



**SHADY SHORES TOWN COUNCIL
SPECIAL CALLED SESSION
DECEMBER 6, 2021; 7:00 PM
101 S.SHADY SHORES ROAD
SHADY SHORES, TX 76208**

TO VIEW THE MEETING LIVE
<https://shadyshorestx.civicclerk.com/>

CALL TO ORDER

ROLL CALL

Establish a quorum.

PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG. (HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE.)

PROCLAMATIONS, PRESENTATIONS AND AWARDS

1. Boardmember Recognition

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

1. Keep Shady Shores/Community Events/Communications
2. Animal Control
3. Code Enforcement
4. Police Department
5. Fire Department
6. Staff Report
7. Roads, Drainage, Capital Improvements
8. Announcements

CONSENT AGENDA

Each item listed on the consent agenda is considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. RFP Banking Services- Consider and act on authorizing the Town Administrator to seek proposals for Bank Depository Services for the Town of Shady Shores.
2. Minutes- Consider and act on approval of the minutes of the November 8, 2021 Town Council Meeting.

3. Holiday Schedule for 2022- Consider and act on approval of the 2022 Holiday Schedule for the Town of Shady Shores.
4. Resolution- Consider and act on approval of a resolution permitting the consideration of financial institutions outside the Town Limits of the Town of Shady Shores.
5. Mighty River- Consider and act on approval of a contract with Mighty River Consultants.
6. Ordinance Amending Ordinance 352-10-2021- Consider and act on amendments to Ordinance 352-10-2021 Planned Development for Dobbs Road.

CITIZENS COMMENTS

This is your opportunity to comment on an item on the agenda, or any other relevant topic. If the item on the agenda you wish to comment on is set for a public hearing, please give your remarks on that item when the public hearing is opened. Speakers will be limited to three (3) minutes.

REGULAR AGENDA ITEMS

1. Resignation- Consider and act on the acceptance of Councilmember Matthew Haines' resignation. Consider and act on the appointment of an individual to fill the vacancy.
2. Oath of Office- Deliver the Oath of Office to newly appointed council member.
3. Lakeshore Bluffs Preliminary Plat- Consider and act on approval of a request made by ECM development for approval of a preliminary plat to be known as Lakeshore Bluffs; more legally described as 30 acres in the JC Bullard Survey Abstract 1566 TR 6A (204 Dobbs Road) .
4. Worksession-Conduct a work session relative to the addition of streetlights in specific areas in the Town of Shady Shores. Discuss the concept of a dark sky community. Consider and approve updates to the Town of Shady Shores Streetlight policy.
5. Worksession Strategic Planning Committee- Conduct a worksession relative to establishing a strategic planning committee.

EXECUTIVE SESSION:

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated, The Town Council may hold a closed meeting.

1. Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.
To deliberate the appointment, evaluation, and/or duties of a public officer-City council member.

FUTURE AGENDA ITEMS AND STAFF DIRECTION

ADJOURN

The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

I, Cindy Aughinbaugh, Mayor of the Town of Shady Shores do hereby certify that the above notice of the Regular Town Council Meeting was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on _____ Day of _____ 2021, at _____ .M.

Cindy Aughinbaugh, Mayor



AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Boardmember Recognition

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Committee: Communications Campaign

Liaison to the Board: Katie Klein

Dates Reported On: October 2021



Goals:

- Trusted Community Resource
- Create Community through communication and engagement
- Putting people first in order benefit ToSS

Regular Reports: (key metrics to show progress)

- **Increase Followers**

- **Facebook**

September	October	November
900	908	

- **Instagram-**

September	October	November
Not collected	1	

- **Twitter-**

September	October	November
50 Followers/ 528 Visits	54 Followers/ 482 Visits	

- **LinkedIn -**

September	October	November
36 views/12 unique	7 followers/ 10 views / 6 unique	

- **Eblasts-** October # reflect the only account we use.

September	October	November
Inactive excessive bounce accounts were deleted	473 / 14 inactive due to excessive bounces	

- **Website-**

September	October	November
Visits: 2771	2521	
Unique: 2215	2063	

- Building Permits most viewed page
- Community Events- Lake Cities Show Off
- Top 10 Search= building permits, permits, building, rfp, building lines, citizen patrol, hiking trails, lakeshore bluffs, ordinances, payment
- 21 Bounced email blasts

- **Positive Sentiment**

- **Facebook/Instagram/Twitter/Website**
 - .02 above holding steady just above the baseline
- Most positive post: Roadrunner post

- **Reach and impressions**

- **Tweet-**

September	October	November
627	623	

- **Facebook/Instagram**

September	October	November
2709	2667/2	

- **Audience**

- **Facebook**
 - Just over 20% aged 35-44, 20% 45-54
 - 73% Women, 27% Men

- **Content**

- 71.1% of content is pushed through FB

- **Archivesocial Records**

- 204 records to date archived

One-Off Reports: (Major Campaigns)

Research Reports:

Social Listening:

Lessons Learned

Executive Summary of Top Achievements

We are now using ArchiveSocial to archive our FB/Insta, Twitter, Website accounts. Real time “snapshots” are archived. Risk Management for specific alerts have been implemented and are immediately notified.

Announcements:

Questions for the board/larger group:

Other Notes:

Location	Notes	Code
Nov 30, 2021 2:07 PM 101 S Shady Shores Road	Patrolled city focusing on stray animals. Spoke with Katie.	Animal Control
Nov 27, 2021 2:14 PM 160 hidden valley	Responded to an animal bite report at this address. Left a door hanger. AJ contact victim via phone Mrs. Barbara Love who stated she would call back.	Animal Control
Nov 24, 2021 10:54 AM 101 S Shady Shores Road	Patrolled city focusing on stray animals. spoke to joan at city hall	Animal Control
Nov 16, 2021 2:32 PM 101 S Shady Shores Road	Patrolled city focusing on stray animals. Spoke with Joan.	Animal Control
Nov 9, 2021 12:05 PM 101 S Shady Shores Road	Patrolled city focusing on stray animals. Spoke with Joan.	Animal Control
Nov 3, 2021 12:43 PM 101 S Shady Shores Road	Patrolled city focusing on stray animals. Spoke with Joan.	Animal Control
Nov 3, 2021 12:36 PM 136 n garza	Picked up a contained stray cat from this location.	Animal Control

Memo

To: Wendy Withers
From: Char DuPree
Date: December 2, 2021
Re: Code Enforcement Report
Cc; Town Council

November inspections include the following:

1. 113 Cielo Lane: responded to report of construction activity being conducted without a permit; inspection conducted. No apparent evidence of construction activity.
2. 1001 Cheyenne Ct.: responded to report of missing fencing during construction, unattended with swimming pool in back yard. Inspection conducted and violation was confirmed. Notification to property owner in person that fencing/gate must be secured due to being an immediate safety issue. Violation not abated and citation was issued. Issue was abated 10 days later, and case was closed.
3. 150 Whippoorwill: responded to report of a filled in easement causing drainage issues on neighboring properties. Inspection conducted & pictures taken; letter sent to property owner.
4. 323 Oakwood Cr: tree limbs/branches at curb; violation abated prior to letter being sent due to city wide clean-up. Case closed.
5. 232 Oakwood: large tree branch in front yard; violation abated prior to letter being sent. Case close.
6. 313 Oakwood Cr: tree limbs/branches at curb; violation abated prior to letter being sent. Case close.
7. 305 Oakwood Cr: tree limbs/branches at curb; violation abated prior to letter being sent & case was closed.
8. 425 Oakwood Cr: trailer parked next to driveway in beyond front building line; letter sent.
9. 209 Harrison Ct: responded to complaint that property owner was expanding driveway without a permit; inspection conducted. Owner was expanding driveway with crushed granite and does not require permit. Case closed.
10. 400 Lakeshore: reinspection of high grass/weeds violation; abated & case closed.
11. 319 Berry Lane: reinspection of pile of mulch in front yard for several months; violation abated & case closed.
12. 508 Shell: new parking violation of 4-wheeler in front yard; letter sent. Violation abated; case closed.
13. 146 Garza: new parking violation in front yard; letter sent. Violation abated; case closed.

14. 224 Smokey Ln: new violation of vegetation encroachment into public right of way; letters sent.
15. 210 Smokey Ln: new violation of vegetation encroachment into public right of way; letter sent.
16. 206 Smokey Ln: new violation of vegetation encroachment into public right of way; letter sent.
17. 204 & 202 Smokey Ln: new violation of vegetation encroachment into public right of way; letter sent.
18. B. D. Davidson Addn., Blk A – Lot 1R-1 (602 Lakeshore): new violation of high grass/weeds; letter sent. Violation abated & closed case.
19. Assigned 3 addresses for new home construction projects.

Continuing issues in process:

Atkinson Ranch: continuing to monitor property for possible code issues and detention pond issues.

Low hanging tree branches around town continue to be an issue; working with the property owner of Attila Ranch to cut branches on the north side of West 6th Street and letter sent to property owner of vacant lots on the south side of 6th St.

Consulted with David Rodriguez (Lake Cities Fire Department) regarding short term rental fire requirements and inspections.

Brown Terrace: continues to be a time-consuming issue in Code Enforcement. Issues are being worked and several in-person meetings have been conducted.



CORINTH POLICE DEPARTMENT Shady Shores



October 2021 Summary

OFFENSES

ASSAULTS	
Misdemeanor	0
Felony	0
FAMILY VIOLENCE ASSAULTS	
Misdemeanor	0
Felony	0
SEXUAL OFFENSES	
Total Sexual Offenses	0
DEATH - CRIMINAL (Homicide / Manslaughter)	
Total Criminal Deaths	0
MOTOR VEHICLE THEFTS	
Total Motor Vehicle Thefts	0
BURGLARY	
Residential	0
Motor Vehicle	1
Business / Construction	0
THEFT	
General / Shoplifting	0
Fraud ID Information	0
Fraud Obtain Unemployment Benefits	0
Other Offenses	2
ROBBERY	
Individual	0
Business	0
CRIMINAL MISCHIEF	
Vandalism / Graffiti	0
OTHER OFFENSES	
Other Offenses	2
ALCOHOL RELATED	
Driving While Intoxicated	1
Driving Under Influence - Minor	0
Public Intoxication	0
Other Alcohol Related	0
DRUG RELATED	
Possession of Drugs	0
Poss of Drug Paraphernalia	0
Manuf./ Delivery of Drugs	0
TOTAL REPORTED OFFENSES	
	6

ACTIVITIES

CALLS FOR SERVICE	
Total Calls for Service	78
COMMUNITY POLICING	
Vacation Watches	13
VIPS-Vacation Watches	3
VIPS-Special Patrol	25
Direct Patrol / Park and Walk	167
ARRESTS	
Juvenile	0
Adult	1
Total Arrests	1
INVESTIGATIONS	
New Cases	4
Cases Cleared	2
Cases Declared Inactive	0
Cases Filed	4
TRAFFIC ENFORCEMENT	
Total Citations	14
Warnings	12
Total Citations / Warnings	26
MOTOR VEHICLE ACCIDENTS	
Offense Related	0
Traffic Accidents - Injury	0
Traffic Accidents - No Injury	1
Total Accidents	1
FALSE ALARMS	
False Alarms	5
JUVENILE CURFEW ENFORCEMENT	
Citations	0
Arrests	0
OFFICER CONDUCT	
Commendations Received	2
Complaints Received	0
Complaints Substantiated/Sustained	0
Complaints Unsubstantiated / Not Sustained	0



