Public Works						
Tablet for Public Works						
Total	\$0.00	\$0.00	\$3,000.00	\$1,700.00		

Information Technology 5-Year Capital Improvements Plan

Police

Capital Projects	FY 2020-2021 Proposed	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY2024-2025	NOTES
MDC's (2017)		\$12,000	\$8,000			Replace with new patrol vehicles
Citation Writers (4-2019)						
Citation Printers (3-2010 and 3-2012)						As funds from court allow
Police Radios (2016)			\$72,000			2023-Radios will be 7 years old.
Chief's desktop (9SH9SZ2, Dell Optiplex 7070, Windows 10 Pro)					\$1,400	Purchased October 2019 (Replace October 2024)
Patrol Lieutenant desktop (9SF4SZ2, Dell Optiplex 7070, Windows 10 Pro)					\$1,400	Purchased October 2019 (Replace October 2024)
CID Lieutenant desktop (4T9HBM2, Dell Optiplex 3050, Windows 10 Pro)			\$1,400			Purchased 2018 (Replace 2023)
Records Manager desktop (9SJ6SZ2, Dell Optiplex 7070, Windows 10 Pro)					\$1,400	Purchased October 2019 (Replace October 2024)
Records Assistant desktop (4PXDWP1, Dell Optiplex 3010, Windows 7 Pro)						
Patrol Desktop 1 (9S86SZ2, Dell Optiplex 7070, Windows 10 Pro)					\$1,400	Purchased October 2019 (Replace October 2024)
Patrol Desktop 2 (9SF8SZ2, Dell Optiplex 7070, Windows 10 Pro)					\$1,400	Purchased October 2019 (Replace October 2024)
Patrol Sergeant desktop (9SC4SZ2, Dell Optiplex 7070, Windows 10 Pro)					\$1,400	Purchased October 2019 (Replace October 2024)
CID Investigator 1 desktop (D9599M2, Dell, Optiplex 7050 Windows 10)			\$1,400			Purchased 2018 (Replace 2023)
CID Investigator 2 / VAWA desktop (2T3KDW2, Dell, Optiplex 3060, Windows 10)				\$1,400		Purchased FY 2018-2019 (VAWA Year 1) (Replace FY 2023-2024)
Training Laptop (FM231G2 Dell, Latitude E5570, Windows 10)						CID Old laptop purchased in 2017. Re-purposed as training computer.
SRO Laptop (G5831G2, Dell Latitude E5570, Windows 10 Pro)						Chief's Old Laptop purchased 2017. New SSD installed in 2020.
Chief's Laptop (01482427957, Microsoft Surface Pro, Windows 10 Pro)				\$2,000		Mfg. April of 2019/Donated used June 2020
CID Lieutenant Laptop (004331380157, Microsoft Surface Pro, Windows 10 Pro)				\$2,000		Mfg. April of 2019/Donated used June 2020
CID Investigator Laptop (010589573657, Microsoft Surface Pro, Windows 10 Pro)				\$2,000		Mfg. April of 2019/Donated used June 2020
CID Investigator #2 Laptop (016121372957, Microsoft Surface Pro, Windows 10 Pro)				\$2,000		Mfg. April of 2019/Donated used June 2020
Photogrammetry Laptop (FANOCX41480344D, ASUS, G501J, Windows 10)						Replace as funds become available
DVD Writer (2015)	\$5,533.30					Consider server storage for backup
Domain Controller (2019)						Lease agreement replacement
L3 Server (2017)		\$15,000				Every five years 2017-2022
Body Cameras (2019)	\$3,450.00	\$7,000				Purchased Sept. 2019 (Replace Sept. 2022) Asking for 7 new cameras and 6 Bluetooth devices.
In-car police radios (2016)		\$18,000	\$12,000			Replace with new patrol vehicles
Total	\$8,983.30	\$52,000	\$94,800	\$9,400		

PUBLIC NOTICE

Notice is hereby given that the City Council of the City of Lake Dallas, Texas will conduct a Public Hearing to hear comments regarding the proposed budget for the fiscal year 2021. The public hearing will be August 27, 2020 at 7:00 p.m., Lake Dallas City Hall, City Council Chambers, 212 Main Street, Lake Dallas, Texas. The public is invited to attend the hearing and make comments.

This budget will raise more revenue from property taxes than last year's budget by \$93,727, which is a 3.24% increase from last year's budget. The property tax revenue to be raised from new property added to the tax rolls this year is \$28,488.

Local Government Code 102.007(d)(1)(A)



**CITY COUNCIL
AGENDA MEMO**

Prepared By: John Cabrales Jr, City Manager

August 27, 2020

Lake Cities Broadband Committee

DESCRIPTION:

Consider and Act on a resolution for an Interlocal Cooperation Agreement (ILA) with the City of Corinth and the Town of Shady Shores regarding the procurement of surveying and related services relating to a proposed project for the reconstruction and improvement of Dobbs Road.

BACKGROUND INFORMATION:

Staff has been working with representatives from the City of Corinth and the Town of Shady Shores on a plan to improve Dobbs Road between Corinth Parkway and S. Shady Shores Road. The group visited with ITS, the transportation consultant for Denton County, to determine what would be needed to prepare a request for transportation funds from Denton County. The agreement was reached that the first step was to conduct a Right-of-Way (ROW) Survey of Dobbs Road. Shady Shores' contract engineering firm is familiar with some issues on Dobbs and it was agreed that they would be contracted to do the ROW survey. It was also agreed that Lake Dallas would take the lead on this project.

The Interlocal Agreement (ILA) is for the City of Lake Dallas to be reimbursed by the City of Corinth and the Town of Shady Shores for their portion of the Right of Way Survey cost. A cost allocation was agreed on base on the amount of linear feet of Dobbs Road that falls within each municipal jurisdiction. That allocation is listed below.

Percentage Cost Share:

- Lake Dallas – 1201.5 linear feet or 31%
- Shady Shores –1497 linear feet or 38%
- Corinth – 1197.5 linear feet or 31%

The Professional Service Agreement with Binkley & Barfield, Inc. to conduct the Right of Way is being prepared as a separate item for council consideration.

Staff recommends approval of the Interlocal Agreement.

FINANCIAL CONSIDERATION:

The cost for the Right of Way Survey is \$33,615.00. The Lake Dallas portion for this ROW Study is a total of \$10,420.65 and this will be paid out of the Street Maintenance Special Revenue Fund. There are sufficient funds in the Street Maintenance Fund to pay for the total cost of this ROW Study. The \$23,194.35 that will be reimbursed to Lake Dallas by Corinth and Shady Shores will be deposited back into the Street Maintenance Special Revenue Fund.

RECOMMENDED MOTIONS:

I move to **approve/deny** a resolution for an Interlocal Agreement (ILA) with the City of Corinth and the Town of Shady Shores for a Right of Way Survey for a portion of Dobbs Road.

ATTACHMENT(S):

1. Inter-local Agreement with City of Corinth and Town of Shady Shores
2. Resolution

**CITY OF LAKE DALLAS, TEXAS
RESOLUTION NO. 08272020- _____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AUTHORIZING NEGOTIATION AND EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF CORINTH AND TOWN OF SHADY SHORES REGARDING THE PROCUREMENT OF SURVEYING AND RELATING SERVICES RELATING TO A PROPOSED PROJECT FOR THE RECONSTRUCTION AND IMPROVEMENT OF DOBBS ROAD.; PROVIDING AN EFFECTIVE DATE

WHEREAS, the segment of Dobbs Road from its intersection with South Shady Shores Drive on the East to its intersection with Corinth Parkway on the West is located within the incorporated limits of the City of Corinth, the City of Lake Dallas, and the Town of Shady Shores, as well as an unincorporated area of Denton County; and

WHEREAS, in order to provide information relating to the feasibility and costs relating to the possible improvement and widening of the above segment of Dobbs Road (“the Project”), the City Council finds it to be in the public interest to enter into an interlocal agreement (the “Interlocal Agreement”) with the City of Corinth and Town of Shady Shores pursuant to the Interlocal Cooperation Act relating to the procurement of professional surveying and related services for the Project.

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

SECTION 1. The City Manager is hereby authorized to sign, on behalf of the City, the Interlocal Agreement the City of Corinth and Town of Shady Shores relating to the procurement of professional surveying and related services in support of the Project, such agreement to be substantially in the form attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION 2. This Resolution shall be effective immediately upon approval.

PASSED AND APPROVED this the 27th day of August 2020.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:8/20/2020:117496)

RESOLUTION NO. 08272020- _____
EXHIBIT "A"
Form of Interlocal Agreement



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Layne Cline, Public Works Superintendent

August 27, 2020

Professional Service Agreement

DESCRIPTION:

Consider and Act on a Resolution authorizing a professional services agreement with Binkley & Barfield, Inc. for surveying and related services for the proposed Dobbs Road project.

BACKGROUND INFORMATION:

Staff has been working with representatives from the City of Corinth and the Town of Shady Shores on a plan to improve Dobbs Road between Corinth Parkway and S. Shady Shores Road. We also visited with ITS, the transportation consultant for Denton County, to determine what would be needed to prepare a request for transportation funds from Denton County. The agreement was reached that the first step was to conduct a Right-of-Way (ROW) Survey of Dobbs Road. Shady Shores contract engineering firm is familiar with some issues on Dobbs and it was agreed that they would be contracted to do the ROW survey. It was also agreed that Lake Dallas would take the lead on this project.

PROJECT OVERVIEW:

Right of Way Survey for a portion of Dobbs Road between Corinth Parkway to South Shady Shores Road for an engineering design project in the Cities of Corinth, Lake Dallas, Shady Shores and unincorporated Denton County.

SCOPE OF SERVICES:

1. Surveyor shall research public records to confirm current names and addresses of all property owners for the adjacent tracts within the project limits. The Surveyor shall obtain copies of all adjacent tract recorded deeds and current subdivision plats within the project limits. Informational Title Reports will be obtained from a vendor of Baseline's choice for all unplatted properties. No additional title information will be obtained for platted properties.
2. Surveyor shall prepare right-of-entry letters and mail by Certified Mail, Return Receipt requested for all tracts identified within the project limits that by necessity will be entered upon in the course of this survey. The Surveyor shall coordinate the data to ensure that no private property shall be entered where right-of-entry has not been obtained.

3. Surveyor shall verify all existing project control provided by upon the commencement of the project (city benchmarks for horizontal and vertical control).

4. Surveyor shall create a Right of Way Map for the Project by evaluation by the Project RPLS of the recovered survey monuments found on the existing ROW lines, adjoining property corners, and rear property corners where right of entry has been granted with record information. Deliverable shall consist of an AutoCAD Civil 3D file with line work and a points file in either .txt or .csv format. A signed and sealed survey will be provided to the client.

5. Surveyor shall perform a topographic survey of drainage system improvements within the project area including cross culverts, storm sewer, inlets, driveway culverts and roadside ditches. Survey to also include edge of roadway limits at distances to be determined in the field by the Surveyor and at all changes in alignment to establish, in conjunction with the aerial photos (described below), the alignment of the existing roadway within the existing right-of-way for purposes of future project analysis. Deliverable shall consist of an AutoCAD Civil 3D file with line work and a points file in either .txt or .csv format.

6. Surveyor shall supply aerial photos with 0.5 ft resolution as .tif files for the project area.

Staff recommends approval of the resolution awarding this contract to Binkley & Barfield, Inc.

FINANCIAL CONSIDERATION:

The breakdown cost for the scope of work is listed below for a total amount of \$33,615.00. There will be an interlocal agreement with the City of Corinth and the Town of Shady Shores, to reimbursed to the City of Lake Dallas for their portions of the total cost. Lake Dallas' portion for this ROW Study is a total of \$10,420.65 and this will be paid out of the Street Maintenance Special Revenue Fund. There are sufficient funds in the Street Maintenance Fund to pay for the total cost of this ROW Study.

- 1. \$1,940
- 2. \$1,575
- 3. \$3,540
- 4. \$13,250
- 5. \$4,860
- 6. \$450

Subtotal: \$25,615 (Baseline Corporation, a subsidiary of Binkley & Barfield, Inc.)

Subtotal: \$8,000 (Binkley & Barfield, Inc.) (Coordination, CAD, Preparation of Exhibit, & Plots)

Total: \$33,615

RECOMMENDED MOTIONS:

I move to **approve/deny** a Resolution authorizing a professional services agreement with Binkley & Barfield, Inc. for surveying and related services for the proposed Dobbs Road project.

ATTACHMENT(S):

1. Binkley & Barfield, Inc. Fee Proposal
2. Professional Service Agreement
3. Resolution

**PROFESSIONAL SERVICES AGREEMENT
(Dobbs Road Right-of-Way Surveys)**

This **PROFESSIONAL SERVICES AGREEMENT** (“**Agreement**”) is made as of the Effective Date by and between the **City of Lake Dallas** (“**Lake Dallas**”), a Texas home rule municipality, and **Binkley & Barfield, Inc.** (“**Consultant**”), a corporation. Lake Dallas and Consultant are hereafter collectively referred to as “the Parties” or separately as “Party”.

RECITALS

WHEREAS, Lake Dallas, along with the City of Corinth, and the Town of Shady Shores (collectively, the “Cities”), desires to reconstruct and improve a segment of Dobbs Road located within the corporate limits of the Cities and an unincorporated area of Denton County, Texas (“the Project”); and

WHEREAS, pursuant to an agreement among the Cities, Lake Dallas has agreed to seek and obtain professional surveying services relating to the Project on behalf of the City; and

WHEREAS, Lake Dallas desires Consultant to perform certain work and services set forth in Section 1, Scope of Services; and

WHEREAS, Consultant has expressed a willingness to perform said work and services, hereinafter referred to only as "services", specified in said Scope of Services, 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, Lake Dallas and Consultant agree as follows:

Section 1. Scope of Services

Upon issuance of a written Notice to Proceed by Lake Dallas, Consultant agrees to provide to Lake Dallas the necessary professional land surveying and related services related to obtaining real property surveys of various properties adjacent (“Project”) as set forth in the Scope of Services attached hereto as Exhibit “A” and incorporated herein by reference (“the Scope of Services”).

Section 2. Term of Agreement

The term of this Agreement shall begin on the date it is signed by representatives of all of the Parties (the “Effective Date”) and shall continue until Consultant completes the services required herein to the reasonable satisfaction of Lake Dallas, unless sooner terminated as provided in Section 8, below.

Section 3. Consultant’s Obligations

A. Consultant shall devote such time as reasonably necessary for the satisfactory performance of the work under this Agreement. Should Lake Dallas require additional services not included under this Agreement, Consultant shall make reasonable effort to provide such

additional services in accordance with an additional fee to be negotiated and within the time schedule prescribed by Lake Dallas; and without decreasing the effectiveness of the performance of services required under this Agreement.

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

C. Consultant shall furnish and pay for all labor, tools, materials, equipment, supplies, transportation and management necessary to perform all services set forth in the Scope of Services.

Section 4. Payment

A. Lake Dallas agrees to pay Consultant for all services authorized in writing and properly performed by Consultant in accordance with the Payment Schedule set forth in Exhibit "A," attached hereto and incorporated herein by reference, subject to additions or deletions for changes or extras agreed upon in writing. All fees paid to Consultant by Lake Dallas shall be based on invoices submitted by Consultant for work performed monthly by Lake Dallas, less any previous payments, and shall be paid not later than thirty (30) days of receipt of invoice by Lake Dallas.

B. Lake Dallas reserves the right to delay, without penalty, any partial payment when, in the opinion of Lake Dallas, Consultant has not made satisfactory progress on the design of this Project based on the Scope of Services.

C. The Total Surveying Fee shall not exceed **\$33,615.00**. Lake Dallas may deduct from any amounts due or to become due to Consultant any sum or sums owing by Consultant to Lake Dallas. In the event of any breach by Consultant of any provision or obligation of this Agreement, or in the event of the assertion by other parties of any claim or lien against one or more of the Cities, or the premises of one or more of the Cities, arising out of Consultant's performance of this Agreement, Lake Dallas shall have the right to retain out of any payments due or to become due to Consultant an amount sufficient to completely protect any or all of the Cities from any and all loss, damage or expense therefrom, until the breach, claim or lien has been satisfactorily remedied or adjusted by Consultant.

Section 5. Responsibilities

A. Consultant shall be responsible for the professional quality, technical accuracy, and the coordination of all survey plats and property descriptions furnished by Consultant under this Agreement. Consultant shall, without additional compensation, correct or revise any errors or deficiencies in survey plats or property descriptions.

B. Neither Lake Dallas'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 Consultant shall be and remain liable to Lake Dallas in accordance with applicable law for all damages to Lake Dallas caused by Consultant's negligent performance of any of the services furnished under this Agreement.

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

Section 6. Time For Performance

A. Consultant shall perform all services as provided for under this Agreement in a proper, efficient, timely, and professional manner in accordance with Lake Dallas's requirements.

B. In the event Consultant's performance of this Agreement is delayed or interfered with by acts of the Lake Dallas or others, Consultant 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 Consultant, unless Consultant shall have made written request upon Lake Dallas for such extension within forty-eight (48) hours after the cause for such extension occurred, and unless Lake Dallas and Consultant have agreed in writing upon the allowance of additional time to be made.