LAKE CITIES FIRE DEPARTMENT

SHADY SHORES

CEMBER 31, 2021

Incident Call Type	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Alarm system activation, no fire - unintentional			1	1							1		3
Alarm system sounded due to malfunction													0
Animal rescue													0
Arcing, shorted electrical equipment						4				1			5
Assist Police or other agency						1			1				2
Assist invalid		1		3		2	1		4	2	2		15
Authorized controlled burning	2	2	6	7		2	4	1			2		26
Brush or brush-and-grass mixture fire			1	1									2
Building fire			1						1	1			3
Carbon monoxide incident													0
Carbon Monoxide detector No CO													0
Citizen complaint													0
Chimney Fire Contained to Chimney											1		1
Cooking Fire Confined to Container					1								1
Dispatched & cancelled en route			2		1			2			1		6
Electrical wiring/equipment problem, Other							1	1					2
Elevator Rescue													0
Emergency medical service, other													0
EMS call, excluding vehicle accident with injury	7	12	8	5	10	3	3	10	14	11	16		99
False alarm or false call, Other										2			2
Fire in mobile home used as fixed residence													0
Fire in motor home, camper, RV													0
Flood assessment													0
Gas leak (natural gas or LPG)		2	1						1		1		5
Good intent call, Other													0
Grass fire									1				1
HazMat release investigation w/no Hazmat													0
Hazardous Condition (No Fire)													0
Heat From Short Circuit													0
Lock-out				1		1				1			3
Motor vehicle accident with injuries													0
Motor Vehicle Accident with no injuries					1		1						2
Motor Vehicle/Pedestrian Accident										1			1
No Incident found on arrival at dispatch address		1		1	1								3
Outside trash or waste fire													0
Outside equipment fire													0
Outside Storage Fire													0
Passenger Vehicle Fire								1					1
Person in Distress								1					1
Police matter													0
Power line down										1			1
Public Education													0
Public service	2		1		1	1		4	1	2			12
Rescue or EMS Standby													0
Rescue, water													0
Search For lost Person			1										1
Service Call, Other									1				1
Severe weather or natural disaster, Other													0
Smoke detector activation, no fire	1		1							2			4
Smoke/Heat detector activation due to malfunction		5	1					1					7
Smoke from barbecue, tar kettle													0
Smoke or odor removal													0
Smoke scare, odor of smoke		1							1				2
Sprinkler activation, no fire													0
System malfunction, Other													0
Unauthorized burning										1	1		2
Unintentional transmission of alarm, Other													0
Water or steam leak		9									1		10
Total	12	33	24	19	15	14	10	21	25	25	26	0	224



To: Mayor Cindy Aughinbaugh

From: Wendy Withers

cc: Shady Shores Town Council

Date: 11/29/2021

Re: Staff Report

STAFF ACTIVITY	THIS MONTH
Phone Calls	653 (906 hours talk time)
Public Information Requests	3
Building Permits Issued	15
Municipal Court	23 Warnings 11 Citations
Meetings Attended	10
Staff Training	6

- Staff Development Books Discussion – ***The Optimistic Workplace***
- Broadband Meetings and Discussions
 - o Mighty River Consulting Agreement
 - o Interviews with Possible providers
 - o Requests for Proposals six (6) received narrowed down to two (2)
 - o Joint Council meeting scheduled for January 26th to discuss findings
- Lakeshore Road Repairs
- Bid Advertisement for Cogburn Court Repairs
- Work with ECM Development to clarify procedures
- Butterfly Garden and Events – Previously Reported
- Policy Review Schedule Will begin reviewing and updating various policies for the town
- RFP for Banking Services
- Research Hotel Motel Tax
- Worked with Engineers re: road repairs and public works



AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: RFP Banking Services- Consider and act on authorizing the Town Administrator to seek proposals for Bank Depository Services for the Town of Shady Shores.

BACKGROUND/INFORMATION:

The Town Council must designate the bank, credit union or savings association which will serve as the depository for the municipality's funds. (Texas Local Govt. Code 105.016(a). Notice of the request shall be published at least once every 21 days prior to the deadline for receipt of the application for the depository servicing contracts. The notice must be published (1) in a newspaper of public record (2)

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. RFP Banking Services 2021

REVIEWED BY:



REQUEST FOR PROPOSAL TOWN OF SHADY SHORES BANK DEPOSITORY SERVICES

The Town of Shady Shores is a Type A General Law City located in Denton County, Texas. The Town is seeking proposals for Depository Services.

Please submit five (5) copies of the sealed proposal and **clearly marked** "Bank Depository Services RFP" to the Town Secretary by 2:00 P.M., CST, on .

Wendy Withers, Town Administrator
Town of Shady Shores
101 S. Shady Shores
Shady Shores, TX 76208
940.498.0044 phone
wendy.withers@shady-shores.com

BANK DEPOSITORY SERVICES

The Town requests information on the following services:

- A. Balance Reporting - The Town requires on-line balance reporting for daily access to its account balance information. The minimum information to be contained in the electronic reporting should be for the previous business day and include ledger balance, collected balance, one day float amount, two-day float amount, total credits, total debits, and detail debits and credits. Availability to access same-day information is requested and access to the information through the internet is required. Historical information should be maintained on-line and accessible for two months.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

- B. Controlled Disbursement - The Town could potentially in the future consider the use of a controlled disbursement account. The controlled disbursement presentment notification should also be accessible through Balance Reporting. This information should be available and accessible by 10:00 A.M. local time.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

- C. Account Analysis - The Town desires account analysis statements delivered to the Town on a monthly basis by individual account and at group level, which will reflect average ledger balance, average uncollected funds, average collected balance, reserve requirement, average available balance, rate and amount of earnings credit, detail of services provided with quantities and unit fees for each, and total service cost.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

- D. Bank Statements - Statements shall be rendered within seven (7) working days after the close of the calendar month. Statements or accounts shall not be placed in dormant mode for inactivity. The statement shall include debits and credits made on the last day of the period and the detail items. Bank statements should be received on a monthly basis, even if there is no activity for the account.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

- E. Credit and Debit Card Payments - The Town allows its patrons to pay for certain charges utilizing credit and debit cards. The Town currently recognizes the MasterCard and Discover and American Express logo and accepts credit & debit card payments for Building Permits and Municipal Court fines and fees when presented in person, by telephone, or via the internet. The Town maintains a separate credit and debit card- processing contract.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

- F. Collateralization - The balances maintained in all accounts must be collateralized in the same manner and under the same stipulations as outlined in the Collateral Requirements section. The Town anticipates utilizing interest bearing accounts or an overnight sweep investment option. In the event interest-bearing accounts are utilized, the maximum ledger balances could exceed \$2,000,000 in the aggregate during the months of December and January of each year. Please clearly explain any collateral limitations or fees. The Town reserves the right to maximize or minimize bank balances regardless of historical patterns. It is expected that the successful bank will monitor the collateral adequacy on a daily basis and, with prior notice by the Town, provide additional collateral to secure balances in excess of anticipated levels.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

G. Sweep Account- If interest-bearing accounts are not utilized, the Town requires the use of a sweep account for overnight investment of funds in excess of a target balance in the General Fund Accounts. This sweep investment account shall comply with the Public Funds Investment Act and Investment Policy.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

H. Payment for Services - The Town may elect to pay for all services provided by the earnings credit amount generated by account balances, or by direct payment, or a combination of both.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

- I. Account Settlement - Settlement of the excess/deficient condition as reflected by the group level account analysis is to occur on a quarterly basis.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

Research - The Town requests that all research requests are responded to within three business days of the request.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

- J. Bank Errors - Bank errors resulting in lost interest to the Town will be reimbursed by the Bank to the Town. The method of reimbursement will be agreed upon by the Bank and the Town.

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

- K. NSF Items - The Town desires for NSF/Chargebacks to be processed or run through twice before charging back to the Town's Master Account

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

COLLATERAL REQUIREMENTS

- A. As security for the deposits of the Town, the successful bank shall pledge securities equal to 102% of their market value, of the largest total balances the Town maintains in the bank, less the amount provided by the Federal Deposit Insurance Corporation. The securities so pledged shall satisfy the requirements of the Public Funds Collateral Act, Chapter 2257, Texas Government Code, and the Investment Policy (Attached).
- B. The securities pledged shall be held in safekeeping at an independent financial institution acceptable to both the Town and the successful bank. The original copy of all security receipts shall be filed with the Town Administrator/Secretary.
- C. The successful bank and the custodial bank shall provide the Town a report of securities pledged at the end of each month or at any time requested by the Town. The report should reflect the total pledged securities itemized by:

Name	Type / Description
CUSIP	Par Value
Market Value	Maturity Date
Rating by Moody's	or Standard & Poor's

- D. Any substitutions of the securities or reductions in the total amount pledged shall be made only by and with the proper written authorization of an authorized Town signatory. The Town shall approve all securities pledged. In the case of reduction requests, the bank shall provide in writing that collateral shall be available when needed to meet normal balance increases throughout the year.
- E. The Board of Directors or designated committee of the successful bank will be required to provide a resolution of certification approving the commitment and delivery of the collateral to the safekeeping institution not later than five days before the commencement of the contract period.

(For Collateral Requirements Section)

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

INVESTMENT ACTIVITIES

- A. Direct Investment Alternative - The Town's direct investment activities may take place in Town accounts. The Town requires that it have the ability to move funds between accounts via a secure Internet site. The Town shall have the right, at its sole discretion, to direct investment of its funds. The successful bank will be required to provide clearing and safekeeping services for Town investment activity. The attached Investment Policy outlines the Town's options for investing any and all funds. The policy is subject to annual review.

(For Investment Activities Section)

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

OVERDRAFT PROVISIONS

The Town does not intend to have a net overdraft position occur during the course of the contract period. A net overdraft shall be defined as a negative balance in the Town's accounts **collectively**, not by individual account.

In the event a check or checks shall be presented for payment where there are insufficient funds for the purpose of paying checks, the successful bank agrees to promptly notify the Town Secretary/Office Manager or other signatory person, by telephone or other means, of the overdraft condition, and to provide the Town a period not exceeding one business day to respond and rectify the condition.

(For Overdraft Provisions Section)

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

OTHER STIPULATIONS

- A. The successful bidder shall notify the Town in writing within ten (10) days of any changes in Federal or State regulations or laws that would affect the Bank Depository Services Agreement.
- B. Notification of wire transfers shall be made by a written confirmation mailed to the Town the same day of the transaction.
- C. In the event it would be ruled illegal under the provisions of any Federal or State laws or regulations for the successful bank to comply with the requirements of the Bank Depository Services Agreement, then the Town expressly reserves the right and privilege to cancel the Bank Depository Services Agreement and to re-bid.
- D. The successful bank's records relating to the Town's accounts shall be open for review during business hours by designated staff members or appointed independent auditors.
- E. The Town reserves the right to open and maintain one or more demand accounts at financial institutions not affiliated with the successful bank.
- F. The Town expressly reserves the right to terminate the depository agreement with or without cause at any time by providing written notice to the depository to close its accounts.

(For Other Stipulations Section)

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

BIDDING REQUIREMENTS

Please submit five (5) copies of the sealed proposal and clearly marked "Bank Depository Services RFP to the Town Secretary by 2:00 P.M., CST, on _____

**Town of Shady Shores
101 S. Shady Shores
Shady Shores, TX 75693
940.498.0044 phone
wendy.withers@shady-shores.com**

A. **NO PROPOSAL SHALL BE RECEIVED AFTER 2:00 P.M. ON THE DATEDUE,**

- B. The proposing institution shall use this RFP as the Official Bid Form. Submitted prices, rates, conditions, and answers shall be included in final contract form. The signed, submitted response should include printed copies of all completed worksheets and will be deemed the respondent's official proposal.
- C. The Town reserves the right to request additional information or to meet with representatives from proposing organizations to discuss points in the proposal before and after submission, any and all of which may be used in forming a recommendation.
- D. The Town reserves the right to reject any and all proposals, and to accept the proposal it considers in its best interest based upon the requirements and descriptions outlined in this RFP.
- E. Bidder must qualify under current Texas law as a state or national bank to serve as a municipal depository bank.
- F. Transfer of funds will commence at such time the successful bank has provided the Town with all required forms and supplies necessary to insure uninterrupted day-to-day operations. The successful bank commits its "best efforts" to complete the execution of documentation and transfer of funds by the February 2022 contract period start date. Failure to complete by the start date, at the discretion of the Town, could be considered grounds for bid bond forfeiture and alternative bank selection.
- G. The successful bank shall, upon termination of contract, cooperate with the new bank for transfer of funds.
- H. There will be no formal bid opening at the expiration of the response deadline. Upon written request, a copy of the accepted proposal will be available after the Town Council selects the successful bank.
- I. Any questions concerning this RFP should be directed to:

Wendy Withers
Town Secretary
Town of Shady Shores
101 S. Shady Shores
Shady Shores, TX 75693
940.498.0044
940.497.2597
wendy.withers@shady-shores.com

(For Bidding Requirements Section)

Yes, can provide as requested/required

_____ No, cannot provide as requested/required

_____ Comments:

MISCELLANEOUS

- A. The Town shall reserve the right to a review meeting when needed to evaluate the working relationship between the Town and the successful bank. The objective shall be to address any problems and to seek solutions as well as keeping abreast of changes, new services, or new requirements.
- B. The final appointment of the successful bank shall be made by contract award of the Shady Shores Town Council. The successful bank shall be required to enter into a contract that incorporates all of the requirements of their submitted RFP as the OFFICIAL BID FORM, along with the accompanying related schedules and materials as called for in this RFP. Additional contract attachments include collateral custodial agreement, FIRREA bank certification, and PFIA investment provider certification.
- C. This RFP has been duly advertised and is being offered for consideration to financial institutions.