Section 7. Documents

All surveys, drawings, and other documents, including those in electronic form, prepared by Consultant and its consultants, subcontractors, agents, representatives, and/or employees in connection with this Agreement ("Project Documents") are intended for the use and benefit of the Cities. Consultant and its consultants, subcontractors, agents, representatives, and/or employees shall be deemed the authors of their respective part of the Project Documents. Notwithstanding, upon payment by Lake Dallas as required by this Agreement, the Cities shall own, have, keep and retain all rights, title and interest in and to all Project Documents, including all ownership, common law, statutory, and other reserved rights, including copyrights (except copyrights held by Consultant) in and to all Project Documents, whether in draft form or final form, which are produced at Lake Dallas's request and in furtherance of this Agreement. The Cities shall have full authority to authorize contractor(s), subcontractors, sub-subcontractors, consultants, and material or equipment suppliers to reproduce applicable portions of the Project Documents to and for use in their execution of the work or for any other purpose. All materials and reports prepared by Consultant in connection with this Agreement are "works for hire" and shall be the property of the Cities upon payment of Consultant as provided in this Agreement.

Section 8. Termination

A. Lake Dallas may suspend or terminate this Agreement for cause or without cause at any time by giving written notice to Consultant. In the event suspension or termination is without cause, payment to Consultant, in accordance with the terms of this Agreement, will be made on the basis of services reasonably determined by Lake Dallas to be satisfactorily

performed to the date of suspension or termination. Such payment will be due upon delivery of all instruments of service to Lake Dallas.

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

Section 9. Insurance

A. Consultant shall during the term hereof maintain in full force and effect the following insurance:

(i) A commercial general liability policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the Consultant'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) An automobile liability insurance policy covering any vehicles owned and/or operated by Consultant, 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 Consultant's employees involved in the provision of services under this Agreement with policy limit of not less than \$500,000.00; and

(iv) Professional Liability covering negligent acts, errors and omissions in the performance of professional services with policy limit of not less than \$1,000,000.00 per claim and \$1,000,000.00 in the aggregate.

B. All insurance and certificate(s) of insurance shall contain the following provisions:

(i) Name the Cities, their officers, and employees as additional insureds as to all applicable coverage (not including the Workers Compensation Insurance and Professional Liability);

(ii) Provide for at least thirty (30) days prior written notice to the Lake Dallas for cancellation or non-renewal of the insurance or reduction in coverage limits; and

(iii) Provide for a waiver of subrogation against the Cities for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance (not including the Professional Liability Insurance).

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 delivered to Lake Dallas prior to commencement of services.

Section 12. Indemnification.

The Cities 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 Consultant pursuant to this Agreement. Consultant hereby waives all claims against the Cities, their officers, agents and employees (collectively referred to in this section as “City Indemnitees”) 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 the City Indemnitees. Consultant agrees to indemnify and save harmless the City Indemnitees 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 the negligent performance of services under this Agreement or by reason of any negligent act or omission on the part of Consultant, 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 a City Indemnitee, in whole or in part, in which case Consultant shall indemnify the City Indemnitee only to the extent or proportion of negligence attributed to Consultant, its officers, agents, or employees as determined by a court or other forum of competent jurisdiction). Consultant’s obligations under this section shall not be limited to the limits of coverage of insurance maintained or required to be maintained by Consultant under this Agreement. This provision shall survive the termination of this Agreement.

Section 13. Assignment

Consultant shall not assign this Agreement, or any part thereof, without the prior written consent of Lake Dallas.

Section 14. Applicable Laws

Consultant 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 Denton County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court

Section 15. Default of Consultant

In the event Consultant 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 Lake

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

B. Lake Dallas 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 Consultant.

Section 16. Adjustments in Services

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

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.

It is understood and agreed by and between the Parties that Consultant, in satisfying the conditions of this Agreement, is acting independently, and that the Cities assume no responsibility or liabilities to any third party in connection with Consultant's actions. All services to be performed by Consultant pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of any one or more of the Cities. Consultant 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.

Section 20. Third-Party Beneficiaries.

There are no intended third-party beneficiaries to this Agreement other than the City of Corinth, Texas, and the Town of Shady Shores, Texas, each of which may enforce the provisions of this Agreement without being a signatory party hereto.

Section 21. Right-Of-Access.

Pursuant to the Scope of Services, Consultant shall be solely responsible for obtaining right-of-access to personal property necessary to perform any required studies, surveys, tests or other necessary investigations in relation to the Scope of Services. Consultant will take reasonable precautions to minimize damage to the personal or real property in the performance of such surveys, tests, studies and investigations.

Section 22. 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 Lake Dallas: City Manager
 City of Lake Dallas
 1000 Lake Dallas Road
 Lake Dallas, Texas 75077

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

If to Consultant: Binkley & Barfield, Inc.
 Attn: _____
 1801 Gateway Boulevard, Suite 1800
 Richardson, Texas 75080

Section 23. Counterparts.

This Agreement may be executed by the Parties 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.

Section 24. Exhibits.

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

Section 25. 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 26. Prohibition of Boycott of Israel

Consultant verifies that (i) it does not Boycott Israel; and (ii) will not Boycott Israel during the term of the Agreement. This section does not apply if Consultant is a sole proprietor, a non-profit entity or a governmental entity; and only applies if: (i) Consultant has ten (10) or more fulltime employees and (ii) this Agreement has a value of \$100,000.00 or more to be paid under the terms of this Agreement.

(Signature page to follow)

AGREED AND SIGNED this ____ day of _____, 2020.

CITY OF LAKE DALLAS, TEXAS

By: _____
John Cabrales, Jr., City Manager

ATTEST:

Codi Delcambre, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney

AGREED AND SIGNED this ____ day of _____, 2020.

BINKLEY & BARFIELD, INC.

By: _____

Name: _____

Title: _____

EXHIBIT “A”
SCOPE OF SERVICES

Prepared by Binkley & Barfield, Inc.

August 11, 2020

DOBBS ROAD RIGHT-OF-WAY SURVEY
(CORINTH PARKWAY TO S. SHADY SHORES ROAD)
Scope of Services and Fee Proposal

PROJECT OVERVIEW

Right of Way Survey for a portion of Dobbs Road between Corinth Parkway to South Shady Shores Road for an engineering design project in the Cities of Corinth, Lake Dallas, Shady Shores and unincorporated Denton County.

SCOPE OF SERVICES

1. Surveyor shall research public records to confirm current names and addresses of all property owners for the adjacent tracts within the project limits. The Surveyor shall obtain copies of all adjacent tract recorded deeds and current subdivision plats within the project limits. Informational Title Reports will be obtained from a vendor of Baseline's choice for all unplatted properties. No additional title information will be obtained for platted properties.
2. Surveyor shall prepare right-of-entry letters and mail by Certified Mail, Return Receipt requested for all tracts identified within the project limits that by necessity will be entered upon in the course of this survey. The Surveyor shall coordinate the data to ensure that no private property shall be entered where right-of-entry has not been obtained.
3. Surveyor shall verify all existing project control provided by upon the commencement of the project (city benchmarks for horizontal and vertical control).
4. Surveyor shall create a Right of Way Map for the Project by evaluation by the Project RPLS of the recovered survey monuments found on the existing ROW lines, adjoining property corners, and rear property corners where right of entry has been granted with record information. Deliverable shall consist of an AutoCAD Civil 3D file with line work and a points file in either .txt or .csv format. A signed and sealed survey will be provided to the client.
5. Surveyor shall perform a topographic survey of drainage system improvements within the project area including cross culverts, storm sewer, inlets, driveway culverts and roadside ditches. Survey to also include edge of roadway limits at distances to be determined in the field by the Surveyor and at all changes in alignment to establish, in conjunction with the aerial photos (described below), the alignment of the existing roadway within the existing right-of-way for purposes of future project analysis. Deliverable shall consist of an AutoCAD Civil 3D file with line work and a points file in either .txt or .csv format.
6. Surveyor shall supply aerial photos with 0.5 ft resolution as .tif files for the project area.

FEEES

1.	\$1,940
2.	\$1,575
3.	\$3,540
4.	\$13,250
5.	\$4,860
6.	\$450

Subtotal: \$25,615	(Baseline Corporation, a subsidiary of Binkley & Barfield, Inc.)
Subtotal: \$8,000	(Binkley & Barfield, Inc.) (Coordination, CAD, Preparation of Exhibit, & Plots)
Total: \$33,615	

**CITY OF LAKE DALLAS, TEXAS
RESOLUTION NO. 08272020- _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS,
TEXAS, AUTHORIZING NEGOTIATION AND EXECUTION OF A
PROFESSIONAL SERVICES AGREEMENT WITH BINKLEY & BARFIELD,
INC. FOR SURVEYING AND RELATED SERVICES FOR DOBBS ROAD
PROJECT; PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City Council desires to enter into an interlocal agreement (the “Interlocal Agreement”) with the City of Corinth and Town of Shady Shores the proposed reconstruction and improvement of Dobbs Road from its intersection with South Shady Shores Drive on the East to its intersection with Corinth Parkway on the West (“the Project”), which segment passes through all three cities and is partially located in an unincorporated area in Denton County; and

WHEREAS, in order to determine the scope and possible costs related to the Project and determine if the Project is feasible, information regarding the amount of right-of-way that would need to be acquired from adjacent property owners is needed; and

WHEREAS, under the provisions of the Interlocal Agreement, the City of Lake Dallas is to be responsible for contracting for professional surveying and related services in association with identifying the right-of-way that would need to be acquired as part of the Project, the costs of which agreement shall be shared by all three cities; and

WHEREAS, City Administration has identified Binkley & Barfield, Inc. as a firm with the necessary professional skills and experience capable of providing the professional property surveying services described above and recommends negotiating and executing a professional services agreement with Binkley & Barfield, Inc. for a reasonable fee; and

WHEREAS, the City Council of the City of Lake Dallas finds it to be in public interest to concur in the foregoing recommendation;

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

SECTION 1. Provided the Interlocal Agreement has been signed by all of the parties and the governing bodies of the City of Corinth and Town of Shady Shores have taken such action as necessary to appropriate and set aside current funds to pay their respective financial obligations under the Interlocal Agreement, the City Manager is authorized to negotiate and execute a professional services agreement with Binkley & Barfield, Inc. to perform professional land surveying services with respect to various City-owned properties for an amount not to exceed \$33,615.00.

SECTION 2. This Resolution shall be effective immediately upon approval.

PASSED AND APPROVED this the 27th day of August 2020.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:8/20/2020:117480)

**DOBBS ROAD RIGHT-OF-WAY SURVEY
(CORINTH PARKWAY TO S. SHADY SHORES ROAD)
Scope of Services and Fee Proposal**

PROJECT OVERVIEW

Right of Way Survey for a portion of Dobbs Road between Corinth Parkway to South Shady Shores Road for an engineering design project in the Cities of Corinth, Lake Dallas, Shady Shores and unincorporated Denton County.

SCOPE OF SERVICES

1. Surveyor shall research public records to confirm current names and addresses of all property owners for the adjacent tracts within the project limits. The Surveyor shall obtain copies of all adjacent tract recorded deeds and current subdivision plats within the project limits. Informational Title Reports will be obtained from a vendor of Baseline’s choice for all unplatted properties. No additional title information will be obtained for platted properties.
2. Surveyor shall prepare right-of-entry letters and mail by Certified Mail, Return Receipt requested for all tracts identified within the project limits that by necessity will be entered upon in the course of this survey. The Surveyor shall coordinate the data to ensure that no private property shall be entered where right-of-entry has not been obtained.
3. Surveyor shall verify all existing project control provided by upon the commencement of the project (city benchmarks for horizontal and vertical control).
4. Surveyor shall create a Right of Way Map for the Project by evaluation by the Project RPLS of the recovered survey monuments found on the existing ROW lines, adjoining property corners, and rear property corners where right of entry has been granted with record information. Deliverable shall consist of an AutoCAD Civil 3D file with line work and a points file in either .txt or .csv format. A signed and sealed survey will be provided to the client.
5. Surveyor shall perform a topographic survey of drainage system improvements within the project area including cross culverts, storm sewer, inlets, driveway culverts and roadside ditches. Survey to also include edge of roadway limits at distances to be determined in the field by the Surveyor and at all changes in alignment to establish, in conjunction with the aerial photos (described below), the alignment of the existing roadway within the existing right-of-way for purposes of future project analysis. Deliverable shall consist of an AutoCAD Civil 3D file with line work and a points file in either .txt or .csv format.
6. Surveyor shall supply aerial photos with 0.5 ft resolution as .tif files for the project area.

FEES

- | | |
|----|----------|
| 1. | \$1,940 |
| 2. | \$1,575 |
| 3. | \$3,540 |
| 4. | \$13,250 |
| 5. | \$4,860 |
| 6. | \$450 |

Subtotal: \$25,615	(Baseline Corporation, a subsidiary of Binkley & Barfield, Inc.)
Subtotal: \$8,000	(Binkley & Barfield, Inc.) (Coordination, CAD, Preparation of Exhibit, & Plots)
Total: \$33,615	



**CITY COUNCIL
AGENDA MEMO**

Prepared By: John Cabrales Jr, City Manager

August 27, 2020

DESCRIPTION:

Consider on second reading a resolution authorizing a project of the Lake Dallas Community Development Corporation requiring an expenditure exceeding \$10,000 pursuant to Texas Local Government Code Section 505.158.

BACKGROUND INFORMATION:

The Lake Dallas Community Development Corporation (CDC) is a Type B Economic Development Corporation established by the City of Lake Dallas pursuant to the Development Corporation Act, Texas Local Government Code, Chapters 501-507, as amended (the "Act"). Specifically, the Corporation possesses the powers granted by Chapter 505, Texas Local Government Code. The CDC has determined that a program of purchasing small tracts of real property within the City at strategic locations for the purpose of consolidating those tracts into a larger parcel for redevelopment will promote new and expanded business enterprises within the City and constitutes a "project" in accordance with Section 505.158 of the Act.

City Administration has identified the properties located at 312 Main Street as properties that can be consolidated and redeveloped as described above, the purchase of which will be an eligible project expense as authorized by the Act. The CDC has been presented the opportunity to purchase the two properties at a reasonable price. The project will be paid from sales tax revenues that the CDC Board has on hand.

The "Act" requires that the CDC Board hold a public hearing on the expenditure of funds for the project. The CDC Board held the public hearing at their regularly scheduled meeting on August 10, 2020 meeting. The Board proceeded to approve a resolution authorizing an agreement to purchase the property located at 312 Main Street (Parcels #64031 and #218885) (the "Property").

Section 505.158 of the Act requires the City Council approve by resolution, following two separate readings, projects performed by a Type B Economic Development Corporation pursuant to Section 505.158 that requires an expenditure exceeding \$10,000. The CDC's purchase of the Property will require an expenditure exceeding \$10,000. The resolution presented this evening

for consideration is the second consideration. The purchase agreement is contingent upon the contract being approved on or before August 31, 2020 by the City Council.

FINANCIAL CONSIDERATION:

A proposal for the purchase of the identified properties that require the expenditure of approximately \$225,000. The estimated purchase, closing and project management costs for the property is show on the table below. The CDC has cash on hand to make this transaction.

Lake Dallas CDC Estimated Costs

Property	Sales Price	Approximate Due Diligence and Closing Costs	Total
312 Main Street, Lake Dallas, TX 75065, Lots 1-4, Block 14, O T Garza, approximately 12,000 +/- sq ft land & about a 1,900 sq ft building (but this is a land value transaction) and 60' Private Access Between Blocks 14 & 15, O T Garza, approximately 6,600 +/- sq ft land.	\$225,000	≈\$10,000	\$235,000

RECOMMENDED MOTIONS:

I move to **approve/deny** a resolution authorizing the Board of Directors of the Lake Dallas Community Development Corporation to proceed and take such action as deemed by the Board reasonable and necessary to conduct a project requiring an expenditure exceeding \$10,000 involving purchasing the property located at 312 Main Street, Lake Dallas, Texas, in an amount exceeding \$10,000.

ATTACHMENT(S):

1. Resolution

**CITY OF LAKE DALLAS TEXAS
RESOLUTION NO. 08132020-36**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, AUTHORIZING A PROJECT OF THE LAKE DALLAS COMMUNITY DEVELOPMENT CORPORATION REQUIRING AN EXPENDITURE EXCEEDING \$10,000 PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 505.158; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Lake Dallas Community Development Corporation (“the Corporation”) is a Type B Economic Development Corporation established by the City of Lake Dallas (“City”) pursuant to the Development Corporation Act, Texas Local Government Code, Chapters 501-507, as amended (the “Act”), specifically with the Corporation to possess the powers granted by Chapter 505, Texas Local Government Code; and

WHEREAS, City’s population is less than 20,000; and

WHEREAS, the Corporation’s Board of Directors (“the Board”) has determined that a program of purchasing small tracts of real property within the City at strategic locations for the purpose of consolidating those tracts into a larger parcel for redevelopment will promote new and expanded business enterprises within the City and constitutes a “project” in accordance with Section 505.158 of the Act (the “Project”); and

WHEREAS, the Board has identified the property located at 312 Main Street as property that can be consolidated and redeveloped as described above, the purchase of which will be an eligible project expense as authorized by the Act; and

WHEREAS, the Board finds it to be in the best interest of the Corporation and the City and in furtherance of its purpose as Type B Economic Development Corporation to take the action necessary to purchase the above-identified property which will require an expenditure exceeding \$10,000; and

WHEREAS, Texas Local Government Code §505.158 requires the City Council to approve by resolution, following two separate readings, projects performed pursuant to said Section 505.158 that require an expenditure exceeding \$10,000; and

WHEREAS, the City Council of the City of Lake Dallas, Texas, finds it to be in the public interest to approve the proposed project;

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

SECTION 1. The Corporation is hereby authorized to proceed and take such action as it deems reasonable and necessary to conduct the Project including, but not limited to, purchasing the property located at 312 Main Street, Lake Dallas, Texas, in an amount exceeding \$10,000.

SECTION 2. This Resolution shall be effective immediately upon its passage and it is accordingly so resolved.

PASSED AND APPROVED on FIRST READING this the 13th day of August 2020.

PASSED AND APPROVED on SECOND READING this the 27th day of August 2020.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:8/6/2020:117179)



**CITY COUNCIL
AGENDA MEMO**

Prepared By: Michele Sanchez, Finance Director

August 27, 2020

Adoption of a new Employee Compensation Plan

DESCRIPTION:

Consider and Act on a Resolution adopting a City Employee Job Classification Table and Employee Compensation Plan.

BACKGROUND INFORMATION:

On February 13, 2020 Lake Dallas City Council Approved Resolution 20132020-06 awarding a professional services agreement with Paypoint HR for the compensation study. The Scope of work for the Project is below:

1. Review background materials as needed, such as organizational charts, budgets, personnel rules and regulations, job descriptions, current pay plans and other related information.
2. Provide progress reports - not less than bi-weekly - outlining the following scope of work completed to date; scope of work completed during the period; and summary statement of project progress.
3. Work with the City staff to select the appropriate benchmark positions for the compensation survey.
4. Conduct a comprehensive analysis of the City's current compensation program, make recommendation for improvements, and suggest plans to address issues including, but not limited to, equity, recruitment, and retention.
5. Meet with City staff to assess concerns and finalize the methodology to be used.
6. Present work plan to the City Council.
7. Hold employee kick-off meetings and assist City staff with communication tools to keep employees informed throughout the process.
8. Conduct a customized market salary and benefit package survey for all classification groups.
9. Perform survey data analysis and recommend pay structures.
10. Develop or assist with the development of job descriptions to ensure that content and titles are accurate and that the descriptions are consistent with FLSA, ADA and EEO considerations. Priority will be given to those identified by City staff.

11. Meet with City Management and key staff to determine implementation strategies (including multi-year implementation strategies if needed) to present to the City Council.
12. Present the completed study and implementation recommendations to City Council.
13. Prepare implementation cost scenarios with the assistance of City staff

Once the Scope of work was set, Paypoint HR began their study, below are the major milestones of the project:

1. Kickoff Meeting was held on February 26th
2. Employee briefing sessions were held over a two-day period on April 2nd and 3rd with groups of employees from all departments to discuss the project, their roles, and to review the job analysis questionnaire
3. A Custom Website was created for the City to have employees complete a Position Vantage Point (PVP) job analysis questionnaire. A paper version of the PVP was made available as well
4. The data from the completed paper version of employee PVP's was uploaded to the central database. For positions that did not have an incumbent to complete the PVP, the Project Team assigned a supervisor to complete it.
5. A second custom website was created with a copy of all 38 completed PVP's for managers to review. Managers were able to give their own responses to the same questions for the position.
6. All positions were reviewed by managers on a separate PVP website.
7. Paypoint HR conducted a job evaluation for an internal review of job family classifications based on the employee and manager responses to the PVP's.
8. An analysis of the existing pay scale was completed.
9. External Market Comparators were vetted using economic and demographic data to determine which comparators were most like Lake Dallas to ensure validity.
10. Internal positions were reviewed, and benchmark positions were selected for inclusion in the external survey.
11. The external market survey was sent out to a total of 24 comparator organizations and responses from 19 participants were collected. Typical surveys of this type yield a 5-10% response rate. The City's study response rate is considered excellent at 79%
12. From both the internal and external market analysis, recommendations for a new pay scale was developed and individual job titles were assigned to the new pay grades.
13. Paypoint HR conducted 9 focus groups with approximately 35 employees from all departments. The Consultants met with employees by their peer categories over a two-day period on May 14th and 15th. The purpose of the focus groups was to gain a better understanding of the existing compensation plan and areas of possible improvement.
14. A draft report was generated for the Project Team along with updates to job descriptions. Job descriptions were updated and standardized using PVP responses from employees and managers.

At the June 25, 2020 city council meeting, Paypoint HR presented their findings and recommendations. Council had several questions regarding the recommended

compensation plans and equity adjustments. Staff has worked with Paypoint HR to make some revisions to the compensation plans and equity adjustments.

At the July 9, 2020 city council meeting, Paypoint HR presented some additional options for an employee compensation plan and associated salary adjustments needed for each employee to reach the 50 percentiles (%) of the market. Paypoint also presented a tenure adjustment for some employees that have been in a certain position for a certain amount of time. Council directed staff to proceed with the recommended employee compensation plan for all employees on Table 18 of the Paypoint HR report. Table 20 of the report list the internal equity position for all employees. On Tables 22 and 23 of the report is the recommended salary adjustments. Staff was directed to get all employees on that table to at least the half-way point to the New Rate in FY 2020-21, and to add the additional tenure salary adjustment on Table 25 for those employees that qualify.

At the August 13, 2020 City Council made significant adjustments to Table 20, Table 22, Table 23, and Table 25 of the Paypoint Report. These changes are represented in Exhibit A, Exhibit B, and Exhibit C in the resolution. Staff was then directed to adjust employees proposed salary based on the reformatted exhibits, with a max increase of \$3 per hour. Because the \$3 per hour cap will not get all employees to the 50 percentiles (%) of the market, and in some cases to the starting salary of the band in which their positions are located, then staff is recommended that Exhibit B and C have one plan adopted for FY 2020-21 and another one for FY 2021-22. This will ensure that we do not create any internal inequity issues by hiring in a new employee at a higher hourly rate than current employees in the same position.

Staff recommends approval of the resolution.

FINANCIAL CONSIDERATION:

The Compensation plan adopted contains a Market Rate that represents the mid-point on an employee band and represents the 50 percentiles (%) of the market for that employee. According to city council consensus, for FY 2020-21 a two percent (2%) Cost of Living Adjustment (COLA) at a minimum was given to all employees. If the new hourly rate exceeds the two percent (2%) Cost of Living, there will be a max increase of three (\$3/ per hour). The total financial impact for FY 2020-21 for salary and benefits adjustment is \$195,440.52 and the Finance Director has already worked these amounts into the department personnel budgets.

RECOMMENDED MOTIONS:

I move to **approve/deny** a Resolution adopting a City Employee Job Classification Table and Employee Compensation Plan.

ATTACHMENT(S):

1. Paypoint HR Report
2. Resolution



**Employee Compensation Study
Lake Dallas, Texas**

Paypoint HR, LLC
695 Santa Maria Lane
Davidsonville, MD 21035
(443) 336 - 4272

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Executive Summary

Paypoint HR is pleased to present this comprehensive Compensation and Classification Study to the City of Lake Dallas, Texas. The study began with an initial kick-off meeting with the City Manager and Finance Director on February 26, 2020. The Final Report was completed for presentation to the City Council in July 2020.

The point of the Executive Summary is to give an overview of the most important issues and opportunities identified by the consulting team during the study. The reader is highly encouraged to read the document in its entirety in order to gain an understanding of the recommendations within the report. The study takes into consideration both short and long-term concerns. The intent of the study was to provide the leadership team and City Council with a process for ascertaining equitable value of positions on a competitive salary scale. The study compared existing pay to compensation scales of organizations identified to be valid comparators the City of Lake Dallas. This report provides a review and update of the classification and compensation plan for the City's employees. Paypoint HR has identified opportunities, but it is up to the City Council to determine which are most appropriate and the timing of implementation.

In considering the options for implementation, it is critical to understand the costs and benefits related to each option. By utilizing market data and analysis it is possible to make informed decisions with regard to possible changes. However, in addition to the quantitative economic cost and benefit, it is important to consider the social/cultural impact of implementation and management. Lake Dallas will need to consider all components in making final decisions.

The study was divided into two parts: a classification phase and a compensation phase. The classification phase included identification, review, and analysis of specific work being performed in various positions. That data was then used to simplify positions and match them to the external market in an "apples to apples" comparison. The compensation phase consisted of an initial baseline analysis and an external market survey of local public organizations to determine what the local labor market pays for specific jobs.

The study included approximately 38 employees within roughly 30 distinct positions. The study recommendations indicate what actions should be taken, to avoid loss of qualified staff and address difficulties in recruiting new employees for the City. In addition, it was expected that the study would recommend adjustments to the City's salary placement procedures, policies, and salary structure, to allow appropriate ongoing compensation administration.

Comprehensive surveys like this establish a credible pay structure that is fair for the work completed and strategically positions Lake Dallas competitively in the labor market. The desired result is the improved ability to attract and retain quality staff that perform at high levels to meet the growing demands of the community.

Major Milestones for the Project

Initial kick-off meetings with the City Manager and Finance Director on February 26th.

Employee Briefing Sessions were held over a two-day period on April 2nd and 3rd with groups of employees from all departments to discuss the project, their roles, and to review the job analysis questionnaire.

A custom website was created for the City to have employees complete a Position Vantage Point (PVP) job analysis questionnaire. A paper version of the PVP was made available as well.

The data from the completed paper version of employee PVP's was uploaded to the central database. For positions that did not have an incumbent to complete the PVP, the Project Team assigned a supervisor to complete it.

A second custom website was created with a copy of all 38 completed PVP's for managers to review. Managers were able to give their own responses to the same questions for the position.

All positions were reviewed by managers on a separate PVP website.

Paypoint HR conducted a job evaluation for an internal review of job family classifications based on the employee and manager responses to the PVP's.

An analysis of the existing pay scale was completed.

External Market Comparators were vetted using economic and demographic data to determine which comparators were most like Lake Dallas to ensure validity.

Internal positions were reviewed, and benchmark positions were selected for inclusion in the external survey.

The external market survey was sent out to a total of 24 comparator organizations and responses from 19 participants were collected. Typical surveys of this type yield a 5-10% response rate. The City's study response rate is considered excellent at 79%. Respondents included the following organizations:

Respondents (19/24)

Argyle
Corinth
Heath
Kaufman
Northlake
Prosper
Sanger

Azle
Decatur
Hickory Creek
Kennedale
Oak Point
Richland Hills

Celina
Denton
Highland Village
Lake Elm
Princeton
Roanoke

From both the internal and external market analysis, recommendations for a new pay scale was developed and individual job titles were assigned to the new pay grades.

Paypoint HR conducted 9 focus groups with approximately 35 employees from all departments. The Consultants met with employees by their peer categories over a two-day period on May 14th and 15th. The purpose of the focus groups was to gain a better understanding of the existing compensation plan and areas of possible improvement.

A draft report was generated for the Project Team along with updates to job descriptions. Job descriptions were updated and standardized using PVP responses from employees and managers.

Recommendations

The fiscal impact of the recommendations listed below are approximate costs for salary adjustments only assuming a 2080-hour work schedule for full-time employees, 1040-hour for part-time employees. The fiscal impact does not factor in associated costs for employee related benefits.

1. Raise the salary of 6 positions that are below grade minimums of the recommended salary scale, first, at a cost of \$13,763.
 - 1 Animal Shelter Manager (\$3,277),
 - 1 Court Administrator (\$217),
 - 1 Crew Leader (\$2,723),
 - 1 Equipment Operator I (\$1,026),
 - 1 Equipment Operator II (\$1,360), and
 - 1 Public Works Superintendent (\$5,160).

2. Raise the salary of 9 positions that are *substantially* below market, second, at a cost of \$103,879.
 - 1 City Manager (\$41,195),
 - 1 Finance Director (\$20,403),
 - 2 Kennel Technicians (\$3,245 total),
 - 4 Library Assistants (\$19,869 total), and
 - 1 Police Chief (\$19,168).

3. Place 23 positions on the appropriate milestone level based on market, third, at a cost of \$51,072.
 - 1 Animal Control Officer (\$1,923),
 - 1 City Secretary (\$1,999),
 - 1 Code Enforcement Officer (\$516),
 - 1 Community Development Coordinator (\$302),
 - 1 Director of Library Services (\$3,548),
 - 1 Equipment Operator II (\$3,100),
 - 1 Permit Technician (\$650),
 - 2 Police Lieutenants (\$4,088 total),
 - 10 Police Officers (\$21,583 total),
 - 2 Police Officer Detectives (\$4,776 total),
 - 1 Police Sergeant (\$4,711), and
 - 1 Record Clerk (\$3,877).

4. Additionally adjust 7 positions to properly account for tenure in position, fourth, at a cost of \$39,675.
 - 1 Crew Leader (\$4,608),
 - 1 Equipment Operator II (\$3,710),
 - 3 Police Officers (\$15,189 total),
 - 1 Police Officer Detective (\$7,594), and
 - 1 Record Clerk (\$8,574).
5. Adjust the salaries of positions that are near market with normal base-salary and tenure adjustments.
6. Discontinue making base-salary adjustments to the salaries of positions that are above or *substantially* above market until compensation is near market.

Scope of Work

1. Review background materials as needed, such as organizational charts, budgets, personnel rules and regulations, job descriptions, current pay plans and other related information.
2. Provide progress reports - not less than bi-weekly - outlining the following scope of work completed to date; scope of work completed during the period; and summary statement of project progress.
3. Work with the City staff to select the appropriate benchmark positions for the compensation survey.
4. Conduct a comprehensive analysis of the City's current compensation program, make recommendation for improvements, and suggest plans to address issues including, but not limited to, equity, recruitment and retention.
5. Meet with City staff to assess concerns and finalize the methodology to be used.
6. Present work plan to the City Council.
7. Hold employee kick-off meetings and assist City staff with communication tools to keep employees informed throughout the process.
8. Conduct a customized market salary and benefit package survey for all classification groups.
9. Perform survey data analysis and recommend pay structures.
10. Develop or assist with the development of job descriptions to ensure that content and titles are accurate and that the descriptions are consistent with FLSA, ADA and EEO considerations. Priority will be given to those identified by City staff.
11. Meet with City Management and key staff to determine implementation strategies (including multi-year implementation strategies if needed) to present to the City Council.
12. Present the completed study and implementation recommendations to City Council.
13. Prepare implementation cost scenarios with the assistance of City staff

Benefit Summary

Paypoint HR feels it is appropriate to consider benefits when addressing strategic planning of compensations as there is a dynamic relationship between employers and employees. When depicting the strategic elements of pay, external influences and an evolving business environment affect attraction, retention, and engagement.

A total reward review of compensation incorporates all components organizations utilize to cultivate quality employees. An effective total rewards strategy produces a workforce that has the right people in the right jobs who are motivated and engaged to meet goals and feel loyal to the organization and its success.

The elements that contribute to Total Rewards are:

- Compensation,
- Benefits,
- Work-life effectiveness,
- Recognition,
- Performance management, and
- Talent development.

The information provided in this portion of the report is not intended to be an exhaustive benefit survey comparing the benefit summaries, premiums, co-pays, and deductibles. The benefit survey was designed to get a snapshot of the participant's employee benefit offerings. Where possible, Paypoint HR uses the information gathered from the external survey to analyze findings.

Benefit offerings are often considered in aggregate data. Caution should be exercised in the following:

- When interpreting the information, as elements within each organization are not equal. For example, there may be more part-time or seasonal workers employed at an organization who are not eligible for benefits. Using part-time or seasonal wages in the calculation could skew the findings.
- When adjusting pay, certain costs such as medical premiums, workers' compensation premiums and pension contributions will automatically increase as pay increases. Responsible employers will consider the additional costs related to these changes.

Questions included in the External Benefit Survey

1. What do benefits cost the organization in relation to the total compensation?
2. Do you offer major medical, dental & vision benefits? What are the employer/employee contributions to premiums?
3. What are the co-pays, deductibles, and out of pocket maximums for the health insurance?
4. Do you offer a TMRS Retirement Plan? What is your matching ratio? Are you a 20 or 25 year City? If not, what retirement plan do you offer.
5. What other employer sponsored benefits do you offer? Do you offer life insurance, AD&D, Short-term/Long-term Disability etc.?
6. What voluntary benefits are available to employees? For example, critical illness, accident, and hospitalization?
7. Do you pay out when an employee leaves your employment?
8. What leave benefits do you offer?
9. Do you offer employees any auto allowances? Are there certain positions that it applies to? Is it use of vehicle or actual monthly payment?
10. What clothing or uniform allowances do you offer? Do you offer winter outerwear, safety shoes, protective eyewear, jeans, plain clothes for police, for example?

The City of Lake Dallas's Current Employee Benefit Offering

The City's Human Resources department distributes an annual *New Enrollment Guide* to employees each year. The Guide is available in print and outlines what benefits are available, who is eligible, how to enroll, and how to make changes.

Content of the Guide includes a summary of the benefits the City makes available to employees as well as vendor contacts for employees to receive additional information and customer service for their individual benefits. Additionally, the City has a Personnel Policies and Procedures Manual that covers policies for day to day operational items like Holidays, Vacation Leave, Sick Leave, Longevity Service Recognition, and Certification Pay.

List of Employee Benefits Sponsored by the City of Lake Dallas for Eligible Employees

Health Insurance - The City offers 5 plans options.

Dental Insurance - The dental plan offers pediatric annual orthodontia of \$1,000 orthodontia and a \$1,500 annual maximum for dental.

Vision Insurance - The vision plan has a \$10 copay for annual routine visits and discounts for eyeglasses and supplies.

Disability Income Benefits - The City pays for short and long-term disability coverage.

Life Insurance - The City pays for 1x the base earnings up to \$100,000 in group life and accidental death and dismemberment (AD&D) insurance for full-time employees. Employees may choose to purchase additional coverage.

Flexible Spending Account (FSA) - Employees may choose to sign up to have qualified expenses for medical or dependent care deducted pre-tax.

Freshbenies - The City offers this program for employee access to health advocacy, telehealth, behavioral health, prescription, dental, and vision savings and more.