This Request for Proposal is being offered by the following person duly authorized to act on behalf of the Town.

Wendy Withers/Town Administrator

PROPOSAL SUBMITTED BY

This Proposal is being submitted to the Town by the following person duly authorized to act on behalf of this financial institution.

Name of Financial Institution

Address of Financial Institution

Telephone Number

Officer Name & Title (Printed)

Date _____

[illegible]

REQUIRED SCHEDULES

NOTE: Please include UNIT Price on every available service, even if no Activity is listed. Changes to item descriptions or measurement units should be highlighted in written and electronic responses.

SCHEDULE 1 FEE SCHEDULE

	MONTHLY# UNITS/ACTIVITY	MONTHLY UNIT PRICE	ESTIMATED MONTHLY CHARGE
Account Maintenance DOA			
Account Maintenance- Interest Bearing			
Account Maintenance CDA			
Account Maintenance ZBA			
Monthly Statement Fee			
BANKING CENTER SERVICES			
Branch Credits Posted			
Branch Deposit Verification			
Commercial Check Cashing			
DEPOSITORY SERVICES			
Credits Posted			
Checks on US			
Checks Local Town			
Checks Local RCPC			
Checks in District Town			
Checks in District County			
Checks National FRB Town			
Checks National FRB Other			
Checks- Encoding			
Return Items Returned			
DISBURSEMENT SERVICES			
Checks/Debits Posted			
Check Photocopy Retrieval			
Controlled Disbursement Maintenance			
Stop Payment Automatic Renewal			
Check Image Maintenance			
FUNDS TRANSFER SERVICES			
Electronic Outgoing Repetitive			

Wire			
Phone Outgoing Wire			
Incoming Wire			
Mail Advice			
Intra-bank account transfers			
AUTOMATED CLEARING HOUSE			
ACH Debits /Credits			
Originated			
ACH File Processing			
ACH Maintenance			
ACH Authorized ID			
BALANCE REPORTING SERVICES			
Account Charge			
Current Day Maintenance			
Previous Day Maintenance			
Additional Account Maintenance			
FULL ACCOUNT RECONCILIATION			
Monthly Maintenance Account			
Output/Input Files			
Transmission			
Per Item Charges			
PARTIAL ACCOUNT RECONCILIATION			
Monthly Maintenance/Account			
Output/Input Files			
Transmission			
Per Item Charges			
DIRECT DEPOSIT			
ACH Account Maintenance			
ACH per Item Charge (two-day)			
Transmission Charge			
BRANCH TELLER SERVICES			
Branch Order-Rolled Coin			
Branch Order- Per Currency Strap			

Cash Deposit Processing			
Coin Deposit Processing			
VAULT SERVICES			
Deposit			
Deposit Dollars			
Deposit Standard Strap Notes			
Deposit Non-Std Strap Notes			
Deposit Standard Coin Bag			
Adjustment			
OTHER MONTHLY			
Collateral Fee (max balances)			
Collateral Account			
Maintenance			
FDIC Insurance per \$1000			
Ledger			
CREDIT AND DEBIT CARD PAYMENTS			
Monthly Maintenance			
Transaction Charge			
Per Transmission Charge			
SECURITY			
CLEARANCE/SAFEKEEPING			
Security Clearance Charges, Trade			
Security Clearance Charges			
FED			
Security Clearance/Trade/OTC			
Safekeeping Charges/Month			
Safekeeping Charges			
Security/Month/Fed			
Safekeeping			
Charges/Security/Month/OTC			
MONTHLY ESTIMATE FEES			
(one-time charges)			
OTHER			
Night Depository Bags			
Large Safe Deposit Box			
Small Safe Deposit Box			
Endorsement Stamps			
Checks			
Deposit Slips			
ACH Software			

[illegible]

TERM	RATE	MINIMUM	MAXIMUM
LESS THAN 30 DAYS			
6 MONTHS			
12 MONTHS			
18 MONTHS			
24 MONTHS			
36 MONTHS			
5 YEARS			
10 YEARS			

Overdrafts are not anticipated to occur, however, should a net overdraft condition occur, the following stipulations shall apply:

Page 31 of 122

Interest rate per Annum computed on the
overdraft:

3) The Town requests a relationship manager to coordinate the financial institution's efforts in providing the requested services. This individual will be the Town contact and will be directly responsible for facilitating all Town/financial institution interaction:

Name

Title

Phone

email

Name of Officer most likely to answer questions pertaining to information presented within the proposal.



**TOWN OF SHADY SHORES
SHADY SHORES TOWN COUNCIL
REGULAR SESSION
NOVEMBER 8, 2021; 7:00 PM
VIRTUAL MEETING
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

MINUTES

MEMBERS PRESENT

Cindy Aughinbaugh	Mayor	Present
Tom Newell	Mayor Pro Tem	Present
Charles Grimes	Councilmember	Present
Matthew Haines	Councilmember	Present
Bill Emsoff	Councilmember	Present
Mike Nowels	Councilmember	Present

Staff Present: Wendy Withers, Town Administrator; Jim Shepherd, Town Attorney; Richard Arivzu, Town Engineer; Amber Schuler, Municipal Court Administrator; Katie Klein, Community Relations Admin.

CALL TO ORDER

Mayor Aughinbaugh called the meeting to order at 7:00 pm.

ROLL CALL

Establish a quorum.

The Mayor called the roll and a quorum was established for the record.

PLEDGE ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG. (HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE.)

PROCLAMATIONS, PRESENTATIONS AND AWARDS

1. Tree City USA Official Proclamation

Mayor Aughinbaugh read a proclamation in support of Arbor Day. Mayor Aughinbaugh noted that an Arbor Day Celebration had been held on November 6th, 2021 and that the town was accepting names for residents who would receive a free Burr Oak seedling. There are 50 trees available and they are available on a first come first serve basis.

COUNCILMEMBER/COMMITTEE/STAFF REPORTS:

2. Keep Shady Shores Beautiful/Community Events
(Klein)

Community Relations Admin Katie Klein gave the Community Events and Keep Shady Shores Beautiful Reports for October 2021

October Events Included

Arbor Day Celebration
Shady Shores Show Off

Upcoming Events Include

Fall Sweep-November 13, 2021
Shady Shores Tree Lighting

3. Animal Control
(Grimes)

Councilmember Charles Grimes gave the animal control report for the month of October.

4. Planning and Zoning Commission Report
(Emsoff)

Planning and Zoning Chairman, Josh Juve, gave the Planning and Zoning report. Chairman Juve reported that he had been elected as the Chairman at the last meeting and Rebecca Morgan was elected Vice-Chairman. Chairman Juve reported that the Planning and Zoning Commission recommended approval of the preliminary plat with pending approval of the changes proposed by the town engineer.

5. Code Enforcement
(Grimes)

Councilmember Charles Grimes gave the Code Enforcement Report for the month of October 2021.

6. Police Department
(Newell)

Mayor Pro Tem Tom Newell gave the September 2021 Police Department report. Mayor Pro Tem Tom Newell also noted that the study between Lake Dallas and the City of Corinth regarding the possibility of a joint police department was no longer going forward at this time.

7. Fire Department
(Newell)

Mayor Pro Tem Tom Newell gave the Fire Department Report for October 2021. Mr. Newell also reported that Fire Chief Michael Ross would be retiring this February and that it had not yet been determined who would be the new Fire Chief.

8. Staff Report
(Withers)

Town Administrator Wendy Withers gave the staff report for October 2021.

9. Roads, Drainage, Capital Improvements
(Nowels, Arvizu)

Town Engineer Richard Arvizu and Councilmember Mike Nowels gave an update regarding the current road repair projects. Town Administrator Wendy Withers gave an overview of the capital improvements site on the webpage was presented.

10. Mayors Comments
(Aughinbaugh)

Mayor Aughinbaugh reported that she and Councilmembers Newell, Nowels, and Emsoff had attended the

grand opening of the Denton County Courthouse on November 4, 2021. Mayor Aughinbaugh also stated that there would be some changes coming up due to redistricting, including the proposal that Shady Shores and Corinth would now be a part of Commissioners Court 2 which would put us in Ron Marchant's district. The state has also been doing a lot of redistricting. House District 57 is the new district that Shady Shores will be in, formerly we were in Rep. Lynn Stuckey's district, but we will now be in district 57.

11. Announcements

CONSENT AGENDA

Each item listed on the consent agenda is considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

Matthew Haines made a motion to approve the items on the consent agenda. Charles Grimes seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Emsoff, Newell, Nowels

Nays: None

The motion passed unanimously.

12. Minutes- Consider and act on approval of the minutes of the October 11, 2021 Regular Town Council Meeting.

13. Financial Reports- Consider and act on approval of the 4th quarter 2021 Financial Reports.

14. Resolution in Support of Denton County Bond Project

RESOLUTION 2021-11-823

CITIZENS COMMENTS

This is your opportunity to comment on an item on the agenda, or any other relevant topic. If the item on the agenda you wish to comment on is set for a public hearing, please give your remarks on that item when the public hearing is opened. Speakers will be limited to three (3) minutes.

There was no one signed up to speak.

REGULAR AGENDA ITEMS

15. Public Hearing- Conduct a public hearing relative to a request made by ECM Development for a preliminary plat of 30 acres in the subdivision to be known as Lakeshore Bluffs; more legally described as 30 acres in the JC Bullard Survey Abstract 1566 TR 6A (204 Dobbs Road) .

- A) Staff Presentation
- B) Open Public Hearing
- C) Applicant
- D) Those in Favor of the Request
- E) Those Opposed to the Request
- F) Rebuttal if Desired
- G) Close Public Hearing

Town Administrator Wendy Withers and Town Engineer Richard Arvizu, gave an overview of the project and described changes that were being requested in order to recommend approval to the Town Council.

Mayor Aughinbaugh opened the public hearing at 7:52 pm.

The applicant was not present.

No one spoke in favor of the request.

Judy Graham 314 S. Shady Shores; stated that she was not speaking in opposition but wanted to note that there were many changes mentioned and thanked the Councilmember and Engineer for being

thorough.

Phillip Groves, 322 S. Shady Shores Road; expressed concerns that the Town of Shady Shores would soon be like the City of Carrollton or Farmers Branch if the Council was not diligent about enforcing the regulations. Mr. Groves also stated he felt that it was ironic that the town was celebrating Arbor Day and had read a proclamation in support of the trees but had voted in favor of a subdivision that would remove all the trees.

Mayor Aughinbaugh closed the public hearing at 7:59 pm.

16. Action Regarding Public Hearing- Consider and act on approval of a request made by ECM development for approval of a preliminary plat to be known as Lakeshore Bluffs; more legally described as 30 acres in the JC Bullard Survey Abstract 1566 TR 6A (204 Dobbs Road) .

Mayor Aughinbaugh noted that the applicant, ECM development, had requested a 30-day extension to make the necessary changes.

Councilmember Matthew Haines stated that he wanted Mr Groves to know that he was in agreement with him and that he felt the Council should adhere to rules the community had agreed to. Mr. Haines recognized that change is painful and thanked Mr. Groves for his comments. Councilmembers agreed to have a special called session to discuss this agenda item on December 6, 2021.

17. Boardmember Appointments- Consider and Act on appointing individuals to serve on the following boards:

Dangerous Structures (2) positions

Keep Shady Shores Beautiful, Places 4 and Alternate

Mike Nowels made a motion to appoint Patricia Nelson to Keep Shady Shores Beautiful Place 2 and Karen Thomas as an alternate. Charles Grimes seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Emsoff, Newell, Nowels

Nays: None

The motion passed unanimously.

Matthew Haines made a motion to appoint Allen Lea to serve on the Building and Standards Committee. Charles Grimes seconded the motion.

Discussion: None

Ayes: Grimes, Haines, Emsoff, Newell, Nowels

Nays: None

The motion passed unanimously.

18. Worksession- Conduct a worksession relative to streetlights in the Town of Shady Shores. Consider and take action to include providing staff direction if necessary.