Health Savings Account (HSA) -Employer contributions for those who elect one of the employee-only rate HSA plans is \$750.88 to \$1,344.46 per year depending on which of the 2 eligible HSA plan is selected.

Employee Assistance Program (EAP) - The City makes this plan available to eligible employees to help address personal challenges.

Supplemental Insurances - Employees may elect to purchase insurance for cancer, hospital or other events.

Employee Sick Leave Bank - Employees may donate leave for fellow employees who are unable to work for long periods of time.

Holiday Leave - Eligible employees qualify for 12 paid Holidays per year.

Personal Days - Eligible employees earn up to 2 Personal Days per year.

Vacation Leave - Depending on years of service, employees earn between 10 to 20 days of paid Vacation each year. Employees can accrue up to a maximum of 2 times their annual Vacation one year to the next, if there is an excess amount it is converted to Sick Leave.

Sick Leave - Eligible employees earn up to 9 days of Sick leave each year with no maximum but payout at end of employment is limited to 60 days.

Workers' Compensation - The City offers insurance in the event an employee is injured on the job.

Texas Municipal Retirement System (TMRS) - Eligible employees contribute 7% of their gross income, which is not taxable until withdrawn. The City contributes the required amount.

Social Security

Medicare

Benefit Survey Responses

The chart below provides counts and percentage breakdowns of the market peers and Lake Dallas’s full-time and part-time employees. The market comparator organizations were made up of, on average, 88% full-time employees and 12% part-time employees. For Lake Dallas, this percentage was 84% full-time, and 16% part-time. The number of full-time and part-time employees can influence the benefits offered by an organization. Logically, the more full-time, benefit eligible employees an organization has, it’s more likely that the amount paid towards benefit offerings will be higher.

Table 1 - Percentage of Full-Time and Part-Time Employees

Personnel Count	Market Average		Lake Dallas	
Full-Time Employees	115	88%	32	84%
Part-Time Employees	16	12%	6	16%
Total	131	100%	38	100%

The percentage of benefits in relation to total compensation is a common broad indicator that organizations use to assess how generous the discretionary benefits are at individual organizations. Total compensation refers to the compensation package (salary and benefits) an employee receives from its organization. Therefore, benefits as a percentage of total compensation is calculated by dividing benefits expressed as a dollar amount by the amount of total compensation (salary plus benefits).

This study asked respondents to state what they calculated towards benefits. Generally, benefits they cited included health, dental, and vision premiums; HSA contributions, life insurance; workers’ compensation; pension; tuition, and FICA, though organizations may calculate this number differently.

Lake Dallas’s cost of benefits as a percent of total compensation was roughly 29.5%. The external market comparator average was 32%. The national average for the cost of benefits as a percent of total compensation is between 30 and 35% for non-union employee groups and 40 and 45% for union employee groups. The study did not ask respondents to disclose the union presence or prevalence within their organization. Also, it is common for benefit contributions to vary depending on the compensation practices of the organization and the relative cost of benefits.

Major Medical, Dental and Vision

100% of respondents stated they offer medical, dental, and vision benefits to their employees. Analysis from the benefit survey findings yielded the following results on the amount employers contributed towards medical, dental, and vision premiums.

Medical Premiums

Individual Level

- The average percent paid by the responding employers for individual level medical premiums was 97%.
- Lake Dallas pays 100% of employee level premiums.

Family Level

- The average percent paid by the respondents for family level medical premiums was 47%
- Lake Dallas pays 59% of family level medical premiums.

Dental

Individual Level

- The average percent paid by the responding employers for individual level dental premiums was 75%.
- Lake Dallas pays 100% of employee level premiums.

Family Level

- The average percent paid by the responding employers for individual level dental premiums was 23%.
- Lake Dallas pays 0% of family level premiums.

Vision

Individual Level

- The average percent paid by the responding employers for individual level vision premiums was 47%.
- Lake Dallas pays 0% of employee level premiums.

Family Level

- The average percent paid by the responding employers for individual level vision premiums was 12%.
- Lake Dallas pays 0% of family level premiums.

The following chart showing the market responses for employer contributions to premiums.

Market Averages of Employer Contributions to Premiums by Insurance Type and Level						
	Medical		Dental		Vision	
Level	Single	Family	Single	Family	Single	Family
90% to 100%	93%	-	68.75%	-	-	-
80% to 89%	-	6.67%	6.25%	6.25%	-	-
70% to 79%	6.67%	13.33%	-	6.25%	-	-
60% to 69%	-	33.33%	-	12.5%	-	-
50% to 59%	-	13.33%	-	-	-	-
40% to 49%	-	-	-	6.25%	-	-
30% to 39%	-	-	-	6.25%	-	-
20% to 29%	-	6.67%	6.25%	-	-	-
10% to 19%	-	-	-	-	-	-
0% to 9%	-	-	18.75%	62.50%	100%	100%
Total	100%	100%	100%	100%	100%	100%

Out-of-Pocket (OOP) Maximums

The range for OOP costs for individual level coverage In-Network was \$2,000 to \$7,150 and for family \$5,400 to \$12,000. Out-of-Network OOP maximums for individual level ranged from \$5,400 to \$11,300 and for family \$10,800 to \$22,600. The OOP maximums for Lake Dallas's base plan fall within the ranges found in the external market at \$4,000 for individual and \$8,000 for family.

Retirement

Of the respondents, 94% of them reported offering the Texas Municipal Retirement System (TMRS) for retirement. All respondents reported participating in the TMRS, contributing at a 2:1 employer to employee ratio (with employees paying 7%) and offering a 20-year service retirement eligibility.

Employer Sponsored Benefits

The chart below lists the other employee sponsored benefits reported by respondents.

Benefit Type	% of Market Respondents That Offer Benefit
Life Insurance	88%
AD&D	65%
STD/LTD	82%
Other Benefits	30%

The City's benefits are comparable to what was reported by respondents.

Voluntary Benefits

The Voluntary Benefits reported as being offered by respondents include the following:

Benefit Type	% of Market Respondents That Offer Benefits
Critical Illness Insurance	53%
Accident Insurance	61%
Hospitalization Insurance	61%
Other Voluntary Benefits	100%

Lake Dallas offers comparable voluntary benefits to employees through AFLAC.

Leave Payout

Respondents reported Leave Payouts for the following Leave Types:

Leave Type	% of Market Respondents That Payout by Leave Type
Sick	58%
Vacation	100%
Compensatory Time Off	42%

Lake Dallas allows employees to accrue up to a maximum of 2 times their annual Vacation one year to the next, if there is an excess amount it is converted to Sick Leave. Sick Leave payout at end of employment is limited to 60 days.

Leave Benefits

The average number of Holidays reported was approximately 11.5 days.

Annual Vacation Leave accruals reported ranged from 10 to 25 days.

The Annual Sick Leave Days earned ranged from 4 to 20 days.

None of the respondents reported offering Paid Time Off (PTO), which is a combination of leave types.

Roughly 33% of respondents reported offering Personal Days Off.

Lake Dallas offers comparable leave benefits.

Auto Allowance

Of the respondents, 94 % of them reported offering auto allowance either in the form of a take home vehicle or an auto allowance. Of those responding, 44% reported offering a take home vehicle to certain eligible employees, 6% offered reimbursement, and 50% reported paying an allowance.

Lake Dallas offers an auto allowance for the position of City Manager only.

Focus Groups

The purpose of the focus groups was to have employees share valuable firsthand knowledge and opinions of the existing City of Lake Dallas pay structure. Each focus group generally lasted an hour and consisted of a Q & A session where Paypoint HR asked questions from a pre-set list of 5 questions. While the main point of the employee feedback is centered on classification and compensation, these topics naturally open discussion to a number of other factors. This is a normal communication pattern and the report addresses the topics as they presented themselves in the discussion. The City may want to further consider exploring issues raised during the study focus groups.

On May 14 and 15, 2020 Paypoint HR held nine virtual focus group sessions with employees.

All employees were invited to attend the focus group sessions and actual attendance was approximately 35 employees in total. Participation was strongly encouraged but voluntary. Employees who attended were given an acknowledgment form to sign that explained the ground rules for focus groups.

A copy of the list of questions is shown below:

1. What general trends/forces impact your and Lake Dallas's success?
 - a. Economic
 - b. Regulatory
 - c. Cultural
 - d. Technology
 - e. Organizational structure
 - f. Demographics
 - g. Political
 - h. Natural environment
2. Who are the City's competitors for labor? Who are industry leaders and what contributes to their success? Who are key sources of employees for Lake Dallas? Any recommendations?
3. Has the City had difficulty retaining, developing, motivating, and recruiting competent performers for any particular positions?
4. Do you understand your compensation plan?
 - a. Is it motivating/fair?
 - b. Is it in-line with City's goals?
 - c. Does it use the right metrics?
 - d. Does it allow for advancement in your career ladder?
 - e. Is it competitive?
 - f. What does it recognize? Education, tenure, performance?
5. What recommendations for improvements do you have?

Employee Focus Group Responses:

A brief description of the comments made by focus group participants are summarized in the response section below. It is important to note that the views shared in this summary are not necessarily supported by Paypoint HR, nor are they fact-checked for accuracy. While the information included in this portion of the study is qualitative in nature, it is important to include any “perceived impressions” of employees so that the City has information and can choose to communicate and clarify as they see fit. The information that may identify the commenter has been removed. The feedback obtained provides a much stronger foundation for the study than simply reading the information from handbooks, job descriptions, and employment agreements. The comments and suggestions received during these meetings were compared by session and by topic to look for patterns, red flags, best practices, and areas of opportunity. They are one component to the study.

While the Focus Group questions are established to uncover areas of improvement it is also an opportunity to uncover strengths within the organization that the City should strive to maintain. The City of Lake Dallas had several areas where it stood out.

The City of Lake Dallas is a suburb Northwest of Dallas almost equidistant between Dallas and the City of Fort Worth. Tucked off highway 35 and situated along Lewisville Lake, the City is home to several parks and Lakeview Airport. Further, the Lake Dallas Independent School District is well respected and sought after by those with school aged children. These amenities draw locals and visitors alike to the City. While the City has enjoyed being a well-kept secret, employees felt that once commuters notice the City’s many positive attributes, Lake Dallas will quickly become less of an exit off of the highway and more of a destination. For this and other reasons, the employees of Lake Dallas don’t take their City for granted and are grateful to work for the community.

The Lake area has seen a boon for development as urbanites from the Dallas-Fort Worth Metroplex seek to shed the bustle of the city. This demographic seeks the experiences afforded by the Lake, parks and culture of the Lake area. This growth has spurred many changes in the Lake Dallas community and staff agreed most of these changes have been for the good. Employees are encouraged by efforts and partnerships that put the City in a position for smart growth.

Recently, the City of Lake Dallas has renewed its commitment to train and educate its employees to serve the community as respected professionals, something the staff has been grateful for and excited to take advantage of. It was expressed that the City hopes to augment these efforts by having employees join job-specific associations and participate in mentorship programs. Employees knowingly were up for the challenge of improving the City’s image and assist in shouldering the responsibility to represent the City in a positive light.

Just as they said they aren’t short on training and development; staff are also expressed feeling they were adequately equipped to do their jobs. In an economic climate where many in municipal and state governments simply must make do, employees felt Lake Dallas has

prioritized giving their people the tools for the job and is committed to repairing and replacing equipment when needed.

Overall, Lake Dallas staff described the City as a friendly, supportive place to work. As a relatively newer workforce with a positive Council and City Manager dynamic, they looked forward building an environment where employees felt encouraged to approach their supervisors about issues that matter to them just as easily as they can enjoy a potluck holiday lunch together. They felt through effective communication and open cooperation they can make the City a wonderful place to live and work.

General Trends

a. Economic

- Employees reported the COVID-19 pandemic had negatively impacted the local economy, but that it was too early to determine to what extent. They said the Ad valorem taxes were on target, though they expected to see a dip next year. Employees also said they expected sales tax, fines, and fees to be down as a result of the pandemic.
- Some participants noted that the City's \$5.2 million budget was largely funded by development in the area. They observed that development was beginning to slow down as developers were running out of land to build on in Lake Dallas. Participants thought rezoning existing areas for redevelopment would help revitalize the City.
- Staff added that new development occurring in Lake Dallas was a direct result of its proximity to large, up-and-coming, or well-established cities and the interstate.
- Employees said Lake Dallas leadership had been responsible stewards of taxpayer funds and had been conservative with spending. They described the City as being in a better position than other similar organizations due to the positive reserve fund balance. They felt this should help them avoid furlough and pay cuts in the wake of the COVID-19 pandemic.
- A few participants mentioned all large purchases had to be pre-approved by the City Manager. They said this policy was implemented to better anticipate and prioritize large purchases with respect to the budget.
- Staff shared that street maintenance was a huge part of the City's expenses, and the Road Maintenance Fund was a portion of the sales tax. They said amounts collected range from \$12,000 to \$20,000 per month and are at risk of fluctuating whenever sales slump, like during the pandemic.

- Employees mentioned visitors to Lake Dallas were an economic benefit to the City, because they spent money that transfers revenue from non-residents to local businesses and the City itself.
- Participants observed that prioritization in staffing, especially for new or lower-level managers was becoming more important. They said equity adjustments may be delayed by a year.
- A few staff expressed concern for the Animal Shelter and Library because, despite receiving public funds, these organizations have had to supplement with fundraising to maintain basic service levels.
- Participants believed there was an opportunity to work with the Community Development Corporation (CDC) on driving advertising but mentioned that neither the public nor local business owners have attended CDC meetings. In the past, it was said they had used a grant from Denton County to reach out to local businesses about opportunities.

b. Regulatory

- Staff mentioned they must do a great deal of reporting, auditing, data collection, site visits and more to remain compliant on the state and federal side. They said a lack of compliance on any level can result in asset forfeiture and/or fines. For example, the water utility has had to comply with the federal MS4 reporting schedule to ensure clean drinking water.
- Employees reported that a recent state mandate prevents them from increasing revenues by more than 3 percent year over year. They said they feared this would inhibit important capital projects and were hopeful the rate would be increased to 8 percent.
- Participants believed the state was possibly taking away the City's power to raise funds to meet demand for much needed services. For example, the Library had to meet certain state requirements just to receive funding.
- Staff noted that the City had a vast collection of ordinances that could be updated to clearer language to make them more relevant and add efficiency to the enforcement process.
 - For example, they referenced that the sign ordinances had been recently updated, but that these ordinances would need to be maintained over time.
 - They also mentioned that there was additional need to expand permitting use for zoning districts.
 - Some staff mentioned the regulations related to dealing with dangerous dogs were difficult to enforce and outdated.

- Employees said they hoped the new Director of Development Services would be able to work with Codes on updating ordinances.
- Several employees thought Code Enforcement and the Police Department have done a great job of working together enforcing the current laws and ordinances.
- Participants said each year new legislation had required new reporting and different databases for crimes and offense types. They said there were up to 90 questions on standard forms for basic offenses, and that the amount of administrative work can prevent them from doing their jobs well. They said the number of filing reports was too high for just one records manager to handle. They suggested additional administrative support would be of help in this area.

c. Cultural

- Most employees thought there was a cohesive, team-oriented attitude in Lake Dallas. They said staff wasn't afraid to go to their superiors with concerns when needed, and that they have healthy relationships with their coworkers - especially within their departments. Employees were proud to share how they have celebrated holidays and personal events together and supported each other during hard times.
- Participants reported that when departments need to work together, like Police and Public Works, they do so very well. They said even though they work for different departments and report to different locations, staff understood the importance of working together to get the job done, whatever that job may be.
- Staff believed the City had prioritized hiring the best possible people for each position and all department heads had either a bachelor's or master's degree. They said most employees saw the value in establishing an educated workforce.
- A few employees noted the City's increased budget for travel and training, in addition to joining relevant state organizations, so they can learn best practices and use resources from other communities. They stated they were pleased with this development.
- Participants shared that departments with physical locations outside City Hall have felt disconnected from the dynamics of City government and the larger group of City employees. They said these departments, like the Police, Library and Animal Control, were felt to have strong bonds within their departments, but that they would like to get to know others outside their departments and to build relationships with other City employees. They felt this translated into better service and response times by being able to communicate more openly and efficiently.

- Staff noted ongoing tensions between City Hall and the Police Department because of budgeting and costs discussions. Staff said the Police Department believed they were underpaid considering police reports increased by 30 percent since last year. They mentioned that everyone on both sides of the issue wished the matter were resolved.
- A few employees said there were one or two staffers working for the City who had not seemed interested in fostering a team atmosphere and had conducted themselves in a way that suggested they preferred the City remained divided. They emphasized that nearly every employee does the best they can with what they have, but that all employees needed to take the same approach towards willing compromise if conflicts are to be resolved and the citizens served well.
- Participants recognized, that despite some setbacks, the City's culture was improving in many departments. They said there had been some negativity, both in the public and within staff ranks, about the motivations of City Hall and the Police Department. Overall, participants believed the situation had been steadily improving for the last several years.

d. Technology and Tools

- Staff noted the significant strides the City had made throughout the past two years to update technology. They said computers had been updated and upgraded, compatible docking stations had been purchased and helpful software had been integrated into many departments.
- Employees mentioned that because most staff were already equipped with laptops, and the City had a mechanism in place to quickly purchase equipment for staff who still needed it, the pandemic-related stay-at-home orders had little negative impact on operations.
- Some participants pointed out that most equipment was now under a five-year replacement plan, except for streets and drainage. They said the City was working on incorporating streets and drainage into a preventative maintenance schedule, but other projects have taken precedence.
- Several staffers were pleased about the Pay Simple system for library fines, building permit fees, and more. They said this payment system had worked well and was very convenient.
- Some employees observed that although most departments had what they need, getting all the equipment each department needed had been an uphill battle with City Hall due to budget constraints.