Bill Krueger, 103 Cielo Lane voiced concerns about the lack of streetlighting in the Shady Shores Community. In addition, Mr. Krueger stated that he felt the lighting around inadequate.

Mayor Aughinbaugh stated that she could agree with three of the proposals for the addition of streetlights. However, she felt the policy needed to be reviewed and updated prior to a decision being made. That there were other factors to be considered before adding streetlights all over town. Streetlights that may be considered:

1. Olive's Branch

2. W.Shady/S. Shady/Lakeshore
3. Garza and W. Shady

Councilmember Haines stated that all members should drive around town and view the areas of concern that had been pointed out by Mr. Krueger.

Mayor Pro Tem Tom Newell stated that he was in agreement with the signs that the Mayor had mentioned but also had concerns about adding too many and cited communities that were "Dark Sky" communities and that there had been some studies that LED lighting with streetlights was dangerous for native birds in the area.

EXECUTIVE SESSION:

Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated, The Town Council may hold a closed meeting.

Streetlight Policy
Streetlight Costs
Special Called Meeting on December 6, 2021

FUTURE AGENDA ITEMS AND STAFF DIRECTION

Street Lights-
Special called Town Council meeting December 6th

ADJOURN

Matthew Haines made a motion to adjourn. Charles Grimes seconded the motion and the meeting was adjourned at 8:32 pm.

PASSED AND APPROVED THIS THE _____ DAY OF _____, 2021.

APPROVED:

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Administrator/Secretary



AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Holiday Schedule for 2022- Consider and act on approval of the 2022 Holiday Schedule for the Town of Shady Shores.

BACKGROUND/INFORMATION:

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. TOWN OF SHADY SHORES 2022 HOLIDAY SCHEDULE

REVIEWED BY:

TOWN OF SHADY SHORES HOLIDAY SCHEDULE 2022

DAY	DATE	HOLIDAY	COMMENTS
Friday	December 31 st	New Year's Eve	
Monday	January 17, 2022	Martin Luther King	
Monday	February 21, 2022	President's Day	
Friday	April 15, 2022	Good Friday	Per the Handbook
Monday	May 30, 2022	Memorial Day	
Monday	July 4, 2022	Independence Day	(observed)
Monday	September 5, 2022	Labor Day	
Thursday	November 24, 2022	Thanksgiving Day	
Friday	November 25, 2022	Day after Thanksgiving	Per the Handbook
Friday	December 23, 2022	Christmas Eve	
Monday	December 26, 2022	Christmas Day	
Tuesday	December 27, 2022	Day after Christmas	



AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Resolution- Consider and act on approval of a resolution permitting the consideration of financial institutions outside the Town Limits of the Town of Shady Shores.

BACKGROUND/INFORMATION:

Consider and act on approval of a resolution permitting the consideration of applications from financial institutions that are not doing business within the municipality. As there are no financial institutions located within the Town of Shady Shores, we must consider other financial institutions.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Resolution Authorizing the consideration of financial institutions outside the city limits

REVIEWED BY:

RESOLUTION NO. _____
TOWN OF SHADY SHORES DESIGNATED FINANCIAL INSTITUTIONS

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS AUTHORIZING THE CONSIDERATION OF FINANCIAL INSTITUTIONS WHICH ARE NOT LOCATED WITH THE TOWN OF SHADY SHORES TOWN LIMITS

WHEREAS, the Town of Shady Shores is seeking applications for a financial institution to serve as the depository for the Town's funds in accordance with Texas Local Government Code 105.016(a) and;

WHEREAS, there are no financial institutions located within the Town Limits of the Town of Shady Shores;

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, DENTON COUNTY TEXAS, AS FOLLOWS:

Municipal Depository

The Town Council of the Town of Shady Shores will consider applications from financial institutions located outside the town limits of the Town of Shady Shores.

DULY PASSED AND APPROVED BY the Town Council of the Town of Shady Shores, Denton County this the _____, day of _____, 2021.

APPROVED:

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Administrator/Secretary



AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: **Mighty River- Consider and act on approval of a contract with Mighty River Consultants.**

BACKGROUND/INFORMATION:

The "Lake Cities" (Shady Shores, Lake Dallas, Corinth, and Hickory Creek) have been working for the last year to improve broadband services and infrastructure in our community. The Lake Cities through Marketplace City advertised an RFP for proposals to construct a fiber ring with internet services to be offered to residents. The Mighty River Contract hires Joe Freddoso to act as an advising consultant as the towns continue to move forward with this project.

FINANCIAL IMPLICATIONS:

Total Contract Price: \$15,850

Shady Shores Allocation: \$1822

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. 2021.11.18 - ILA - Lake Cities - Mighty River

REVIEWED BY:

INTERLOCAL COOPERATION AGREEMENT FOR CONSULTING SERVICES TO IDENTIFY BROADBAND SERVICE PROVIDERS FOR THE CITY OF CORINTH, THE CITY OF LAKE DALLAS, THE TOWN OF HICKORY CREEK AND THE TOWN OF SHADY SHORES

This Interlocal Cooperation Agreement for Broadband Study ("the Agreement") is made and entered into by and among the CITY OF CORINTH, a Texas home rule municipality, ("CORINTH"), the CITY OF LAKE DALLAS, a Texas home rule municipality ("LAKE DALLAS") the TOWN OF SHADY SHORES, a Type A general law municipality ("SHADY SHORES") and the TOWN OF HICKORY CREEK, a Type A General law municipality ("HICKORY CREEK"), Corinth, Lake Dallas, Hickory Creek and Shady Shores are collectively referred to herein as the "LAKE CITIES" and individually referred to as ("LAKE CITIES MEMBER"), each organized and existing under the laws of the State of Texas, the Texas Constitution and, as applicable, its Home Rule Charter, and acting by, through and under the authority of their respective governing bodies and officials.

RECITALS

WHEREAS, this Agreement is authorized pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which the LAKE CITIES agree to jointly engage a consultant to conduct an evaluation of broadband service providers in order to select a broadband provider to enter into a Public Private Partnership with LAKE CITIES MEMBERS; and

WHEREAS, each LAKE CITIES MEMBER has identified concerns that their respective communities may not have the level of broadband access as defined and reported by the Federal Communications Commission; and

WHEREAS, each LAKE CITIES MEMBER recognizes that technology plays a pivotal role in the choice of businesses and residents to locate within their respective cities, that business operations and customer service require the presence of reliable technology resources, and that the review of potential broadband service providers to establish a Public Private Partnership to serve the Lake Cities, to identify necessary improvements to serve both business partners and residents is a valid governmental interest; and

WHEREAS, LAKE CITIES have conducted a broadband study through Connected Nation and now desire to engage the services of a consultant to assist with the vetting and selection of a broadband service provider, a project that each could undertake individually as a governmental function; and

WHEREAS, LAKE CITIES desire to jointly participate in this Agreement to engage the services of a consultant to assist them with the selection of a broadband service provider for the Lake Cities region and have determined it appropriate to authorize CORINTH to enter into an agreement with Mighty River, Incorporated ("Consultant") to perform the study and provide the services set forth in **Exhibit "A"** hereto (the "Consultant Proposal") and pursuant to this Agreement, to participate in the cost for the services provided by Consultant pursuant to the Consultant Proposal; and

WHEREAS, the scope of the study to be performed by Consultant will be in accordance with the terms of this Agreement, including without limitation, Section 2 hereof, and the scope outlined in the Consultant Proposal, Exhibit “A” hereto, such scope having been agreed upon by each LAKE CITIES MEMBER; and

WHEREAS, the City Councils of each LAKE CITIES MEMBER has found that this Agreement and the services to be provided pursuant to the Mighty River Agreement are valid governmental functions, will be paid by current revenues legally available to each LAKE CITIES MEMBER, and that the payments made hereunder fairly compensate for the services provided hereunder.

NOW THEREFORE, the LAKE CITIES, for and in consideration of the premises and the mutual covenants set forth in this Agreement, and pursuant to the authority granted by the governing bodies of each of the parties hereto, do hereby agree as follows:

1. **Term/Termination.** This Agreement shall be effective upon execution by all of the LAKE CITIES with the effective date being the date of signature of the last LAKE CITIES MEMBER to sign (“the Effective Date”). The term of this Agreement shall be for a period of twelve (12) months following the Effective Date. Any LAKE CITIES MEMBER may terminate its participation in this Agreement not earlier than thirty (30) days after providing written notice to the other LAKE CITIES MEMBERS. A LAKE CITIES MEMBER who exercises its right to terminate its participation in this Agreement pursuant to this Section 1 shall remain obligated to pay its portion of the costs for services provided pursuant to the Consultant Agreement (defined in Section 2) through the effective date of such termination.

2. **Scope of Work/Obligations/CORINTH as Liaison.**

(a) By execution of this Agreement, each LAKE CITIES MEMBER hereby requests and authorizes CORINTH to negotiate and enter into an agreement with Consultant to evaluate service providers best qualified to enter into a Public Private Partnership for Broadband Technical Services and perform the tasks enumerated in Contractor’s Proposal, **Exhibit “A”** (the “Services”) for the LAKE CITIES in order to allow LAKE CITIES to enter into a Public Private Partnership agreement with a qualified provider (the “Project”). The Consultant Proposal and the Services provided thereunder are set forth in detail in **Exhibit “A”**, a substantial copy of which is attached hereto and incorporated herein. The LAKE CITIES hereby authorize CORINTH to negotiate and execute a contract with Consultant consistent with the Consultant’s Proposal and the terms of this Agreement (“Consultant Agreement”). Upon execution of the Consultant Agreement by Corinth, a copy of the executed Consultant Agreement shall be provided to each LAKE CITIES MEMBER, shall replace and supersede the Consultant Proposal as **Exhibit “A”** hereto, and the Consultant Agreement shall be incorporated herein by reference as **Exhibit “A”**.

(b) Each LAKE CITIES MEMBER agrees to participate in the Project and to assist Consultant and CORINTH in the performance of the various Project components for the purpose of identifying a qualified broadband services provider with which LAKE CITIES may enter into a Public Private Partnership Agreement. CORINTH also agrees to act as the liaison and point of contact for the Services; prepare, execute, and administer the communication with Consultant and the LAKE CITIES. Any payments owed the Consultant for the Services pursuant to Consultant

Agreement shall be paid directly by CORINTH from funds currently available to CORINTH, and each LAKE CITIES MEMBER agrees to pay its share in accordance with **Section 3, "Consideration"** of this Agreement. Additionally, CORINTH agrees to monitor Consultant's work and compliance with provisions of the Consultant Agreement.

3. **Consideration.** CORINTH, LAKE DALLAS, SHADY SHORES, and HICKORY CREEK each agree to pay its proportionate share of the costs of the Services provided by Consultant pursuant to the Consultant Agreement based upon the allocation set forth in the chart provided in this Section. The total cost of the Services shall not exceed **FIFTEEN THOUSAND EIGHT HUNDRED FIFTY AND NO/100 DOLLARS (\$15,850.00)**. CORINTH agrees to make payments to Consultant in accordance with the Consultant Agreement, and each LAKE CITIES MEMBER agrees to make payments to Corinth within thirty (30) days of receipt of invoice from CORINTH. The LAKE CITIES agree that the payments made hereunder by each of the LAKE CITIES MEMBERS for the Services and for services provided by CORINTH provide valid and sufficient consideration for the services rendered and payments made hereunder.

	Population		Land Area (miles)		Total Allocation	Total Cost
Corinth	22,634	60%	7.9	44%	52%	\$8,242
Lake Dallas	7,708	20%	2.7	15%	17.5%	\$2,774
Hickory Creek	4,718	13%	4.5	25%	19%	\$3,012
Shady Shores	2,764	7%	2.9	16%	11.5%	\$1,822
	37,824	100%	18.00	100	100%	\$15,850

4. **Authorization.** The undersigned officers and/or agents of the LAKE CITIES represent and certify that this Agreement has been approved by their respective governing body and that each is a duly authorized official and possesses the requisite authority to execute this Agreement on behalf of its governing body.

5. **Original Counterparts.** This Agreement may be executed separately by the parties, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

6. **Notice.** Notice as required by this Agreement shall be in writing delivered to the parties by certified mail at the address listed below. Each party shall notify the other parties in writing within ten (10) days of any change in the information listed in this paragraph.