- Participants universally acknowledged that there had been significant strides made in technology, and that they were more efficient with the right equipment. However, some staff mentioned the need for the following:
 - Tracking software and better hardware for Public Works
 - Audio/visual system for City Hall
 - The software system “Encode” for the Accounting Department
 - Additional laptops and computer microphones for the Library
 - Management software for the Building Department
 - Crime tracking software for the mobile computers, additional safety equipment and a new radio system for the Police Department

- Staff said the Police Department had made significant equipment improvements including radios, devices in vehicles such as laptops, programs for reality-based and virtual reality training, and more. Staff believed the Police fleet was a constant area of concern. They said this was because when a car was down, the schedule was disrupted, and officers had to figure out how they were going to work.

- Employees mentioned the Police Department’s successful use of grants to add an investigator position and buy ballistic vests. They observed that these funds came with a lot of strings attached and required a great deal of legwork to get off the ground.

- Some participants reported that the Animal Shelter was pleased to be converting to Shelter Pro after having been operating using hard copies. They also mentioned the Shelter was the farthest behind in terms of technology and tools. Participants said they had the oldest vehicle and facility, poor internet, a bad radio system and weren’t connected to the City’s server which had prevented them from backing up their data and communicating well with internal and external clients.

- Staff thought the Courts could use a software upgrade. They explained their current software was 10 years old and that there was an updated, less expensive version available. Staff said they were waiting for approval from the City Council to purchase the program later this year.

e. Organizational Structure

- Some employees believed authority was divided evenly, and that there wasn’t a single person or role with too much power. They said employees weren’t afraid to address issues with their next in command. They added that communication across departments and chain-of-command was usually straightforward, and that requests were generally addressed, although sometimes not resolved in a timely fashion.

- A few participants observed that there were several Directors with no subordinates which was perceived as top-heavy to some. They mentioned there were fewer situations like this than in the past.
- Staff said staffing levels varied based on which department head was most persistent in asking for additional positions, although the overall employee count had changed little in the last three years.
- A few employees mentioned that the Police Department suffered from losing two front-office employees in 2017. They said current support positions were stretched too thin as they had to maintain records, take care of open records requests, maintain the sex offender registry, give assistance to the Chief, and provide compliance support.
- Some participants thought the Police Department could benefit from more pre-shift communication to ensure nothing from the previous shift fell through the cracks. They also believed they'd benefit from an additional Sergeant, although none of the current officers were ready for such a promotion.
- Staff from the Animal Shelter has appreciated the opportunity to come to the table with the City Manager. They said doing so allows them to catch up, feel more connected to the City government and address any operational issues.
- A few employees believed Public Works would benefit from adding an administrative position to help with records management and data entry.
- A few participants wondered why consultants and outside firms were called in to analyze and address issues instead of investing in the tools to do such things internally.

f. Demographics

- Staff said the town was originally a rural fishing post with small parcels of land that had grown into the City of Lake Dallas throughout the years. They mentioned that the area had recently seen some growth due to its proximity to Dallas and Fort Worth.
- Employees noted Lake Dallas was originally predominantly Caucasian, but that as the town had grown, so too had the Latino and African American populations. They said in addition to Spanish-speaking residents, there were several residents who speak Russian. They commended the Library for doing their best to translate and serve these populations as needed.

- Participants reported that residents were on the older side, but with more and more families coming into the area the demographics were trending younger.
- Staff observed that some of the population was low-income, and that there were several trailer parks in Lake Dallas. They said the median income for the City of Lake Dallas wasn't below the national average, and that the poverty level was below the state average.
- Some employees mentioned the gentrification efforts underway in the City. They said many of the poor and minority populations were being pushed out to Lewisville and Corinth. Employees noted there were currently three or four middle class, suburban housing developments in the area.
- Participants mentioned how much development had changed the City of Lake Dallas. They said a 300-unit apartment was proposed to house young urban professionals commuting from surrounding cities. Participants thought many of the older population were against this, because they don't like change and want Lake Dallas to stay small, yet economically prosperous.
- Staff thought the City of Lake Dallas was a generally safe community. They said most of the crimes in the area were burglaries or other property-related crimes.
- Several employees believed the new toll bridge had significantly increased traffic into town and caused more traffic violations, accidents, and civil disputes for the Police to deal with. They also said there were more transient people coming into town which had increased calls and arrests for drug and alcohol-related offenses. Employees believed they were dealing less with locals and more with non-locals.
- Several participants discussed the high quality of the schools in the area. They said the schools were a big draw for families.

g. Political

- Staff recalled that four years ago, Lake Dallas suffered a political implosion which resulted in many terminations, resignations, and early retirements of leadership as well as rank-and-file employees. They said the City had worked hard since 2016 to pick up the pieces and rebuild trust.
- Employees mentioned that due to that significant turnover in 2016 and 2017, most of the current department heads had tenures of three years or less.
- Participants agreed the Mayor was approachable and brought a unique perspective, while council members were inquisitive and have respected the staff to make sound decisions. However, they thought City Council could do a better

job of understanding the inner workings of City management, perhaps by participating in orientation or training sessions.

h. Natural Environment

- Employees said the City of Lake Dallas was a lakeside community, although it no longer promoted itself this way. They thought the lake was still a big draw for visitors and residents who have used the lake for recreation.
- Participants reported that Willow Grove Park was on the lake with a long-term lease from the Army Corps. of Engineers. They said this park was well used and had great amenities including fishing, trails, camping, and more. A few participants observed that there had been recent issues with littering at the park that had drawn attention on social media. They believed staff had worked hard to keep all the parks clean, but that they were limited by a lack of resources.
- It was hoped that the City could work out an arrangement with the Army Corps of Engineers to provide additional services at Willow Grove Park. For example, employees felt offering lakeside food services would add to the ambience at the Park.
- Staff mentioned the presence of the highway through the City. They said the highway was extremely convenient but had caused terrible traffic conditions.
- Employees said the climate was very hot and muggy at times. They noted a few issues with extreme weather, and that during rain, the flooding and mud had been a challenge. They said that when flooding occurs, it had taken up to 20 minutes to navigate around the high-water area. Employees mentioned several road maintenance projects on the docket that could help this issue.
- Participants mentioned the City was just a 30-minute drive to Dallas and a 40-minute drive to Fort Worth. They thought the proximity to the Metroplex had advantages and disadvantages, depending on perspective.

Lake Dallas County's Competitors for Labor

- Staff said entities competing with the City of Lake Dallas for labor included the following:
 - Businesses in the Metroplex
 - Corinth
 - Denton City
 - Denton County
 - Frisco
 - Flower Mound
 - Hickory Creek
 - Highland Village
 - Kaufman
 - Lewisville
 - Little Elm
 - Shady Shores
 - University of North Texas
 - University of Texas
 - Water Districts
- Employees believed these organizations were successful, because they could pay more and offered better benefits than a small city. They also said most competing organizations had professional teams and solid finances, so employees didn't need to compromise on support and equipment.
- Some participants noted the additional training and certification opportunities as well as the upward mobility offered by large, successful organizations.
- Staff suggested using online resources like Indeed and LinkedIn to post job opportunities and attract new applicants. They said most applicants currently come by word of mouth, in addition to a few cold calls.

Difficult to Retain, Develop, Motivate, and Recruit Positions

- Employees believed low pay was one of the biggest barriers to recruitment, especially in the Police Department. They said local governments located just 20 minutes away had paid up to \$20,000 more per year for certain positions. They believed employees had stayed in Lake Dallas because they love their coworkers and their work.
- A few participants pointed out that the City had lacked job descriptions for many positions which had required more flexibility from employees. They said the work at Lake Dallas was more diverse because there was less specialization in each position due to being a small town and each person wearing many hats.

- Some staff thought finding skilled labor was even more difficult because permit technicians and other similar positions paid so much more in other municipalities within driving distance. They said some employees have used Lake Dallas as a steppingstone to gain experience.
- Employees reported that most staff had been with Lake Dallas for three or fewer years, because most career-track employees leave to make more money elsewhere. They said the loss of tenured employees was significant because when another was hired, they started the training and education process all over again.
- Participants expressed that hiring people and training them properly was a significant investment of time and money. They said the process usually takes several months and once the position was filled, they're in training for four to five months.
- Staff mentioned there had been many changes in the last few years in most director positions. For example, there had been four Animal Services Managers in the last six years.
- Employees said that Public Works had been trying to hire a specific position for more than 18 months. They believed there was a labor shortage preventing them from finding the right candidate. They added that the part-time Library position had been a challenge to fill because few students were studying library sciences.
- Participants observed that the Police Department also struggled to attract and retain competent candidates. They believed a labor shortage could be to blame, but there were also many applicants turned off by the low pay. They said qualified, experienced officers usually pull their applications once they find out the starting pay.
- Staff mentioned how little gratitude they receive from the public for a job well done. For example, Public Works said the job of street maintenance was thankless because people frequently complain about the state of the roads, no matter how recently repaired. They felt residents weren't appreciative of the work they do.
- Employees were glad a compensation study was being done but wondered if the effort was a waste of time for such a small city.

Compensation Plan

- Most participants admitted to not understanding the City's goals, and they felt staff were less motivated by pay and more by camaraderie and serving the public. They thought Lake Dallas should keep pace with the compensation of other local cities to remain competitive.
- Staff expressed that the pay plan was not aligned with goals. They said there were too many steps to get to the top, and that the system was outdated. Staff said it can take up to 20 years to get to the top tier with only a range of \$7,000 from bottom to top.
- Some employees believed the step plan, despite having some issues, had improved overall in the last several years. Still, staff said it's used more like a guide, rather than strictly followed. As a result, employees expressed frustration at not having predictability in compensation which prevents them from anticipating their pay for years in the future.
- Participants noted that equity adjustments had taken place from time to time to get employees to the most recent starting pay levels. They said some of the pay issues were the result of employees being given the wrong starting pay and put in the wrong tier from the start. All staff were appreciative of the most recent 4 percent raise.
- Several staff mentioned the need for the Police Department to have their own pay plan, because their hours were so different from civilian employees. They said they work 84 hours in a pay period but were on an 80-hour step pay plan. Staff added that Police don't receive additional pay for education or training, and that no other local Police Departments' pay was structured this way.
- A few employees observed that there was little advancement opportunity in the Library or Parks Department. They thought more opportunities would be motivating.
- Many participants expressed appreciation for the City's vested interest in training and educating its employees.
- Staff mentioned that when financial rewards can't be given, verbal acknowledgment or an award commemorating great performance would be received well. Many staff liked the Police Department's annual awards and thought a similar program would be motivating for non-sworn employees.

Employee Ideas

- Employees thought City Council should support the chain of command and the charter for communications. They said most staff know they don't take direction from the Council but ensuring everyone understands the chain of command would be helpful.
- Several participants noted the need to improve communication between leadership, so information flows accurately and without animosity from the top down. They said the decision-making process at the top should be consistent and transparent. They also wanted relationships between leadership, department heads and rank-and-file employees to be clearly defined.
- Employees suggested that the Mayor's office should have a process in place to ensure the Mayor always had the most up-to-date, accurate information to present to the public. They said that when the Mayor accidentally reports incorrect information, it should be the City Manager that provides the correction.
- Staff emphasized the need to ensure promotions, work distribution, rewards, and more aren't given out of favoritism but as result of honest, hard work. They wanted to make sure there was internal equity.
- Employees suggested that the pay plan should be revamped to have a clear cut, predictable pay schedule. Police staff suggested a separate pay plan for sworn staff.
- Staff noted that many employees have taken on extra jobs to cover living expenses. They suggested looking at other local governments' pay plans to better understand competitive pay. They also thought reducing the steps within bands and making sure the right positions were in the right bands would help.
- Participants mentioned that health benefits could be improved.
- Staff suggested that department heads should commit to conducting annual performance reviews so employees were able to understand what they've done well and how they can improve. They said they would appreciate performance-based raises, even as little as half a percent, because of a good review. Staff said this would help them feel that the City appreciated their hard work.
- Employees welcomed the emphasis on training but would like to take it to the next level by investing in both management and leadership training for department heads and others in leadership and management positions. Staff would like to see more funds for training in the areas of change management, anti-bullying, communication skills, basic software, and public sector best practices.

- A few participants spoke highly of the value of cross-training, job development and career progression. They thought this would be an effective, cost-conscious way to get additional training off the ground. Participants also said employees were often asked to take on more outside their work area, and that cross-training would address the knowledge gaps.
- Some staff mentioned an up-and-coming training cooperative between the City Managers of Corinth, Hickory Creek, Shady Shores and Lake Dallas. They said this group was considering bringing in trainers to share expenses and communally educate employees starting in 2021.
- Employees thought increasing the financial incentive for field employees to work toward certifications would be a good motivator. They believed a tiered incentive maxing out at \$100 a month would be effective.
- A few participants said additional pay for other specializations, like being bilingual or working on shifts would be motivating. They also thought revamping overtime and holiday pay would be fair.
- Staff wanted the City to find ways to motivate employees when revenues were low and to be able to do so in a transparent way. They want to feel appreciated and valued, no matter what the economic conditions.
- Employees suggested creating new revenue sources like a Crime Control District in the City to raise funds for the Police Department. They mentioned another option would be a drainage fee for Public Works or Parks. Employees acknowledged how another tax or fee could cause some citizen backlash but thought that the resulting revenue would position staff to serve the public more effectively.
- Participants mentioned a few gaps where additional staff was needed, like an administrative person for Public Works, another Library staffer and more front office help for the Police Department. They said in some cases, positions could be created to be shared by departments, or currently underutilized employees could have an updated job description to account for some of the gaps in service.
- Staff thought the Police Department needed a larger, more up-to-date office space. They said the pink desks, cracked floors, and plastic plants were embarrassing, and that there wasn't enough room for every officer to have their own workspace.
- A few employees believed the Animal Shelter should be reconfigured to move the dog run away from the lobby or invest in sound mitigation. They said that the noise had become such a problem that people have had to go outside to have a conversation.

- Some participants noted the library would benefit from a more durable building that was more resistant to storm damage.
- Several staffers mentioned the need for larger parking lots for the employees, particularly those in the Library and Police Station.
- Employees felt the new employee orientation process could be improved. They said they should develop a new employee handbook and take the time to introduce new employees to all staff.
- A few participants said the City should consider creating alternative work schedules, like working 7:30am to 5:30pm on Monday through Thursday, then taking a half-day on Friday.
- Some staff thought more sidewalks for foot traffic would be beneficial. They said they would like to walk to work, when possible.
- Employees thought that the City should recruit new businesses to develop new land and grow the local economy.

Comparators

Purpose

To determine economically comparable organizations for inclusion in the external market study by comparing economic metrics of City of Lake Dallas to those of similar communities.

Methodology

The goal was to understand how each of the twenty-four (24) identified communities compared with the City of Lake Dallas. The six (6) metrics that were chosen for evaluation were population, unemployment rate, labor force participation rate, median household income, cost of living adjustment, and median housing price. Each metric was assumed to be equally important and were examined individually and in combination.

A statistic was produced for each metric by first taking the absolute value of the difference between the metric for a similar community and the same metric for the City of Lake Dallas, for example, the difference between the population of City of Lake Dallas and the City of Corinth. The difference was then divided by the standard deviation to understand how the difference varied for each similar community in relation to the sample population of the twenty-four (24) communities as a whole.

If any of the metrics had a value in excess of three standard deviations, then the community was considered to not be a good comparator for the City of Lake Dallas - highlighted in **red** below. Comparators highlighted in **green** were perceived by the client as a valid comparator.

From a statistical perspective, Chebyshev's Inequality Theorem indicates that 88.8% of all data values would be within three (3) standard deviations of the mean for a generic distribution. If a normal distribution exists, then values less than three (3) standard deviations account for 99.73% of the population. The choice of comparison is therefore statistically sound and appropriate.

A summary table of these calculations is presented in the following tables. (Sample calculations are also presented.)