CORINTH

Bob Hart, City Manager
3300 Corinth Parkway
Corinth, TX 76208
Telephone: (940) 498-3243

LAKE DALLAS

Kandace Lesley, City Manager
212 Main Street
Lake Dallas, TX 75065
Telephone: (940) 497-2226

HICKORY CREEK

John Smith, Town Manager
1075 Ronald Reagan Avenue
Hickory Creek, TX 75065
Telephone: (940) 497-2528

SHADY SHORES

Wendy Withers, Town Manager
101 S Shady Shores Road
Shady Shores, TX 76208
Telephone: (940) 498-0044

7. **Assignment.** The LAKE CITIES agree that the rights and duties contained in this Agreement will not be assigned or sublet without the prior written consent of each other LAKE CITIES MEMBER.

8. **Venue.** This Agreement shall be governed by the laws of the State of Texas and exclusive venue for any action relating to this Agreement shall be in Denton County, Texas.

9. **Independent Parties/Governmental Immunity.** Each LAKE CITIES MEMBER agrees and acknowledges that this Agreement does not create a joint venture, partnership, or joint enterprise, and that each is not an agent of any of the other entities and that each is responsible in accordance with the laws of the State of Texas for its own negligent or wrongful acts or omissions and for those of its officers, agents, or employees in conjunction with the performance of services covered under this Agreement. Notwithstanding the foregoing, nothing in this Agreement shall be construed as a waiver of any governmental immunity or other defense available to each LAKE CITIES MEMBER. The provisions of this section are solely for the benefit of the LAKE CITIES and are not intended to create or grant any rights, contractual or otherwise, to any third party. This Agreement is for the sole benefit of the LAKE CITIES and shall not be construed to create any third-party beneficiaries.

10. **Severability.** If any provision of this Agreement is determined by a court of competent jurisdiction to be unenforceable for any reason, then: (i) such unenforceable provision shall be deleted from this Agreement; (ii) the unenforceable provision shall, to the extent possible and upon mutual agreement of the LAKE CITIES, be rewritten to be enforceable and to give effect to the intent of the LAKE CITIES; and (iii) the remainder of this Agreement shall remain in full force and effect and shall be interpreted to give effect to the intent of the LAKE CITIES.

11. **Non-Waiver.** Any failure by a LAKE CITIES MEMBER to insist upon strict performance by any one or more of the other LAKE CITIES MEMBERS of any material provision of this Agreement shall not be deemed a waiver thereof, and the LAKE CITIES MEMBER shall have the right at any time thereafter to insist upon strict performance of any and all provisions of this Agreement. No provision of this Agreement may be waived except by writing signed by the LAKE CITY MEMBER waiving such provision. Any waiver shall be limited to the specific purposes for which it is given. No waiver by any LAKE CITIES MEMBER of any term or condition of this Agreement shall be deemed or construed to be a waiver of any other term or condition or subsequent waiver of the same term or condition.

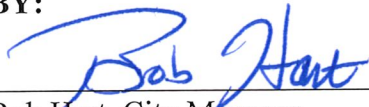
12. **Entire Agreement.** This Agreement (with all referenced Exhibits, attachments, and provisions incorporated by reference) embodies the entire agreement of the LAKE CITIES, superseding all oral or written previous and contemporary agreements among the LAKE CITIES relating to matters set forth in this Agreement. This Agreement cannot be modified without written supplemental agreement executed by all of the LAKE CITIES.

13. **Further Documents.** LAKE CITIES MEMBER agrees that at any time after the Effective Date, they will, upon request of another LAKE CITIES MEMBER, execute and deliver such further documents and do such further acts and things as the other LAKE CITIES MEMBERS may reasonably request in order to effectuate the terms of this Agreement. This provision shall not be construed as limiting or otherwise hindering the legislative discretion of the respective City Council seated at the time that this Agreement is executed or any future respective City Council.

IN WITNESS WHEREOF, this Agreement is executed this 18th day of November 2021, in duplicate originals.

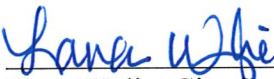
APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:

BY:


Bob Hart, City Manager

11.18.2021
Date

ATTEST:


Lana Wylie, City Secretary



11.18.2021
Date

APPROVED AS TO FORM:


Patricia Adams, City Attorney

11.18.2021
Date

CITY/GOVT ENTITY OF CORINTH, TEXAS


Bill Heidemann, Corinth Mayor

11.18.2021
Date

IN WITNESS WHEREOF, this Agreement is executed this ____ day of _____ 2021,
in duplicate originals.

**APPROVED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES,
TEXAS:**

_____	_____
Cindy Aughinbaugh, Shady Shores Mayor	Date

ATTEST:

_____	_____
Wendy Withers, City Secretary	Date

APPROVED AS TO FORM:

_____	_____
City Attorney	Date

IN WITNESS WHEREOF, this Agreement is executed this ____ day of _____ 2021,
in duplicate originals.

**APPROVED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK,
TEXAS:**

Lynn Clark, Hickory Creek Mayor

Date

ATTEST:

Kristi Rogers, City Secretary

Date

APPROVED AS TO FORM:

City Attorney

Date

IN WITNESS WHEREOF, this Agreement is executed this ____ day of _____ 2021,
in duplicate originals.

APPROVED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS:

BY:

Andi Nolan, Lake Dallas Mayor

Date

ATTEST:

Cody Delcambre, City Secretary

Date

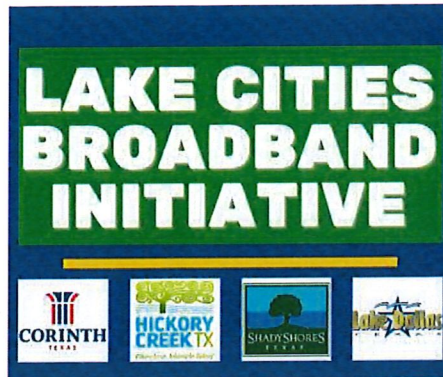
APPROVED AS TO FORM:

City Attorney

Date

EXHIBIT "A"
CONSULTANT PROPOSAL

**(TO BE SUPERSEDED BY MIGHTY RIVER CONSULTANT AGREEMENT IN
ACCORDANCE WITH SECTION 2(a) OF THIS AGREEMENT)**



**Confidential and Proprietary
Updated**

Statement of Work

Lake Cities Broadband Initiative

In September, 2020, the Lake Cities Broadband Committee launched an effort to improve broadband (high-speed internet) access for families, businesses, and communities across Denton County, Texas.

The Lake Cities Broadband Committee (LCBC) is comprised of local community leaders in the cities of Corinth, Hickory Creek, Lake Dallas, and Shady Shores. These communities have worked together to establish an overall broadband planning process and address the current and future broadband needs across the county.

The LCBC and its planning partner, Connected Nation Texas, have conducted data gathering, distributed and tallied surveys, and solicited service interest from at least four broadband service providers. The LCBC has evaluated the information provided by the broadband service providers and is ready to make a determination the deployment of broadband service.

The LCBC has asked Mighty River to submit a proposal to assist the LCBC in the process of selection of a broadband service partner for the Lake Cities region.

Tasks undertaken by Mighty River

In completing this work for LCBC, Mighty River would undertake the following tasks:

- Evaluate all proposals from broadband service providers
- Assist the LCBC in gathering information from the broadband service providers regarding:
 - o Fiscal stability of the broadband service provider

- The specific service plan and business plan broadband service providers have for LCBC region
 - Monthly recurring; one-time installation; equipment fees (is there a bring your own Customer Premise Equipment option for the customer); taxes and fees and construction charges (if any) for broadband service
 - Options for voice and video service with broadband service providers service packages (if any)
- Planned service area within the LCBC region – are any parts of the region not serviced by the broadband service provider
- Timeline for deployment of service
- Process for deployment of service – for example does the broadband service provider need a certain level of verified demand in an area to deploy service
- Cooperation level broadband service provider requires from the LCBC governments – this could cover marketing support; single point of contact for permitting and engineering issues; fee waivers for permits and franchise fees
- Technical support plan once service is deployed
- Service level agreement offered by the broadband service provider for end customers proposed by Broadband Service Provider including at a minimum standard for uptime, latency, jitter, packet loss and a guaranteed maximum upstream oversubscription rate
- In concert with the LCBC, reach agreement with a broadband service provider on terms of service and division of responsibilities between LCBC cities and the broadband service provider
- Advise on strategic use of American Rescue Plan funding with a focus on potential public private partnership with a broadband service provider
- Produce a first draft agreement including any consideration public private partnership with the selected broadband service provider that is reviewed by LCBC City Attorneys and other LCBC counsel
- Assist in finalizing the agreement with broadband service provider
- Prepare LCBC to oversee implementation of the agreement

Mighty River has now billed for 45 hours of work. The LCBC added Mighty River participation in a procurement process to the Scope of Work. Mighty River added 5 hours to the allotment to cover this participation.

The LCBC has requested Mighty River undertake the following roles:

- Participate in the selection of a broadband partner from the firms that submitted proposals in the procurement process
- Assist counsel in negotiating a contract with the selected broadband partner
- Assist with developing communications and messaging about the broadband partner to elected officials and the general
- Assume an ongoing oversight role to assist the LCBC in evaluating the performance of the broadband partner.

Proposed Cost Phase 1

Mighty River proposed an initial 90-day window of work from May 15th to August 15th, 2021. Mighty River estimated 40 hours of work during this 3-month timeframe to complete the tasks. Mighty River will bill only for actual hours worked and will submit a timesheet at the end of each month, outlining the work completed that month.

Mighty River's billing rate for these hours is proposed at \$190 per hour for a total estimated billing of \$7600.

Proposed Cost Phase 2

Mighty River proposes an initial 90-day window of work from November 15th to February 15th, 2021. Mighty River estimated 40 hours of work during this 3-month timeframe to complete the tasks. Mighty River will bill only for actual hours worked and will submit a timesheet at the end of each month, outlining the work completed that month.

Mighty River's billing rate for these hours is proposed at **\$180 per hour** for a total estimated billing of \$7200.

For ongoing oversight, Mighty River proposes 7 hours of work per month at \$150 per hour or \$1050 per month until the LCBC feels the need to cease the oversight arrangement.

The terms and conditions would remain the same as outlined below.

Notes:

- 1) For the existing scope of work, Mighty River assumes all risk for hours of work exceeding the planned hourly allotment. LCBC will not be billed for hours exceeding 40 if the scope of work remains the same.
- 2) Increases in scope of work beyond tasks are to be mutually negotiated. LCBC and Mighty River agree to discuss the impact of this on the hour estimates.
- 3) All cost of work, besides travel reimbursement, are included in the monthly fee.
- 4) Invoice terms will be net 30. Delays in payment beyond 30 days will include at 1.5% per month carrying charge.
- 5) Mighty River anticipates at least one trip to LCBC site for face-to-face meetings. Mighty River will receive reimbursement for travel costs as follows: Airfare-Lowest Refundable Airline ticket available; Lodging-Government Rate; Per Diem-Government rate; Ground Transportation and Parking.

Mighty River background

In July 2014, April and Joe Freddoso formed Mighty River, LLC as an advise and do firm in the broadband infrastructure and access sector. Mighty River immediately began work with the Federal Communications Commission (FCC) on a three-year project that included modernization of the FCC's Universal Service Fund programs (E-rate, Rural Healthcare Program, Connect America Fund). In the last 7 years, Mighty River's client work: successfully securing funding for broadband infrastructure projects; creating and implementing public/private broadband

partnerships; planning implementing Statewide and County based broadband enhancement projects; and working with private broadband infrastructure owner's to monetize their broadband assets.

April Blake Freddoso

Co-Founder and CEO – Mighty River, LLC.

April Freddoso is CEO and majority owner of Mighty River, LLC. In this role, she manages the firm's public relations, marketing and management consulting practice. She assists in creating broadband strategic opportunity roadmaps for Mighty River clients; helps clients to implement a broadband demand aggregation strategy and surveys; maps specific information on sources of broadband infrastructure funding (Federal, State, Private) to client needs; and categorizes and tracks sources of funding that have already been committed to institutions, service providers or facilities in geographic regions surrounding Mighty River clients.

April's work with MCNC involved extensive grant writing, including MCNC's \$104 million Broadband Technology Opportunities Grant award; developing and implementing strategic communications plans; media relations; and executive communications.

As a paralegal with a background in corporate law and civil litigation, April has conducted extensive legal research and analysis on a broad range of issues for cases in both state and federal court, drafted initial pleadings and discovery in order to assess the strength of the case and responded to the discovery of the opposition.

She also serves in the North Carolina Guardian ad Litem program to serve abused and neglected children by advocating for their best interests in court.

Joe Freddoso

Co-Founder and COO– Mighty River, LLC.

Prior to founding Mighty River, Joe completed a 7-year stint as President and CEO of MCNC. MCNC operates the North Carolina Research and Education Network (NCREN), which provides broadband connectivity to most Community Anchor Institutions in North Carolina. Under Joe's leadership, MCNC quadrupled its revenue, grew NCREN's connector community by 700% and now possesses a book value of over one quarter billion dollars.

Also, during Joe's time at MCNC, the organization completed a \$144 million expansion of NCREN, called the Golden LEAF Rural Broadband Initiative (GLRBI). This expansion included building over 1800 miles of new fiber optic infrastructure, acquiring 800 miles of fiber optic infrastructure through Indefeasible Right to Use (IRU) agreements and adding these fiber assets to the NCREN network. The result is an NCREN that covers over 80% of North Carolina's counties.

Joe led the effort to negotiate the fiber leases as the lessee and the lessor and all types of lit service, colocation, above the net services arrangements. MCNC successfully IRU'd to broadband service providers worth over \$25 million of fiber on the GLRBI. Joe and MCNC were recognized as White House Champions of Change in 2012 and Computer World Laureates in 2013.



AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Ordinance Amending Ordinance 352-10-2021- Consider and act on amendments to Ordinance 352-10-2021 Planned Development for Dobbs Road.

BACKGROUND/INFORMATION:

During the November 8th, 2021 Town Council meeting ECM Development agreed to changes that were previously suggested by the Planning and Zoning Commission. The changes were agreed to after the initial Development agreement was approved. The changes to exhibit B include the following:

1. Lot frontage shall be no less than 70 feet in width measured at the front building line. All home' setbacks will comply with the following:
2. Front Yards: no less than 20 feet measured from front property line
3. Rear Yards: no less than 20 feet measured from back property line; specifically, **Lots 22 – 28, Block 1: shall be no less than 35 feet measured from back property line. Permanent structures may not be constructed in the setback area**

All homes must have minimum finished floor elevation of 539 feet, a minimum of two (2) feet above the 537' contour line. The building setback shall be the greater distance of the 537' contour line or 20 feet measured from back property line (7b).

FINANCIAL IMPLICATIONS:

None at this time

RECOMMENDATION/ACTION DESIRED:

Approve the amended Exhibit B.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Zoning PD Lakeshore Bluffs ECM 30.006 A. 2021
2. 2021.08.02- SHADY SHORES - Planned Development Exhibit B_ECM edits. JS final
3. ECM.DOBBS.30.006 A2SURVEY. B. SITE PLAN

REVIEWED BY:

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF SHADY SHORES, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF SHADY SHORES AS HERETOFORE AMENDED, BY ZONING A PARCEL OF LAND OF APPROXIMATELY 30.006 ACRES AS PLANNED DEVELOPMENT (PD), INCLUDING DEVELOPMENT STANDARDS FOR THE ZONING ON THE PARCEL ALL AS SET FORTH SPECIFICALLY HEREIN, SUCH PARCEL OF LAND BEING IN THE J.C. BULLARD SURVEY, ABSTRACT NUMBER 1566, IN THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Shady Shores Planning and Zoning Commission and the governing body of the Town of Shady Shores, in compliance with the laws of the State of Texas and the ordinances of the Town of Shady Shores, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance of the Town of Shady Shores should be amended to zone the land described herein;

WHEREAS, ECM DEVELOPMENT, LLC a Texas limited liability company (the “Applicant”) has requested the zoning of this property to change from its current Single Family R-2000-1/2 zoning to new permanent zoning of Planned Development, with Development Standards, and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS:

SECTION 1. ZONING CHANGE. The Comprehensive Zoning Ordinance of the Town of Shady Shores, Texas, (Chapter 14 of the Shady Shores Code of Ordinances), as heretofore amended, be, and the same is hereby amended by zoning all of the parcel of approximately 30.006 acres as Planned Development, with Development Standards. The Property is more particularly described by metes and bounds in the attached Exhibit A. A copy of the Planned Development Concept

Site Plan is attached as Exhibit B. The Development Standards for this Planned Development Zoning are attached as Exhibit C.

SECTION 2. LAKESHORE BLUFFS SUBDIVISION. The Property is the subject of a Development Standards in compliance with the Planned Development Zoning Classification of the Comprehensive Zoning Ordinance of the Town of Shady Shores. The Site Plan and Development Standards are to be followed as the specifications of the subdivision, attached hereto as Exhibits B and C, respectively. Any zoning or subdivision regulations not specifically modified by the Development Standards or state law are to comply with the zoning standards of the Town's R-2000-12 zoning district and the Town Subdivision Regulations as codified in the Municipal Code of the Town.

SECTION 3. SEVERABILITY CLAUSE. Should any sentence, paragraph, Subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. REPEALER CLAUSE. All provisions of the ordinances of the Town of Shady Shores in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the Town of Shady Shores not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. PENALTY CLAUSE. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the Town of Shady Shores, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. PUBLICATION. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the Town of Shady Shores for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the Town Secretary.

ADOPTED this _____ day of _____, 2021, by the Shady Shores Town Council.

APPROVED:

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Secretary

Approved as to Form:

James E. Shepherd, Town Attorney

Exhibits:

- Exhibit A Legal description of the 30.006 acre tract, the “Property”
- Exhibit A2 Survey of Property
- Exhibit B Planned Development Concept Site Plan
- Exhibit C DEVELOPMENT STANDARDS of PD Zoning of the Property
- Exhibit D Aerial photo of Property

EXHIBIT A

METES AND BOUNDS DESCRIPTION:

BEING a tract of land situated in the J.C. Bullard Survey, Abstract No. 1566, Town of Shady Shores, Denton County, Texas, being all of a tract conveyed to Louis J. Meyer and Marilyn D. Meyer Revocable Trust, by deed recorded in Document No. 2009-21306 of the Official Public Records of Denton County, Texas, with the subject tract being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the southwest corner of the herein described subject tract and lying in the north right-of-way line of Dobbs Road and lying S 00°05'34" W, 40.00 feet from the southeast corner of Lot 1, Block A of Shady Shores Elementary School, an addition to the Town of Shady Shores, Denton County, Texas, according to the plat thereof recorded in Cabinet W, Page 211, Plat Records, Denton County, Texas;

THENCE, N 00°05'34" E, 1344.22 feet to a 1/2 inch iron rod found at the northeast corner of said Shady Shores Elementary School and lying in a southerly line of United States of America Corps of Engineers tract (U.S.A.C.O.E.);

THENCE along said southerly line of U.S.A.C.O.E. tract, the following bearings and distances:

S 75°38'11" E, 419.44 feet to a brass monument found;

S 87°55'32" E, 476.90 feet to a brass monument found;

S 37°28'33" E, 308.82 feet to a 5/8 inch iron rod found;

S 06°18'51" W, 207.84 feet to a point for corner at the northwest corner of a tract of land conveyed to Frank A. Graham and Judy G. Graham, by deed recorded in Document No. 2007-101414, OPRDCT;

THENCE, S 01°49'21" E, 450.96 feet to a 1/2 inch iron rod at the southwest corner of a tract of land conveyed to Blake T. Stewart and Kimberly Bynum, by deed recorded in Document No. 2019-10975, OPRDCT;

THENCE S 01°18'23" W, 316.63 feet to the southwest corner of a tract of land conveyed to Charles S. Stewart and Blake T. Stewart, by deed recorded in Document No. 2019-19953, OPRDCT and lying in said north right-of-way line of Dobbs Road;

THENCE, S 89°47'15" W, 1071.69 feet, along said north right-of-way line of Dobbs Road to the POINT OF BEGINNING with the subject tract containing 1,307,080 square feet or 30.006 acres of land.

EXHIBIT A2
SURVEY OF PROPERTY

EXHIBIT B
APPROVED PELIMINARY PLAT

EXHIBIT C

Development Standards

SHADY SHORES PD 21 – 01

1. The zoning of this site is Planned Development for a Residential Single Family uses, with a Development Plan, in accordance with an attached Development Plan.
2. The site is defined as 30 acres in the J. Bullard Survey A-1566.
3. Use and development of the property shall be in substantial compliance with the attached Development Plan.
4. A total of 57 residential lots are to be developed along with two open space (X) lots.
5. Minimum lot area shall be 14,520 square feet or one-third acre.
6. At least 30% of lots shall exceed the minimum lot area of 14,520 square feet.
7. Home setbacks will comply with the following:
 - a. Front Yards: no less than 20 feet measured from front property line
 - b. Rear Yards: no less than 20 feet measured from back property line; specifically, Lots 2 – 4, Block 4: shall be no less than 35 feet measured from back property line
 - c. Side Yards: no less than 5 feet from side property line
 - d. Corner Lots: side yard shall not be less than 10 feet

Home Design

8. Homes shall have a minimum of 8:12 roof pitch on the front elevation and a minimum of 6:12 roof pitch on the sides and rear elevations.
9. Garages and porches may not encroach within the 20 front building setback line.

10. All front entry garages to included decorative faux wood garage doors.
11. All homes shall be 100% masonry front elevations. Cementitious fiberboard will be limited to second floor side and rear elevations, exterior of chimneys, dormers, window box-outs, bay windows that do not extend to the foundation, or any other exterior wall that does not bear on the foundation.
12. The homes will be a minimum of 2,200 square feet of conditioned living space.
13. Each home will provide a minimum two-car garage.
14. A minimum of five home floor plans shall be used.

Amenities

15. A minimum 1.5-acre open space shall be established with this planned development and include the following amenities:
 - a. Playground
 - b. 5' Walking Trails
 - c. Pond
- 15.A maximum of six decorative mailbox clusters shall be provided throughout the community.

Screening and Fencing

17. Fencing along Dobbs Road shall be a six-foot-tall masonry fence.
18. Entry features shall be included with the installation of masonry entry signs with planting beds on Dobbs Road.
19. The privacy fence material for each home shall be six-foot-tall, stained cedar with metal posts along the northern, eastern, and western boundaries.
20. All side yard fencing shall be six-foot-tall, stained cedar with metal posts except the two lots that abutting the open space with pond. Lot 1, Block 1 and Lot 13, Block 4 shall be decorative ornamental iron/metal materials.

Landscaping

21. Five-foot sidewalk along with one street tree per lot will be provided throughout internal streets.
22. Common Open Space areas shall be maintained per approved plans by established HOA.

23. Approved landscape plan must be maintained to the design as approved with replacement of dead material required or improved upon as alternative equivalent compliance. The irrigation system and routine trimming of plant material must be maintained to reasonable standard for quality living environment.

General

24. Use and development of the property shall comply with the attached Development Plan.
25. In the event of a conflict between the provisions in the Exhibit C and any other exhibits to this ordinance, the provisions of Exhibit C control.

EXHIBIT D



SHADY SHORES PD 21 – 01

EXHIBIT “B”

1. The zoning of this site is Planned Development for a Residential Single Family uses, with a Development Plan, in accordance with an attached Development Plan.
2. The site is defined as 30 acres in the J. Bullard Survey A-1566. (a complete metes and bounds description is attached to this ordinance.)
3. Use and development of the property shall be in compliance with the attached Development Plan.
4. A total of 57 residential lots are to be developed along with five (5) open space (X) lots.
5. Minimum lot area shall be 14,520 square feet or one-third acre.
6. At least 30% of lots shall exceed the minimum lot area of 14,520 square feet.
7. Lot frontage shall be no less than 70 feet in width measured at the front building line.
8. All home setbacks will comply with the following:
 - a. Front Yards: no less than 20 feet measured from front property line
 - b. Rear Yards: no less than 20 feet measured from back property line; specifically, Lots 22 – 28, Block 1: shall be no less than 35 feet measured from back property line. Permanent structures may not be constructed in the setback area.
 - c. Side Yards: no less than 5 feet from side property line
 - d. Corner Lots: side yard shall not be less than 10 feet
9. All homes must have minimum finished floor elevation of 539 feet, a minimum of two (2) feet above the 537' contour line. The building setback shall be the greater distance of the 537' contour line or 20 feet measured from back property line (7b).