Table 2 – Potential Comparators – Texas Cities

Argyle	Aubrey	Azle	Celina
Corinth	Decatur	Denton	Glenn Heights
Heath	Hickory Creek	Highland Village	Kaufman
Kennedale	Krum	Little Elm	Melissa
Northlake	Oak Point	Princeton	Prosper
Richland Hills	Roanoke	Royse City	Sanger

For reference:

Population

Lake Dallas - 7,832
 Texas - 27,885,200
 United States - 321,368,864

Median Housing Price (MHP)

Lake Dallas - \$146,600
 Texas - \$161,700
 United States - \$204,900

Median Household Income (MHI)

Lake Dallas - \$67,908
 Texas - \$59,570
 United States - \$60,293

Cost of Living Adjustment (COLA)

Lake Dallas - 96.6
 Texas - 93.1
 United States - 100

Unemployment Rate (U Rate)

Lake Dallas - 5%
 Texas - 4%
 United States - 4%

Labor Force Participation Rate (LFP Rate)

Lake Dallas - 72%
 Texas - 65%
 United States - 63%

Table 3 - Economic Data of the Lake Dallas and Potential Comparators

Community	Population	MHP	MHI	COLA	U Rate	LFP Rate
Lake Dallas	7,832	\$146,600	\$67,908	96.6	5%	72%
Argyle	3,988	\$436,700	\$146,667	127.1	2%	69%
Aubrey	3,313	\$158,000	\$68,125	98.4	4%	74%
Azle	12,149	\$139,400	\$65,295	90.1	4%	63%
Celina	9,354	\$298,900	\$112,176	115.4	1%	75%
Corinth	21,158	\$238,800	\$96,670	107.0	4%	72%
Decatur	6,608	\$136,800	\$55,849	92.1	4%	69%
Denton	133,661	\$50,730	\$56,489	101.5	4%	68%
Glenn Heights	12,581	\$155,500	\$65,051	96.3	5%	70%
Heath	8,410	\$450,200	\$155,488	134.9	4%	61%
Hickory Creek	4,442	\$255,600	\$107,731	110.5	6%	69%
Highland Village	16,342	\$351,000	\$143,854	122.6	3%	71%
Kaufman	7,107	\$87,800	\$42,610	88.3	2%	58%
Kennedale	7,998	\$192,200	\$75,000	100.5	3%	66%
Krum	4,973	\$168,200	\$80,833	98.8	1%	77%
Little Elm	42,889	\$233,700	\$95,337	108.8	4%	77%
Melissa	8,492	\$279,000	\$113,532	114.5	1%	70%
Northlake	2,524	\$371,000	\$81,289	108.3	3%	80%
Oak Point	3,878	\$250,600	\$86,162	109.1	1%	67%
Princeton	9,765	\$178,900	\$63,635	101.8	3%	71%
Prosper	19,103	\$436,600	\$140,815	131.8	2%	70%
Richland Hills	8,052	\$124,300	\$61,431	88.7	1%	63%
Roanoke	7,899	\$311,700	\$88,958	109.0	3%	74%
Royse City	11,746	\$171,900	\$78,200	104.0	4%	74%
Sanger	8,023	\$136,200	\$62,606	96.7	3%	72%

Table 4 – Statistics of Potential Comparators

Community	Population	MHP	MHI	COLA	U Rate	LFP Rate
Argyle	0.15	2.59	2.50	2.38	2.12	0.58
Aubrey	0.17	0.10	0.01	0.14	0.71	0.39
Azle	0.17	0.06	0.08	0.51	0.71	1.74
Celina	0.06	1.36	1.40	1.47	2.83	0.58
Corinth	0.51	0.82	0.91	0.81	0.71	0.00
Decatur	0.05	0.09	0.38	0.35	0.71	0.58
Denton	4.84	0.86	0.36	0.38	0.71	0.77
Glenn Heights	0.18	0.08	0.09	0.02	0.00	0.39
Heath	0.02	2.71	2.78	2.99	0.71	2.13
Hickory Creek	0.13	0.97	1.26	1.08	0.71	0.58
Highland Village	0.33	1.82	2.41	2.03	1.42	0.19
Kaufman	0.03	0.52	0.80	0.65	2.12	2.71
Kennedale	0.01	0.41	0.22	0.30	1.42	1.16
Krum	0.11	0.19	0.41	0.17	2.83	0.97
Little Elm	1.35	0.78	0.87	0.95	0.71	0.97
Melissa	0.03	1.18	1.45	1.40	2.83	0.39
Northlake	0.20	2.00	0.42	0.91	1.42	1.55
Oak Point	0.15	0.93	0.58	0.98	2.83	0.97
Princeton	0.07	0.29	0.14	0.41	1.42	0.19
Prosper	0.43	2.59	2.31	2.75	2.12	0.39
Richland Hills	0.01	0.20	0.21	0.62	2.83	1.74
Roanoke	0.00	1.47	0.67	0.97	1.42	0.39
Royse City	0.15	0.23	0.33	0.58	0.71	0.39
Sanger	0.01	0.09	0.17	0.01	1.42	0.00

Sample Calculation

Sample Calculation for City of Cornith

Population Statistic

Maximum Population = 133,661 (Denton)

Minimum Population = 2,524 (Northlake)

City of Lake Dallas Population = 7,832

City of Corinth Population = 21,158

Sample Average = 15,291

Sample Standard Deviation (s) = 25,990

$$\text{Statistic} = \frac{|\text{City of Lake Dallas} - \text{City of Corinth}|}{s}$$

$$\text{Statistic} = \frac{|7,832 - 21,158|}{25,990}$$

$$\text{Statistic} = 0.51$$

Benchmark Positions

Benchmark positions are normally chosen to reflect a broad spectrum of class levels. The positions that are selected normally include classes that are most likely to be found in other similar agencies and will therefore provide a sufficient and valid sample for analysis.

Benchmark positions are selected to encompass the entire range of positions from the beginning of the pay ranges to the end and equally interspersed among the pay scale.

In Table 5, the benchmark positions used in the external survey are presented and marked in **green**. From this list of benchmark positions, all job titles employed by the City of Lake Dallas were examined.

Table 5 - Benchmark Positions

Job Title	Job Title
Accounting Clerk	Equipment Operator II
Administrative Assistant	Finance Director
Animal Control Officer	Kennel Technician
Animal Shelter Manager	Librarian
City Manager	Library Technicians
City Secretary	Municipal Court Clerk
Code Enforcement Officer	Permit Technician
Community Development Coordinator	Police Chief
Court Administrator	Police Lieutenant
Court Clerk	Police Officer
Crew Leader	Police Officer Detective
Deputy City Secretary	Police Sergeant
Development Services Director	Public Works Manager
Director of Library Services	Public Works Superintendent
Equipment Operator I	Record Clerk

Baseline Analysis

Current Salary Schedule

The salary schedule for all employees is presented in Table 6. Salary ranges identified with “+” denote police officers who work 2184 hours yearly. All other employees are on a 2080-hour work schedule. Midpoints for each salary grade have also been calculated for comparison with external market data.

Spread measures the percentage difference between the maximum and minimum salary for a position. It is also an indication of the lateral progression available to an employee within their job title. A narrow spread often leads to wage compression as the maximum salary is quickly achieved. A narrow spread can also lead to low morale and high turnover as economic advancement is limited. The salary schedule from Table 6 has a consistent spread of 98%. It is important that the spread is consistent amongst all employees so that all positions have a relatively equal advancement opportunity.

Table 6 – Current Salary Schedule

Current Grade	Min	Mid	Max
A	\$14.65	\$21.83	\$29.00
B	\$16.84	\$25.10	\$33.35
C	\$19.37	\$28.86	\$38.35
D	\$22.28	\$33.19	\$44.10
E	\$24.50	\$36.51	\$48.52
F	\$26.95	\$40.16	\$53.37
G	\$29.65	\$44.18	\$58.70
H	\$32.61	\$48.59	\$64.57
E+	\$23.33	\$34.77	\$46.21
F+	\$25.67	\$38.25	\$50.83

Ladders define the percentage salary difference between consecutive groups of job titles. Ladders can be used to differentiate employees with different knowledge, skills, and abilities and motivate career advancement. The ladders, that is, the percent difference between consecutive minimums, consecutive midpoints, and consecutive maximums, ranges from 10% to 15%. It is recommended that the ladders be consistent between grades.

Table 7 – Current Spread and Ladders

Current Grade	Spread	Min Ladder	Mid Ladder	Max Ladder
A	98.0%	-	-	-
B	98.0%	14.9%	15.0%	15.0%
C	98.0%	15.0%	15.0%	15.0%
D	97.9%	15.0%	15.0%	15.0%
E	98.0%	10.0%	10.0%	10.0%
F	98.0%	10.0%	10.0%	10.0%
G	98.0%	10.0%	10.0%	10.0%
H	98.0%	10.0%	10.0%	10.0%
E+	98.0%	-	-	-
F+	98.0%	10.0%	10.0%	10.0%

Overall Salary Distribution

The salary distribution for all employees is shown in Figure 1. The label “Percentage of Employees” on the ordinate y-axis reflects the total number of employees.

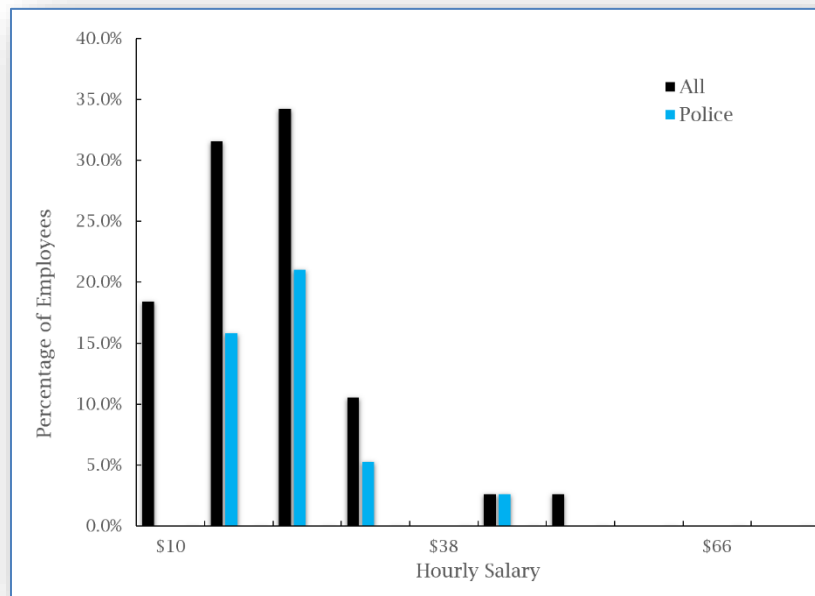


Figure 1 – Salary Distribution

A clear bimodal pattern does not exist which would demonstrate a two-tier compensation structure. It is preferable if there is a clear broad-banded bimodal distribution, that is, two bell curves, demonstrating both separation between supervisory and non-supervisory compensation and career progression within these two groups.

The concentration of employees in the upper end of the salary range in comparison to the lower end is not excessive, meaning that the organization is not top-heavy with respect to compensation.

Distribution Observations

Table 8 examines salaries of all employees with respect to the maximum and minimum of each grade. In Table 9, the distribution of salaries above or below the midpoint of each grade is presented

Table 8 – Employees Near Min/Max

Current Grade	Staff #	# near Min	% near Min	# near Max	% near Max
A	1	1	100%	0	0.0%
B	4	2	50.0%	0	0.0%
C	3	1	33.3%	0	0.0%
D	2	0	0.0%	0	0.0%
E	1	0	0.0%	0	0.0%
F	3	0	0.0%	0	0.0%
G	3	0	0.0%	0	0.0%
H	1	0	0.0%	0	0.0%
E+	12	5	41.7%	0	0.0%
F+	1	0	0.0%	0	0.0%
Sum	31	9	29.0%	0	0.0%

Table 9 – Employees Near Midpoint

Current Grade	Staff #	Below Mid	Below Mid %	Above Mid	Above Mid %
A	1	1	100%	0	0.0%
B	4	4	100%	0	0.0%
C	3	3	100%	0	0.0%
D	2	2	100%	0	0.0%
E	1	1	100%	0	0.0%
F	3	3	100%	0	0.0%
G	3	3	100%	0	0.0%
H	1	0	0.0%	1	100%
E+	12	12	100%	0	0.0%
F+	1	1	100%	0	0.0%
Sum	31	30	96.8%	1	3.2%

Observations

- Overall, there is a high concentration (29.0%) of salaries near the minimum.
- In Grade E+ (police officers), a high concentration of employees is near the minimum of the grade. A high concentration of employees at the extremes can lead to or be the cause of systemic employment issues including low morale, retention, etc.
- In Grades A through G and E+, a high concentration of employees is below the midpoint of each respective grade suggesting skewed distribution of salaries. A high concentration of employees below the midpoint can lead to or be the cause of systemic employment issues.
- Overall, there is a high concentration of employees below the midpoint of the grade (96.8%) suggesting, that is, there is an unbalanced distribution of salaries.
- No employees are currently being compensated above the maximum or below the minimum of the current respective grades

Compensable Factor Score from Position Vantage Point

To assist in determining the internal hierarchy of positions in the City, the employees and managers participated in the Position Vantage Point Job Survey. Questions asked in the PVP are divided into four areas: Background, Authority, Skill, and Environment. In these four areas, the following compensable factors were examined:

Education	Complexity
Certifications	Independence
Work Duties	Impact
Work Experience	Physical
Financial Authority	Working Conditions
Supervision	Interaction

Job descriptions were consulted to update both the minimum education level and minimum experience level required for each position. The responses were then evaluated, producing the Compensable Factor Score (CFS) as shown below. For positions, where there was insufficient data from the employee/manager survey, job descriptions were consulted to fill out the survey.

Upon the conclusion of this study, the City will be able to use this customized CFS Scoring system to analyze both new job titles and existing job titles where job duties have changed using the same metrics used to analyze the job titles in the table below. This will allow for all new and updated job titles to be examined fairly while also preserving internal equity at the City.

Table 10 – Compensable Factor Score

Current Grade	Job Title	CFS Score
N/A	City Manager	491.6
F	Development Services Director	312.8
F	Finance Director	312.6
H	Police Chief	312.3
F	Public Works Superintendent	103.7
G	City Secretary	101.5
G	Police Lieutenant	95.6
E	Public Works Manager	74.3

Current Grade	Job Title	CFS Score
F	Director of Library Services	70.5
F	Police Sergeant	60.7
D	Animal Shelter Manager	51.4
E	Police Officer Detective	38.5
C	Crew Leader	36.7
E	Police Officer	35.9
C	Record Clerk	30.0
D	Librarian	29.8
B	Equipment Operator II	25.8
C	Code Enforcement Officer	25.3
C	Accounting Clerk	25.0
B	Permit Technician	19.8
A	Equipment Operator I	19.7
B	Animal Control Officer	19.4
C	Municipal Court Clerk	17.6
C	Court Clerk	17.5
A	Administrative Assistant	17.2
N/A	Library Technician	14.3
N/A	Kennel Technician	4.4

External Market Comparison

A summary of the findings of the external market analysis is presented in Table 11 through Table 15. In Table 16 the external market findings for all job titles is presented, sorted alphabetically. The minimum, midpoint, and maximum hourly salary for each job title is presented first. The various market quantiles are then presented. Lastly the Compa-Ratio, the ratio of the grade's midpoint divided by the 50th percentile from the external market, which measures the extent of the deviation of the current salary range in comparison to the market median, is presented. Compensation of individual employees is considered separately.

Table 11 – Full-Time Positions Substantially Below Market (% Diff < -10%)

City Manager	Kennel Technician
Deputy City Secretary	Library Assistant
Development Services Director	Police Chief
Finance Director	

Table 12 – Full-Time Positions Below Market (-10% < % Diff < -5%)

None	
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Table 13 – Full-Time Positions Near Market (-5% < % Diff < +5%)

Animal Shelter Manager	Police Lieutenant
Crew Leader	Public Works Manager
Equipment Operator II	Public Works Superintendent

Table 14 – Full-Time Positions Above Market (+5% < % Diff < +10%)

City Secretary	Equipment Operator I
Court Administrator	

Table 15 - Full-Time Positions Substantially Above Market (% Diff > +10%)

Accounting Clerk	Librarian
Administrative Assistant	Municipal Court Clerk
Animal Control Officer	Permit Technician
Code Enforcement Officer	Police Officer
Community Development Coordinator	Police Officer Detective
Court Clerk	Police Sergeant
Director of Library Services	Record Clerk

Table 16 – External Market Comparison

	Accounting Clerk	Admin. Assistant	Animal Control Officer	Animal Shelter Manager	City Manager
Current Scale					
Grade	C	A	B	D	
Minimum	\$19.37	\$14.65	\$16.84	\$22.28	
Midpoint	\$28.86	\$21.83	\$25.10	\$33.19	\$53.94
Maximum	\$38.35	\$29.00	\$33.35	\$44.10	
Market Percentiles					
20%	\$19.97	\$16.77	\$17.34	\$26.77	\$60.10
25%	\$20.64	\$17.11	\$17.37	\$27.56	\$62.00
30%	\$20.90	\$18.30	\$18.04	\$28.75	\$64.66
35%	\$21.52	\$18.60	\$18.30	\$30.30	\$71.00
40%	\$22.56	\$19.47	\$18.92	\$31.42	\$71.97
45%	\$22.89	\$19.55	\$19.87	\$32.37	\$73.88
50%	\$23.39	\$19.62	\$20.64	\$32.82	\$74.52
55%	\$23.39	\$19.82	\$20.64	\$33.25	\$77.88
60%	\$23.58	\$20.64	\$20.75	\$33.85	\$77.88
65%	\$24.96	\$21.20	\$20.84	\$35.25	\$94.20
70%	\$25.71	\$22.02	\$23.42	\$38.76	\$96.15
75%	\$27.00	\$22.85	\$24.17	\$41.30	\$97.93
80%	\$27.34	\$24.46	\$24.86	\$42.67	\$97.93
Average	\$23.43	\$20.44	\$20.87	\$34.29	\$80.19
Compa-Ratio	+23.4%	+11.2%	+21.6%	+1.1%	-27.6%

	City Secretary	Code Enforce. Officer	Comm. Dev. Coordinator	Court Admin.	Court Clerk
Current Scale					
Grade	G	C	E	D	C
Minimum	\$29.65	\$19.37	\$24.50	\$22.28	\$19.37
Midpoint	\$44.18	\$28.86	\$36.51	\$33.19	\$28.86
Maximum	\$58.70	\$38.35	\$48.52	\$44.10	\$38.35
Market Percentiles					
20%	\$33.39	\$19.74	\$20.84	\$22.62	\$16.00
25%	\$34.57	\$20.05	\$22.56	\$26.11	\$16.00
30%	\$35.66	\$20.64	\$24.30	\$26.58	\$16.18
35%	\$37.01	\$20.88	\$24.79	\$27.24	\$18.29
40%	\$38.29	\$21.58	\$25.37	\$27.39	\$18.51
45%	\$40.41	\$22.87	\$26.69	\$30.52	\$18.72
50%	\$41.06	\$23.56	\$28.90	\$31.36	\$19.14
55%	\$43.06	\$24.01	\$29.62	\$32.96	\$19.83
60%	\$44.20	\$24.92	\$33.72	\$33.52	\$19.83
65%	\$45.69	\$25.48	\$36.46	\$33.75	\$20.11
70%	\$46.38	\$26.56	\$43.38	\$34.84	\$20.86
75%	\$47.70	\$27.35	\$44.58	\$36.34	\$21.84
80%	\$48.35	\$27.65	\$45.07	\$37.90	\$21.89
Average	\$42.05	\$23.65	\$32.99	\$31.04	\$19.12
Compa-Ratio	+7.6%	+22.5%	+26.3%	+5.8%	+50.8%

	Crew Leader	Deputy City Secretary	Dev. Services Director	Director of Library Services	Equipment Operator I
Current Scale					
Grade	C	C	F	F	A
Minimum	\$19.37	\$19.37	\$26.95	\$26.95	\$14.65
Midpoint	\$28.86	\$28.86	\$40.16	\$40.16	\$21.83
Maximum	\$38.35	\$38.35	\$53.37	\$53.37	\$29.00
Market Percentiles					
20%	\$23.48	\$28.77	\$42.99	\$30.89	\$16.76
25%	\$24.32	\$29.46	\$43.27	\$31.64	\$17.47
30%	\$25.34	\$30.17	\$48.86	\$32.86	\$18.97
35%	\$26.13	\$30.59	\$53.40	\$33.33	\$19.47
40%	\$26.88	\$32.55	\$53.52	\$35.38	\$19.88
45%	\$27.86	\$33.85	\$53.75	\$35.89	\$19.97
50%	\$28.53	\$33.92	\$54.65	\$35.89	\$20.54
55%	\$29.28	\$34.37	\$56.00	\$35.95	\$21.31
60%	\$30.37	\$35.04	\$60.96	\$36.35	\$22.11
65%	\$31.32	\$36.02	\$65.96	\$37.55	\$22.61
70%	\$32.82	\$37.83	\$66.41	\$38.36	\$22.84
75%	\$33.91	\$38.78	\$68.15	\$38.52	\$23.02
80%	\$34.95	\$39.54	\$68.15	\$40.66	\$24.00
Average	\$29.30	\$34.72	\$55.70	\$36.17	\$20.80
Compa-Ratio	+1.2%	-14.9%	-26.5%	+11.9%	+6.2%

	Equipment Operator II	Finance Director	Kennel Technician	Librarian	Library Technician
Current Scale					
Grade	B	F		D	
Minimum	\$16.84	\$26.95	\$10.40	\$22.28	
Midpoint	\$25.10	\$40.16	\$10.81	\$33.19	\$11.44
Maximum	\$33.35	\$53.37	\$11.22	\$44.10	
Market Percentiles					
20%	\$20.08	\$43.27	\$11.84	\$23.17	\$14.28
25%	\$20.66	\$46.06	\$12.00	\$23.17	\$14.28
30%	\$21.48	\$46.24	\$12.00	\$23.38	\$14.68
35%	\$22.07	\$48.10	\$12.00	\$23.43	\$15.01
40%	\$22.75	\$48.61	\$12.20	\$24.00	\$15.26
45%	\$23.45	\$53.73	\$12.56	\$25.24	\$16.24
50%	\$24.03	\$55.06	\$13.08	\$25.91	\$17.21
55%	\$24.66	\$56.41	\$13.97	\$27.82	\$17.48
60%	\$25.27	\$64.24	\$14.73	\$28.00	\$17.80
65%	\$25.93	\$66.23	\$15.38	\$28.81	\$18.05
70%	\$27.38	\$67.06	\$15.92	\$29.45	\$18.30
75%	\$28.24	\$69.23	\$16.57	\$29.80	\$18.76
80%	\$29.15	\$72.12	\$17.31	\$30.36	\$20.12
Average	\$24.67	\$57.29	\$14.25	\$27.07	\$16.89
Compa-Ratio	+4.4%	-27.1%	-17.4%	+28.1%	-33.5%

	Municipal Court Clerk	Permit Technician	Police Chief	Police Lieutenant	Police Officer
Current Scale					
Grade	C	B	H	G	E+
Minimum	\$19.37	\$16.84	\$32.61	\$29.65	\$23.33
Midpoint	\$28.86	\$25.10	\$48.59	\$44.18	\$34.77
Maximum	\$38.35	\$33.35	\$64.57	\$58.70	\$46.21
Market Percentiles					
20%	\$16.59	\$17.08	\$45.79	\$32.40	\$25.72
25%	\$16.87	\$17.30	\$48.56	\$35.73	\$25.80
30%	\$17.34	\$18.55	\$48.73	\$38.00	\$26.48
35%	\$18.42	\$19.07	\$49.95	\$40.17	\$27.08
40%	\$18.51	\$19.52	\$51.93	\$42.30	\$27.39
45%	\$18.59	\$19.82	\$55.64	\$43.52	\$28.17
50%	\$18.98	\$20.19	\$57.69	\$44.18	\$28.60
55%	\$19.48	\$20.36	\$58.75	\$45.49	\$28.85
60%	\$19.86	\$21.35	\$61.54	\$47.43	\$29.55
65%	\$20.31	\$22.08	\$63.74	\$47.71	\$30.19
70%	\$21.43	\$22.80	\$64.99	\$49.90	\$31.04
75%	\$21.81	\$23.07	\$67.31	\$51.90	\$31.59
80%	\$22.08	\$24.22	\$69.23	\$54.12	\$32.50
Average	\$19.35	\$20.51	\$57.67	\$44.37	\$29.12
Compa-Ratio	+52.0%	+24.3%	-15.8%	0.0%	+21.6%

	Police Officer Detective	Police Sergeant	Public Works Manager	Public Works Supt.	Record Clerk
Current Scale					
Grade	E+	F+	E	F	C
Minimum	\$23.33	\$25.67	\$24.50	\$26.95	\$19.37
Midpoint	\$34.77	\$38.25	\$36.51	\$40.16	\$28.86
Maximum	\$46.21	\$50.83	\$48.52	\$53.37	\$38.35
Market Percentiles					
20%	\$23.95	\$31.19	\$28.76	\$33.95	\$20.77
25%	\$24.82	\$31.90	\$30.98	\$35.85	\$20.96
30%	\$25.87	\$32.40	\$34.23	\$38.58	\$21.37
35%	\$26.69	\$32.45	\$34.67	\$39.40	\$22.08
40%	\$27.45	\$32.45	\$34.95	\$40.16	\$23.69
45%	\$28.47	\$32.90	\$36.06	\$40.94	\$24.70
50%	\$29.15	\$34.30	\$37.18	\$40.96	\$25.22
55%	\$29.92	\$35.30	\$40.47	\$41.58	\$25.99
60%	\$31.08	\$35.79	\$41.32	\$43.23	\$28.14
65%	\$32.06	\$36.20	\$42.85	\$45.44	\$28.82
70%	\$33.57	\$37.49	\$46.25	\$48.42	\$30.03
75%	\$34.69	\$38.25	\$47.55	\$53.55	\$31.25
80%	\$35.75	\$38.90	\$48.17	\$57.60	\$32.39
Average	\$29.94	\$34.98	\$39.00	\$44.69	\$26.39
Compa- Ratio	+19.3%	+11.5%	-1.8%	-2.0%	+14.4%

Example – Animal Shelter Manager

The calculations below are relative to the job title, not any current or future employee in the position. For instance, the length of service with the City at this juncture has not been taken into account.

Under the existing classification system, the Animal Shelter Manager job title is classified as a Grade D. The corresponding minimum salary is \$22.28 per hour and maximum salary is \$44.10 per hour. The midpoint of the range, halfway between the minimum and maximum, is \$33.19 per hour.

In a survey that had 10 respondents, for example, at the 20th percentile 8 respondents paid more than the value indicated and 2 paid less. For the Animal Shelter Manager job title this amount is \$26.77.

In this study, the market level used for comparison is the 50th percentile. For the Animal Shelter Manager job title, the 50th percentile of the external market was found to be \$32.82 per hour. In comparing the existing classification system to the market, the 50th percentile is measured against the midpoint of \$33.19 per hour. The Compa-Ratio, measuring the distance between the 50th percentile and the midpoint, is found to be +1.1% in the calculation below. In other words, the Animal Shelter Manager job title is currently compensated 1.1% above the 50th percentile of the market.

$$\text{Compa - Ratio} = 1 - \frac{\text{Midpoint}}{\text{50th Percentile}}$$

$$\text{Compa - Ratio} = 1 - \frac{\$33.19}{\$32.82}$$

$$\text{Compa - Ratio} = +1.1\%$$

Proposed Salary Schedules

Police Officer

A recommended salary scale for Police Officers is shown in Table 17. The spread between the minimum and maximum salary was initially set to 60% (common value for all employees), an industry standard value, to allow for growth opportunities. For Officers, in particular, the minimum was subsequently set to be the current minimum salary, thus reducing the spread to 45%.

For Police Officers, a 7-milestone level plan is proposed where increases are given based upon budgetary considerations and satisfactory employee performance.

Table 17 – Proposed Salary Schedule – Police Officer

Milestone Level	Officer (OFC)	Sergeant (SGT)	Lieutenant (LT)
1	\$23.33	\$26.21	\$31.81
2	\$25.07	\$28.84	\$34.99
3	\$26.81	\$31.46	\$38.17
4	\$28.55	\$34.08	\$41.35
5	\$30.28	\$36.70	\$44.53
6	\$32.02	\$39.32	\$47.71
7	\$33.76	\$41.94	\$50.89

General Employees

A recommended salary scale for General Employees is shown in Table 18. The spread was also set to 60%. The number of pay grades was set to 25 to accommodate the range of CFS Scores. The Ladders, i.e., the distance between grades, was set to be 7.5%. Larger Ladders were included to increase the incentive for employees to seek positions of greater responsibility and to make it financially beneficial. The recommended salary scale incorporates 7 milestone levels where increases are given based upon budgetary considerations and satisfactory employee performance. In the future, it is possible to convert the salary schedule to a min/max range plan to allow for greater financial flexibility.

Table 18 – Proposed Salary Schedule – General Employees

Grade	Level 1 (Min)	Level 2	Level 3	Level 4 (Mid)	Level 5	Level 6	Level 7 (Max)
LD01	\$10.00	\$11.00	\$12.00	\$13.00	\$14.00	\$15.00	\$16.00
LD02	\$10.75	\$11.83	\$12.90	\$13.98	\$15.05	\$16.13	\$17.20
LD03	\$11.56	\$12.71	\$13.87	\$15.02	\$16.18	\$17.33	\$18.49
LD04	\$12.42	\$13.67	\$14.91	\$16.15	\$17.39	\$18.63	\$19.88
LD05	\$13.35	\$14.69	\$16.03	\$17.36	\$18.70	\$20.03	\$21.37
LD06	\$14.36	\$15.79	\$17.23	\$18.66	\$20.10	\$21.53	\$22.97
LD07	\$15.43	\$16.98	\$18.52	\$20.06	\$21.61	\$23.15	\$24.69
LD08	\$16.59	\$18.25	\$19.91	\$21.57	\$23.23	\$24.89	\$26.54
LD09	\$17.83	\$19.62	\$21.40	\$23.19	\$24.97	\$26.75	\$28.54
LD10	\$19.17	\$21.09	\$23.01	\$24.92	\$26.84	\$28.76	\$30.68
LD11	\$20.61	\$22.67	\$24.73	\$26.79	\$28.85	\$30.92	\$32.98
LD12	\$22.16	\$24.37	\$26.59	\$28.80	\$31.02	\$33.23	\$35.45
LD13	\$23.82	\$26.20	\$28.58	\$30.96	\$33.34	\$35.73	\$38.11
LD14	\$25.60	\$28.16	\$30.72	\$33.29	\$35.85	\$38.41	\$40.97
LD15	\$27.52	\$30.28	\$33.03	\$35.78	\$38.53	\$41.29	\$44.04
LD16	\$29.59	\$32.55	\$35.51	\$38.47	\$41.42	\$44.38	\$47.34
LD17	\$31.81	\$34.99	\$38.17	\$41.35	\$44.53	\$47.71	\$50.89
LD18	\$34.19	\$37.61	\$41.03	\$44.45	\$47.87	\$51.29	\$54.71
LD19	\$36.76	\$40.43	\$44.11	\$47.79	\$51.46	\$55.14	\$58.81
LD20	\$39.51	\$43.47	\$47.42	\$51.37	\$55.32	\$59.27	\$63.22
LD21	\$42.48	\$46.73	\$50.97	\$55.22	\$59.47	\$63.72	\$67.97
LD22	\$45.66	\$50.23	\$54.80	\$59.36	\$63.93	\$68.50	\$73.06
LD23	\$49.09	\$54.00	\$58.91	\$63.82	\$68.72	\$73.63	\$78.54
LD24	\$52.77	\$58.05	\$63.33	\$68.60	\$73.88	\$79.16	\$84.43
LD25	\$56.73	\$62.40	\$68.07	\$73.75	\$79.42	\$85.09	\$90.77

CFS Scoring by Grade

In Table 19, the correlation between CFS score and grade is presented. From this table, all positions have been placed.

Table 19 – Proposed Salary Schedule – CFS Range

Grade	Min	Max
LD01	0.0	11.3
LD02	11.3	12.2
LD03	12.2	13.3
LD04	13.3	14.6
LD05	14.6	16.1
LD06	16.1	17.9
LD07	17.9	20.1
LD08	20.1	22.7
LD09	22.7	25.9
LD10	25.9	29.8
LD11	29.9	34.8
LD12 OFC	34.8	41.0
LD13	41.0	48.9
LD14	48.9	59.1
LD15 SGT	59.1	72.4
16	72.4	90.2
LD17 LT	90.2	130.7
LD18	130.7	180.8
LD19	180.8	221.9
LD20	221.9	266.0
LD21	266.0	313.5
LD22	313.5	364.5
LD23	364.5	419.3
LD24	419.3	478.2
LD25	478.3	541.6

Proposed Internal Equity

In Table 20, the resulting proposed internal equity for the City is presented for all employees.

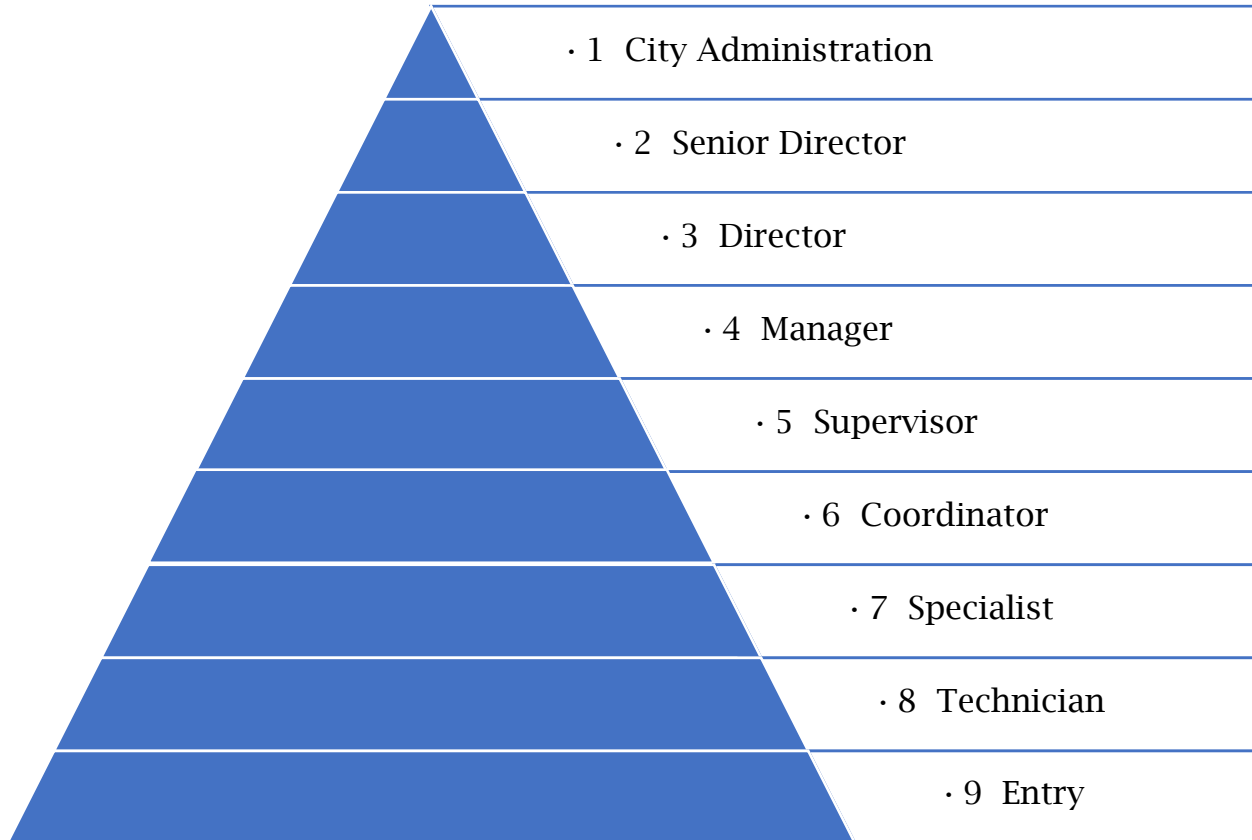
Table 20 – Proposed Internal Equity

Grade	Title
LD01	Kennel Technician
LD02	-
LD03	-
LD04	Library Assistant
LD05	-
LD06	Administrative Assistant Court Clerk Municipal Court Clerk
LD07	Animal Control Officer Equipment Operator I Permit Technician
LD08	-
LD09	Accounting Clerk Code Enforcement Officer Equipment Operator II
LD10	Librarian
LD11	Record Clerk
LD12 OFC	Community Development Coordinator Crew Leader Police Officer Police Officer Detective
LD13	-
LD14	Animal Shelter Manager Court Administrator Deputy City Secretary
LD15 SGT	Director of Library Services Police Sergeant
16	Public Works Manager

Grade	Title
LD17 LT	City Secretary Police Lieutenant Public Works Superintendent
LD18	-
LD19	-
LD20	-
LD21	Development Services Director Finance Director Police Chief
LD22	-
LD23	-
LD24	-
LD25	City Manager

Recommended Reclassifications

Career Progression Levels



The classification hierarchy can be implemented within each department to standardize career progression and allow employees to see how they fit in the organization as a whole. Placement on the career development chart is not in direct correlation to pay. For some departments, like emergency services, a more industry specific generally accepted hierarchy of positions may be appropriate.