Home Design

10. Homes shall have a minimum of 8:12 roof pitch on the front elevation and a minimum of 6:12 roof pitch on the sides and rear elevations.
11. Garages and porches may not encroach within the 20 front building setback line.
12. All front entry garages to included decorative faux wood garage doors.
13. All homes shall be 100% masonry front elevations. Cementitious fiberboard will be limited to second floor side and rear elevations, exterior of chimneys, dormers, window

box-outs, bay windows that do not extend to the foundation, or any other exterior wall that does not bear on the foundation.

14. The homes will be a minimum of 2,200 square feet of conditioned living space.
15. Each home will provide a minimum two-car garage.
16. A minimum of five home floor plans shall be used.

Amenities

17. A minimum 1.5-acre open space shall be established with this planned development and include the following amenities:
 - a. Playground
 - b. 5' Walking Trails
 - c. Pond
18. A maximum of six decorative mailbox clusters shall be provided throughout the community.

Screening and Fencing

19. Fencing along Dobbs Road shall be a six-foot-tall masonry fence.
20. Entry features shall be included with the installation of masonry entry signs with planting beds on Dobbs Road.
21. The privacy fence material for each home shall be six-foot-tall, stained cedar with metal posts along the northern, eastern, and western boundaries.
22. All side yard fencing shall be six-foot-tall, stained cedar with metal posts except the two lots that abutting the open space with pond. Lot 16 and Lot 18, Block 1 be decorative ornamental iron/metal materials. The homeowners for lots 16 and 16 may request permission for alternative fencing of six-foot tall, stained cedar with metal posts.

Landscaping

23. Five-foot sidewalk along with one street tree per lot will be provided throughout internal streets.
24. Common Open Space areas shall be maintained per approved plans by established HOA.
25. Approved landscape plan must be maintained to the design as approved with replacement of dead material required or improved upon as alternative equivalent compliance. The irrigation system and routine trimming of plant material must be maintained to reasonable standard for quality living environment.

General

26. Use and development of the property shall comply with the attached Development Plan.
27. In the event of a conflict between the provisions in this Exhibit B and any other exhibits to this ordinance, the provisions of this Exhibit B control.

DRAFT



EXHIBIT A₂

METES AND BOUNDS DESCRIPTION

BEING a tract of land situated in the J.C. Bullard Survey, Abstract No. 1566, Town of Shady Shores, Denton County, Texas, being all of a tract conveyed to Louis J. Meyer and Marilyn D. Meyer Revocable Trust, by deed recorded in Document No. 2009-21306 of the Official Public Records of Denton County, Texas, with the subject tract being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the southwest corner of the herein described subject tract and lying in the north right-of-way line of Dobbs Road and lying S 00°05'34" W, 40.00 feet from the southeast corner of Lot 1, Block A of the Town of Shady Shores, Denton County, Texas, according to the plat thereof recorded in Cabinet W, Page 211, Plat Records, Denton County, Texas;

THENCE, N 00°05'34" E, 1344.22 feet to a 1/2 inch iron rod found at the northeast corner of said Shady Shores Elementary School and lying in a southerly line of United States of America Corps of Engineers tract (USACOE);

THENCE along said southerly line of U.S.A.C.O.E. tract, the following bearings and distances:

S 75°38'11" E, 419.44 feet to a brass monument found;

S 87°55'32" E, 476.90 feet to a brass monument found;

S 37°28'33" E, 308.82 feet to a 5/8 inch iron rod found.

S 06°18'51" W, 207.84 feet to a point for corner at the northwest corner of a tract of land conveyed to Frank A. Graham and Judy G. Graham, by deed recorded in Document No. 2007-101414, OPRDCT;

THENCE, S 01°49'21" E, 450.96 feet to a 1/2 inch iron rod at the southwest corner of a tract of land conveyed to Blake T. Stewart and Kimberly Bynum, by deed recorded in Document No. 2019-10975, OPRDCT;

THENCE S 01°18'23"W, 316.63 feet to the southwest corner of a tract of land conveyed to Charles S. Stewart and Blake T. Stewart, by deed recorded in Document No. 2019-19953, OPRDCT and lying in said north right-of-way line of Dobbs Road;

THENCE, S 89°47'15" W, 1071.69 feet, along said north right-of-way line of Dobbs Road to the POINT OF BEGINNING with the subject tract containing 1,307,080 square feet or 30.006 acres of land.

SURVEY RELATED SCHEDULE "B" - EXCEPTIONS	
Fidelity National Title Insurance Company, G.F. No. LT-19155-100151001148, Effective 01/08/2011	
15(f)	Esment to United States of America as provided in document Volume 435, Page 32 Real Property Records, Denton County, Texas. AFFECTS AS SHOWN
15(g)	Esment to Texas Power & Light Company as provided in document Volume 468, Page 197 Real Property Records, Denton County, Texas. DOES NOT AFFECT
15(h)	Esment to Texas Power & Light Company as provided in Volume 485, Page 369 Real Property Records, Denton County, Texas. DOES NOT AFFECT

SURVEYOR'S CERTIFICATE

To: ECM Development, LLC, Fidelity National Title Insurance Company, Republic Title of Texas, and their respective successors and assigns;

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys jointly established and adopted by ALTA and NSPS, and includes optional items 1, 2, 3, 4, 7(a), 8, 9, and 13 of Table A thereof. The field work was completed on 03/19/21.

Date of Plat or Map: 3/19/21



Darren K. Brown, RPLS 5252

Part of the subject land is located in a 100-year Flood Plain or in an identified "flood prone area," as defined pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map Panel 48121C0393H. The property is located in Zone "X" (areas determined to be outside the 500-year floodplain).

SPIARS
ENGINEERING & SURVEYING
765 Custer Road, Suite 100 • Pahrump, TX 75075 • 972.422.0077
TYPE NO F-2121 • LPS No. F-1003100 • www.spiarseng.com

ALTA/NSPS LAND TITLE SURVEY
TOWN OF SHADY SHORES,
DENTON COUNTY, TEXAS

Meyers Tract

Issue Dates:

3/22/21

Revisions	Date
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Scale: 1" = 100'

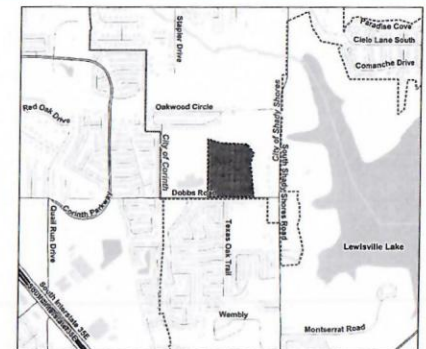
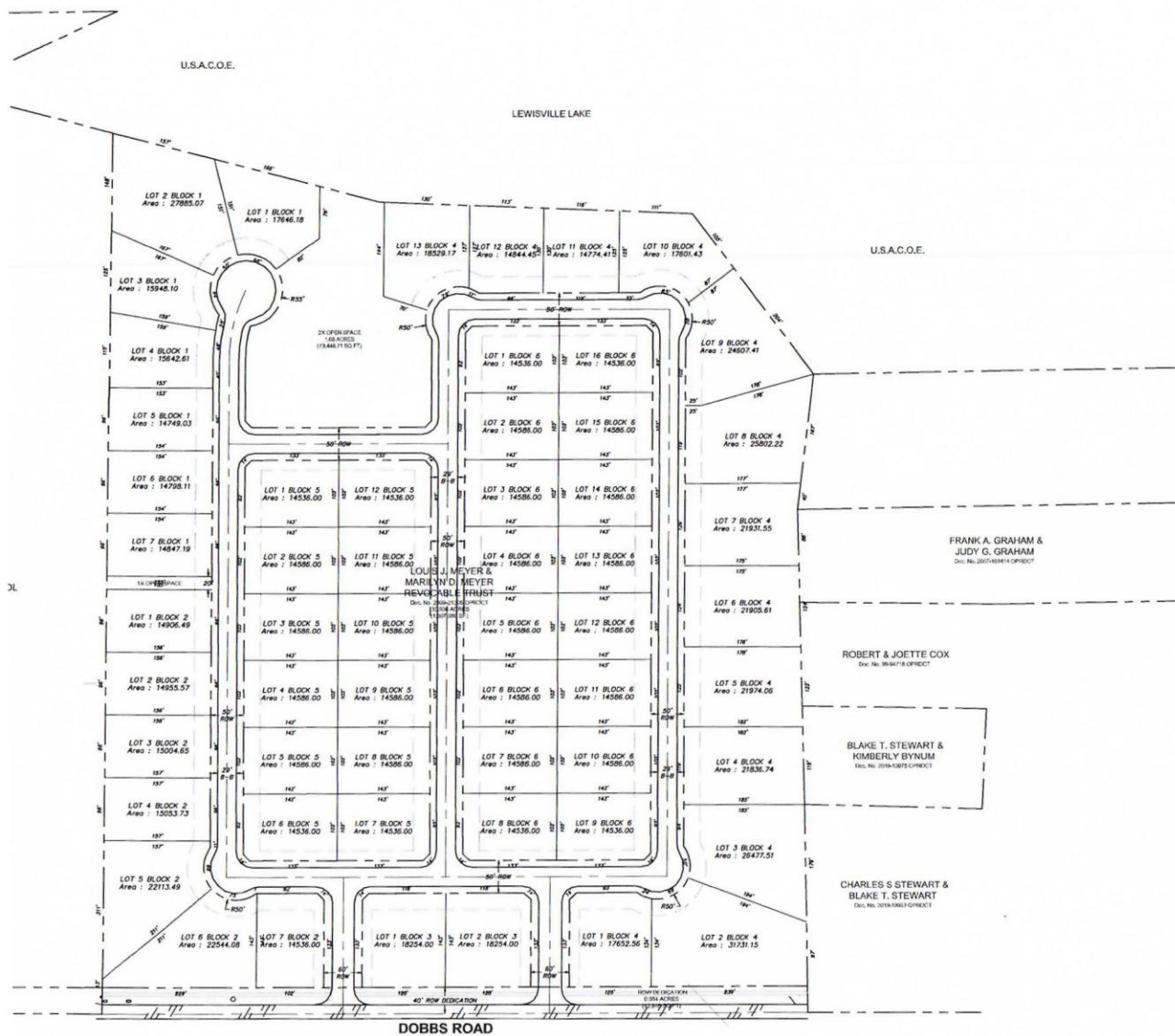
Drawn By: CN

Checked By: DKB

Sheet 1

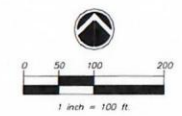
of 1

JOB # 21-066



VICINITY MAP

SITE INFO SUMMARY	
LOT TYPE (AREA)	NO. OF LOTS
0.3 - 0.39 AC	40
0.4 - 0.49 AC	6
0.5 - 0.74 AC	11
TOTAL	57
RESIDENTIAL LOTS INFO	
70' MIN WIDTH	20' MIN FRONT YARD
125' MIN DEPTH	20' MIN BACK YARD
14,000 SQ FT MIN AREA	5' MIN SIDE YARD
57 LOTS TO BE 10,000 SQ FT MIN	10' MIN CORNER SIDE YARD
2,200 SQ FT MIN DWELLING AREA	
OPEN SPACE LOTS	
TOTAL ACREAGE	1.70 AC



**LAKESHORE BLUFFS
PLANNED DEVELOPMENT
CONCEPT SITE PLAN**
AUGUST 2021

OWNER:
LOUIS J. MEYER AND
MARILYN D. MEYER
REVOCABLE TRUST
DOC. NO. 2009-21306 OPDPDCT

DEVELOPER:
ECM DEVELOPMENT, LLC
2200 E. LAMAR, STE. 290
ARLINGTON, TX 76005
CONTACT: ALEX BEITLER
PHONE: 214-451-5698
EMAIL: abeitler@ecmdev.com

mimja
civil engineering surveying landscape architecture planning
Texas registration number: 1 - 2759
Texas registration/contract number: 10060030
315 east border
Arlington, Texas 76010
817-489-1671
Fax: 817-274-8737
www.mimja.com
08/04/2021 SHEET 1 OF 1

EXHIBIT B



AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Resignation- Consider and act on the acceptance of Councilmember Matthew Haines' resignation. Consider and act on the appointment of an individual to fill the vacancy.