Level	Category	Description
1	City Administration	Oversees all day-to-day operations within the organization.
2	Senior Director	Communicates at high levels and assists with development of a long-term strategic vision for the City.
3	Director	Oversees activities and operations for a department.
4	Manager	Manages activities and operations for a program.
5	Supervisor	Monitors, evaluates, and resolves complex internal policies with a short-term tactical approach.
6	Coordinator	Facilitates planning and implements projects for the City.
7	Specialist	Utilizes knowledge and experience in the application of a field to handle complex tasks.
8	Technician	Applies learned skills in day-to-day tasks.
9	Entry	Supports the services offered by the City.

For clarification the following provides more specific definitions of titles:

- Attendant / Aide - This position involves field specific task-oriented work.
- Assistant - This is a support position which relates to office, accounting and finance.
- Lead - This person leads by example. He or she organizes, assigns, makes decisions, and recognizes capabilities of staff in their charge.

While the City can guide employees in their professional growth, factors such as economic circumstances, organizational priorities, and community demands will also impact their career path. As a general trend, employees are taking a more pro-active approach to their own career development and will value an employer who allows for learning and training opportunities as opposed to one that does not.

Table 21 - Recommended Reclassification

Classification	Current Title	Title Change
Level 9	Kennel Technician	Kennel Assistant
Level 6	Animal Shelter Manager	Animal Shelter Administrator
Level 4	Community Development Coordinator	Community Development Manager

Recommended Salary Adjustments

Market

A regression analysis of the CFS Score and the salary survey results indicate that market median salary for all positions is predicted very well by the CFS Score. The coefficient of determination is **96%**, in other words, the knowledge, skills, and abilities identified in the employee/manager Position Vantage Point job description survey correlate extremely well with the external markets' valuation of the job positions at Lake Dallas.

In Table 22, salary recommendation for all general employees based on the external market findings is presented. Police Officer, Police Lieutenants, and Police Sergeants salaries are found in Table 23.

Table 22 –Market Salary Adjustments – General Employees

Name	Title	Current Grade	Current Rate	New Grade	New Rate
Bigham	Animal Control Officer	B	\$17.60	LD07-3	\$18.52
Uber	Animal Shelter Manager	D	\$24.03	LD14-1	\$25.60
Cabrales	City Manager		\$53.94	LD25-4	\$73.75
Delcambre	City Secretary	G	\$37.21	LD17-3	\$38.17
Rusnak	Code Enforcement Officer	C	\$19.37	LD09-2	\$19.62
Bentley	Community Development Coordinator	E	\$26.44	LD12-3	\$26.59
Fernandez	Court Administrator	D	\$25.50	LD14-1	\$25.60
Miller	Crew Leader	C	\$20.85	LD12-1	\$22.16
McAdams	Director of Library Services	F	\$28.57	LD15-2	\$30.28
Koebrick	Equipment Operator I	A	\$14.94	LD07-1	\$15.43
Guerrero	Equipment Operator II	B	\$18.13	LD09-2	\$19.62
Jacobs	Equipment Operator II	B	\$17.18	LD09-1	\$17.83
Sanchez	Finance Director	F	\$32.67	LD21-1	\$42.48
Gonzales	Kennel Technician	-	\$11.44	LD01-4	\$13.00
Harden	Kennel Technician	-	\$11.44	LD01-4	\$13.00
Foote	Library Assistant	-	\$10.40	LD04-3	\$14.91
January	Library Assistant	-	\$10.40	LD04-3	\$14.91

Name	Title	Current Grade	Current Rate	New Grade	New Rate
Marino	Library Assistant	-	\$10.99	LD04-4	\$16.15
Shambley	Library Assistant	-	\$11.22	LD04-4	\$16.15
Cowling	Permit Technician	B	\$18.21	LD07-3	\$18.52
Carolla	Police Chief	H	\$50.25	LD21-5	\$59.47
Cline	Public Works Superintendent	F	\$29.33	LD17-1	\$31.81
Beaty	Record Clerk	C	\$22.87	LD11-3	\$24.73

Table 23 -Market Salary Adjustments – Police Officer

Name	Title	Current Grade	Current Rate	New Grade	New Rate
Chiat	Police Officer	E+	\$23.34	PO-2	\$25.07
Cole	Police Officer	E+	\$23.34	PO-2	\$25.07
Deville	Police Officer	E+	\$23.61	PO-2	\$25.07
Grant	Police Officer	E+	\$29.39	PO-5	\$30.28
Horrilleno	Police Officer	E+	\$24.79	PO-2	\$25.07
LaBeau	Police Officer	E+	\$24.79	PO-2	\$25.07
Nelson	Police Officer	E+	\$24.79	PO-2	\$25.07
Oliver	Police Officer	E+	\$24.75	PO-2	\$25.07
Renes	Police Officer	E+	\$23.61	PO-2	\$25.07
Taylor	Police Officer	E+	\$23.61	PO-2	\$25.07
Hall	Police Officer Detective	E+	\$27.57	PO-4	\$28.55
Noseff	Police Officer Detective	E+	\$27.33	PO-4	\$28.55
Sawyer	Police Lieutenant	G	\$36.46	LT-3	\$38.17
Stone	Police Lieutenant	G	\$34.73	LT-2	\$34.99
Farrell	Police Sergeant	F+	\$29.30	LD11-3	\$24.73

Tenure

An examination of the tenure each employee has with the City was also conducted. An employee's years of service in their current position, using July 1, 2020 as the reference date, was compared against Table 24 to understand if the market adjustments described above was sufficient to properly account for tenure. In Table 25, the employees where an additional adjustment for tenure is identified. These adjustments should be considered as a one-time event and not indicative of any future salary adjustment based on service time.

Table 24 -Service Adjustment

Min (yrs)	Max (yrs)	Level
0	1.99	1
2.00	3.99	2
4.00	5.99	3
6.00	7.99	4
8.00	9.99	5
10.00	11.99	6
12.00	14.00	7

Table 25 -Tenure Salary Adjustments

Name	Title	Service (yrs)	Market Grade	New Grade	New Rate
Miller	Crew Leader	2.75	LD12-1	LD12-2	\$24.37
Jacobs	Equipment Operator II	2.11	LD09-1	LD09-2	\$19.62
Grant	Police Officer	13.57	PO-5	PO-7	\$33.76
LaBeau	Police Officer	5.22	PO-2	PO-3	\$26.81
Nelson	Police Officer	4.03	PO-2	PO-3	\$26.81
Noseff	Police Officer Detective	10.39	PO-4	PO-6	\$32.02
Beaty	Record Clerk	7.40	LD11-3	LD11-4	\$28.85

**CITY OF LAKE DALLAS, TEXAS
RESOLUTION NO. 8272020- _____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, ADOPTING A CITY EMPLOYEE JOB CLASSIFICATION TABLE AND EMPLOYEE COMPENSATION PLAN; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council has determined that in order to recruit and retain quality employees for the City, the City must place itself in a position to offer competitive pay and benefits; and

WHEREAS, at the direction of the City Council, City Administration engaged Paypoint HR, LLC to conduct an employee classification and compensation study for all city employee positions; and

WHEREAS, having received and considered the report prepared by Paypoint HR, LLC, dated July 10, 2020, the City Council of the City of Lake Dallas finds it to be in public interest to adopt a new employee job classification table and employee compensation plan.

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

SECTION 1. The various employment positions within the City of Lake Dallas shall be classified within the respective pay grades set forth in the Employee Job Classification Table attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION 2. The Police Officer Salary Schedule set forth in Exhibit “B,” attached hereto and incorporated herein by reference, is hereby adopted for use in determining the compensation to be paid to uniformed peace officers employed by the Police Department. Employee movement between Milestones within the Police Officer Salary Schedule shall be subject to budgetary determinations made by the City Council in consultation with the City Manager and satisfactory employee performance.

SECTION 3. The General Employee Salary Schedule set forth in Exhibit “C,” attached hereto and incorporated herein by reference, is hereby adopted for use in the determining the compensation to be paid to employees of the City who are not classified within the General Employee Salary Schedule. Employee movement between Pay Levels within the General Employee Salary Schedule shall be subject to budgetary determinations made by the City Council in consultation with the City Manager and satisfactory employee performance.

SECTION 4. This Resolution shall be effective immediately upon approval.

PASSED AND APPROVED this the 27th day of August 2020.

APPROVED:

Michael Barnhart, Mayor

ATTEST:

Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:

Kevin B. Laughlin, City Attorney
(kbl:8/18/2020:116867)

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Exhibit “A” – Employee Job Classification Schedule

<u>Grade</u>	<u>Title</u>
LD01	
LD02	
LD03	
LD04	Kennel Technician
LD05	Library Assistant
LD06	Administrative Assistant
LD07	Animal Control Officer Equipment Operator I Court Clerk Municipal Court Clerk
LD08	Permit Technician
LD09	Accounting Clerk Equipment Operator II
LD10	Librarian Code Enforcement
LD11	Record Clerk
LD12 OFC	Community Development Coordinator Crew Leader Police Officer Police Officer Detective
LD13	-
LD14	Animal Shelter Manager Deputy City Secretary
LD15 SGT	Court Administrator Police Sergeant
16	Public Works Manager
LD17 LT	Police Lieutenant Library Services Director
LD18	Public Works Superintendent City Secretary
LD19	-
LD20	-
LD21	
LD22	Development Services Director Finance Director
LD23	Police Chief
LD24	-
LD25	City Manager

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**Exhibit "B" – Police Officer Salary Schedule
Beginning October 1, 2020**

	Officer (OFC)	Sergeant (SGT)	Lieutenant (LT)
1	\$26.34	\$29.62	\$36.16
2	\$27.86	\$32.02	\$38.61
3	\$29.91	\$34.42	\$41.06
4	\$31.29	\$36.82	\$43.51
5	\$32.67	\$39.22	\$45.96
6	\$34.05	\$41.63	\$48.42
7	\$35.45	\$44.04	\$50.89

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**Exhibit "B" – Police Officer Salary Schedule
Beginning October 1, 2021**

Milestone Level	Officer (OFC)	Sergeant (SGT)	Lieutenant (LT)
1	\$27.15	\$32.24	\$37.90
2	\$28.53	\$34.21	\$40.07
3	\$29.91	\$36.18	\$42.24
4	\$31.29	\$38.15	\$44.41
5	\$32.67	\$40.12	\$46.58
6	\$34.05	\$42.08	\$48.75
7	\$35.45	\$44.04	\$50.89

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**Exhibit “C” – General Employee Salary Schedule
Beginning October 1, 2020**

Grade	Level 1 (Min)	Level 2	Level 3	Level 4 (Mid)	Level 5	Level 6	Level 7 (Max)
LD01	\$10.00	\$11.00	\$12.00	\$13.00	\$14.00	\$15.00	\$16.00
LD02	\$10.75	\$11.83	\$12.90	\$13.98	\$15.05	\$16.13	\$17.20
LD03	\$11.56	\$12.71	\$13.87	\$15.02	\$16.18	\$17.33	\$18.49
LD04	\$12.42	\$13.67	\$14.91	\$16.15	\$17.39	\$18.63	\$19.88
LD05	\$13.00	\$14.34	\$15.68	\$17.02	\$18.36	\$19.70	\$21.04
LD06	\$14.36	\$15.79	\$17.23	\$18.66	\$20.10	\$21.53	\$22.97
LD07	\$15.43	\$16.98	\$18.52	\$20.06	\$21.61	\$23.15	\$24.69
LD08	\$16.59	\$18.25	\$19.91	\$21.57	\$23.23	\$24.89	\$26.54
LD09	\$17.83	\$19.62	\$21.40	\$23.19	\$24.97	\$26.75	\$28.54
LD10	\$19.17	\$21.09	\$23.01	\$24.92	\$26.84	\$28.76	\$30.68
LD11	\$20.61	\$22.67	\$24.73	\$26.79	\$28.85	\$30.92	\$32.98
LD12	\$22.16	\$24.37	\$26.59	\$28.80	\$31.02	\$33.23	\$35.45
LD13	\$23.82	\$26.20	\$28.58	\$30.96	\$33.34	\$35.73	\$38.11
LD14	\$25.60	\$28.16	\$30.72	\$33.29	\$35.85	\$38.41	\$40.97
LD15	\$27.52	\$30.28	\$33.03	\$35.78	\$38.53	\$41.29	\$44.04
LD16	\$29.59	\$32.55	\$35.51	\$38.47	\$41.42	\$44.38	\$47.34
LD17	\$31.81	\$34.99	\$38.17	\$41.35	\$44.53	\$47.71	\$50.89
LD18	\$32.81	\$36.23	\$39.65	\$43.07	\$46.49	\$49.91	\$53.33
LD19	\$32.97	\$36.65	\$40.33	\$44.01	\$47.69	\$51.37	\$55.05
LD20	\$33.09	\$37.04	\$40.99	\$44.94	\$48.89	\$52.84	\$56.79
LD21	\$33.21	\$37.45	\$41.69	\$45.93	\$50.17	\$54.41	\$58.65
LD22	\$33.29	\$37.86	\$42.43	\$47.00	\$51.57	\$56.14	\$60.71
LD23	\$49.09	\$54.00	\$58.91	\$63.82	\$68.72	\$73.63	\$78.54
LD24	\$52.77	\$58.05	\$63.33	\$68.60	\$73.88	\$79.16	\$84.43
LD25	\$56.73	\$62.40	\$68.07	\$73.75	\$79.42	\$85.09	\$90.77

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**Exhibit “C” – General Employee Salary Schedule
Beginning October 1, 2021**

Grade	Level 1 (Min)	Level 2	Level 3	Level 4 (Mid)	Level 5	Level 6	Level 7 (Max)
LD01	\$10.00	\$11.00	\$12.00	\$13.00	\$14.00	\$15.00	\$16.00
LD02	\$10.75	\$11.83	\$12.90	\$13.98	\$15.05	\$16.13	\$17.20
LD03	\$11.56	\$12.71	\$13.87	\$15.02	\$16.18	\$17.33	\$18.49
LD04	\$12.42	\$13.67	\$14.91	\$16.15	\$17.39	\$18.63	\$19.88
LD05	\$13.35	\$14.69	\$16.03	\$17.36	\$18.70	\$20.03	\$21.37
LD06	\$14.36	\$15.79	\$17.23	\$18.66	\$20.10	\$21.53	\$22.97
LD07	\$15.43	\$16.98	\$18.52	\$20.06	\$21.61	\$23.15	\$24.69
LD08	\$16.59	\$18.25	\$19.91	\$21.57	\$23.23	\$24.89	\$26.54
LD09	\$17.83	\$19.62	\$21.40	\$23.19	\$24.97	\$26.75	\$28.54
LD10	\$19.17	\$21.09	\$23.01	\$24.92	\$26.84	\$28.76	\$30.68
LD11	\$20.61	\$22.67	\$24.73	\$26.79	\$28.85	\$30.92	\$32.98
LD12	\$22.16	\$24.37	\$26.59	\$28.80	\$31.02	\$33.23	\$35.45
LD13	\$23.82	\$26.20	\$28.58	\$30.96	\$33.34	\$35.73	\$38.11
LD14	\$25.60	\$28.16	\$30.72	\$33.29	\$35.85	\$38.41	\$40.97
LD15	\$27.52	\$30.28	\$33.03	\$35.78	\$38.53	\$41.29	\$44.04
LD16	\$29.59	\$32.55	\$35.51	\$38.47	\$41.42	\$44.38	\$47.34
LD17	\$31.81	\$34.99	\$38.17	\$41.35	\$44.53	\$47.71	\$50.89
LD18	\$34.19	\$37.61	\$41.03	\$44.45	\$47.87	\$51.29	\$54.71
LD19	\$36.76	\$40.43	\$44.11	\$47.79	\$51.46	\$55.14	\$58.81
LD20	\$39.51	\$43.47	\$47.42	\$51.37	\$55.32	\$59.27	\$63.22
LD21	\$42.48	\$46.73	\$50.97	\$55.22	\$59.47	\$63.72	\$67.97
LD22	\$45.66	\$50.23	\$54.80	\$59.36	\$63.93	\$68.50	\$73.06
LD23	\$49.09	\$54.00	\$58.91	\$63.82	\$68.72	\$73.63	\$78.54
LD24	\$52.77	\$58.05	\$63.33	\$68.60	\$73.88	\$79.16	\$84.43
LD25	\$56.73	\$62.40	\$68.07	\$73.75	\$79.42	\$85.09	\$90.77