BACKGROUND/INFORMATION:

Councilmember Matthew Haines has submitted his resignation from the Shady Shores Town Council as he has signed up to run for the newly created Texas House District 57 seat. Per the Election Code, in the event of a vacancy, a Type A General Law City has the following options:

- Sec. 22.010. FILLING VACANCY ON GOVERNING BODY OR IN OTHER MUNICIPAL OFFICE. (a) If for any reason a single vacancy exists on the governing body of the municipality, a majority of the remaining members who are present and voting, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required by Section 11, Article XI, Texas Constitution. The mayor may vote on the appointment only if there is a tie.
- (a-1) A person serving as a member of the governing body is not, because of that service, ineligible to be appointed to fill a vacancy in the office of mayor of the municipality, but the person may not vote on the person's own appointment.
- (b) The person appointed to fill the vacancy serves until the next regular municipal election.
- (c) In lieu of appointing a person to fill a vacancy on the governing body, a special election may be ordered to elect a person to fill the vacancy.

Or:

Council may also choose to leave the seat vacant until the next general election.

FINANCIAL IMPLICATIONS:

None

RECOMMENDATION/ACTION DESIRED:

Council could choose to appoint a member to serve from the board member applications that were received upon the resignation of Jack Nelson.

New applications for the position could be requested.

The council could do nothing and leave the seat vacant until the May, 2022 General Election. (this may be difficult when needing to establish a quorum - in light of current projects a full council may be needed to ensure that work product may continue)

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Abato Nathan_Redacted
2. Bartley Juli Shady Shores Town Council_Redacted
3. Belton Jeffrey Shady Shores Town Council_Redacted
4. Carver, Donald Town Council_Redacted
5. Krueger, Bill Shady Shores Town Council_Redacted
6. Linett,Michael Shady Shores Town Council Place 4_Redacted

REVIEWED BY:

Print

Board Application Form - Submission #2547

Date Submitted: 8/2/2021

Select the Board, Commission, or Committee applying for*

Shady Shores Town Council

▼

Personal Information

First Name*

Nathan

Last Name*

Abato

Sex:*

- ☒ Male
- ☐ Female

Address1*

213 Lakeside Drive

Address2

City*

Shady Shores

State*

Texas

Zip*

76208

Home Phone Number*

Business Address

213 Lakeside Drive

Business Phone Number

214-975-0453

Occupation

Local Government - Code Enforcement

Email Address

Residency Information

Length of Residency in Shady Shores*

7.5

Are you a registered voter*

- ☒ Yes
- ☐ No

Education and Hobbies

High School

Kenmore West Senior High School

College

Loyola University New Orleans

Trade or Business School

Texas Woman's University

Hobbies

kids

Organization Membership Information

Have you attended any of the meetings listed below in the last year? (Virtually or Physically?)

- ☒ Keep Shady Shores Beautiful
☐ Community Events
☐ Planning and Zoning Commission
☐ Zoning Board of Adjustments
☐ Town Council

Check any that apply

Are you currently serving on other Boards, Commissions, or Committees?*

- ☒ Yes
☐ No

If yes, which

KSSB

Have you served on a Town of Shady Shores Board, Commission, or Committee before?*

- ☒ Yes
☐ No

If yes, which

KSSB



Please list organization memberships and positions held

Briefly describe why you would like to serve on this board.

I have been working in local government for over 16 years now and truly believe in the philosophy of being a servant leader. It would be an honor to bring my skillset and working knowledge of local government to my hometown of Shady Shores.

Please Enter Basic Resume Information Below

resume attached.

Please upload resume

Nathan Abato Resume 1.pdf

Print**Board Application Form - Submission #2517****Date Submitted: 7/15/2021****Select the Board, Commission, or Committee applying for***

Shady Shores Town Council

**Personal Information****First Name***

Juli

Last Name*

Bartley

Sex:*

Male



Female

Address1*

403 Fritz Ln

Address2**City***

Shady Shores

State*

TX

Zip*

76208



Home Phone Number***Business Address*****Business Phone Number*****Occupation*****Email Address****Residency Information****Length of Residency in Shady Shores*****Are you a registered voter***☒ Yes☐ No**Education and Hobbies****High School****College****Trade or Business School**

Hobbies

Reading, outdoor activities, watching my four kids compete in their various sports, skiing, crafts, traveling, fishing, painting, gardening, raising guineas, working in the Children's Ministry for my church,(Directing VBS and Sports Camp..Children's Chur

Organization Membership Information**Have you attended any of the meetings listed below in the last year? (Virtually or Physically?)**

- ☒ Keep Shady Shores Beautiful
 - ☒ Community Events
 - ☐ Planning and Zoning Commission
 - ☐ Zoning Board of Adjustments
 - ☒ Town Council
- Check any that apply

Are you currently serving on other Boards, Commissions, or Committees?*

- ☒ Yes
- ☐ No

If yes, which

Keep Shady Shores Beautiful...I sit on the board and direct multiple sports organizations in the Lake Cities Area

Have you served on a Town of Shady Shores Board, Commission, or Committee before?*

- ☒ Yes
- ☐ No

If yes, which

Keep Shady Shores Beautiful

**Please list organization memberships and positions held**

Lake Cities Soccer- past Commissioner- Member at Large (currently)
Lake Cities Football- Member at Large
Lake Cities Basketball- Director currently



Briefly describe why you would like to serve on this board.

Serving as part of the council will allow me to give back to the community I love. I have lived in the Lake Cities for 34 years and in Shady Shores for 20 years. I am embedded deeply in the community. My four children (16, 15, 12, and 10) know nothing else except this family oriented community. I attended Lake Dallas schools since the 7th grade and continue to be a part of that community to this day. For the past 25 years I have coached and taught at Lake Dallas Middle School. Currently I am still teaching/coaching and working on my PhD (Global Leadership) to continue to learn how to grow and create a successful future in my community, life and profession. My husband is deeply rooted in this community as well. He has been here for 50 years and has helped establish a firm foundation for the Lake Cities Fire Department. His father was a founding member of the fire department and my husband was one of the first two paid employees for the Lake Cities Fire Department. He continued there for 18 years. Because of all the wonderful experiences my family has encountered through our community, it is my ultimate goal to give back and help others realize what a gem we have here in Shady Shores.

Please Enter Basic Resume Information Below**Please upload resume**

Juli Bartley Vitae.docx



Print**Board Application Form - Submission #2507****Date Submitted: 7/13/2021****Select the Board, Commission, or Committee applying for***

Shady Shores Town Council

**Personal Information****First Name***

Jeffrey

Last Name*

Belton

Sex:*

Male



Female

Address1*

108 Lakeshore Rd

Address2**City***

Shady Shores

State*

TX

Zip*

76208



Home Phone Number*

Business Address*

330 Morrison Park Dr Suite 130

Business Phone Number*

8176978507

Occupation*

Financial Consultant

Email Address

Residency Information

Length of Residency in Shady Shores*

2 years

Are you a registered voter*

- ☒ Yes
- ☐ No

Education and Hobbies

High School

Esperanza High School

College

University of Redlands

Trade or Business School



Hobbies

Boating, Camping, Wake surfing

Organization Membership Information**Have you attended any of the meetings listed below in the last year? (Virtually or Physically?)**

- ☒ Keep Shady Shores Beautiful
☒ Community Events
☒ Planning and Zoning Commission
☐ Zoning Board of Adjustments
☒ Town Council
Check any that apply

Are you currently serving on other Boards, Commissions, or Committees?*

- ☐ Yes
☒ No

If yes, which**Have you served on a Town of Shady Shores Board, Commission, or Committee before?***

- ☐ Yes
☒ No

If yes, which

☐

Please list organization memberships and positions held**Briefly describe why you would like to serve on this board.**

My goal is to help keep our town headed in the right direction through thoughtful, logic based reasoning and decision making. My background as a financial advisor over the past two plus decades gives me an analytical perspective.... While the financial planning side of my business demands compassion with people working through decisions. I intend to apply those same principles while doing the town's work.



Please Enter Basic Resume Information Below

Please upload resume

Choose File

 No file chosen

Print**Board Application Form - Submission #2515****Date Submitted: 7/14/2021****Select the Board, Commission, or Committee applying for***

Shady Shores Town Council

**Personal Information****First Name***

Donald

Last Name*

Caver

Sex:*

Male



Female

Address1*

19 Terra Evergreen Drive

Address2**City***

Shady Shores

State*

Texas

Zip*

76208



Home Phone Number*

Business Address*

19 TERRA EVERGREEN DR, SHADY SHORES, TX 76208

Business Phone Number*

Occupation*

Industrial Sales Representative

Email Address

Residency Information

Length of Residency in Shady Shores*

15 months

Are you a registered voter*

- ☒ Yes
- ☐ No

Education and Hobbies

High School

Thomas Jefferson

College

University of North Texas - BBA

Trade or Business School



Hobbies

Automobiles, Landscaping

Organization Membership Information**Have you attended any of the meetings listed below in the last year? (Virtually or Physically?)**

- ☐ Keep Shady Shores Beautiful
 - ☐ Community Events
 - ☐ Planning and Zoning Commission
 - ☐ Zoning Board of Adjustments
 - ☐ Town Council
- Check any that apply

Are you currently serving on other Boards, Commissions, or Committees?*

- ☒ Yes
- ☐ No

If yes, which

HOA

Have you served on a Town of Shady Shores Board, Commission, or Committee before?*

- ☐ Yes
- ☒ No

If yes, which**Please list organization memberships and positions held**

Terra Di Lago HOA - Vice President

Briefly describe why you would like to serve on this board.

I have long desired to become more involved in my community.



Please Enter Basic Resume Information Below

Longtime career as a business sales and management professional.

Please upload resume

Don Caver - Current Resume 2021.doc



Print**Board Application Form - Submission #2512****Date Submitted: 7/14/2021****Select the Board, Commission, or Committee applying for***

Shady Shores Town Council

**Personal Information****First Name***

Bill

Last Name*

Krueger

Sex:*

Male



Female

Address1*

103 Cielo Lane

Address2**City***

Shady Shores

State*

TX

Zip*

76208



Home Phone Number*

9403213820

Business Address*

103 Cielo Lane

Business Phone Number***Occupation***

Retired since July 4, 2015

Email Address**Residency Information****Length of Residency in Shady Shores***

43 years

Are you a registered voter*☒ Yes☐ No**Education and Hobbies****High School**

W.W. Samuell High School Class of 1963 in Dallas, Texas

College

Attended ETSU which is now Texas A&M Commerce, Texas no degree

Trade or Business School

Self-Taught Professional Salesman



Hobbies

45 Years of being a traveling salesman covering at times all states west of the Mississippi river.

Organization Membership Information**Have you attended any of the meetings listed below in the last year? (Virtually or Physically?)**

- ☒ Keep Shady Shores Beautiful
- ☒ Community Events
- ☒ Planning and Zoning Commission
- ☐ Zoning Board of Adjustments
- ☒ Town Council

Check any that apply

Are you currently serving on other Boards, Commissions, or Committees?*

- ☒ Yes
- ☐ No

If yes, which

Keep Shady Shores Beautiful for the past two years.

Have you served on a Town of Shady Shores Board, Commission, or Committee before?*

- ☒ Yes
- ☐ No

If yes, which

I was elected three times as Alderman back in the 1980's.

**Please list organization memberships and positions held**

Board Member at Large for Corinth Police Academy Alumni Association (CPAAA) at present. Also a life member of the CPAAA. Volunteers In Police Service VIPS and patrol in the Citizens On Patrol car in Shady Shores and Corinth.

Briefly describe why you would like to serve on this board.

I have deep roots in Shady Shores. Having lived here for 43 years and raising two children here. There is no other place that I would want to live than in Shady Shores, Texas. I am very concerned about the future growth of our small town. I want to remain a low density population with high standards for our citizens. The best way for me to accomplish my goal is to  as an Alderman and decision maker for our community.

Please Enter Basic Resume Information Below

Military Service to our nation: U.S. Army Security Agency serving from June 10, 1966 to March 1, 1979. I was stationed in Korea, Germany and Vietnam during those years. My job title was MOS 72B20 Communications Center Specialist. I wanted to see as much of the world as I could and this was a means to accomplish that goal. I have met hundreds of people from other nations and beliefs that have truly given me a world outlook on life. I matured a great deal during those years. My professional sales career took me over one half of the United States where again I met thousands of people in all states with different challenges that my own. Again this professional career was an education that few people are able to achieve. I am truly a people person and enjoy meeting new people and accepting new challenges daily.

Please upload resume No file chosen

Print

Board Application Form - Submission #2506

Date Submitted: 7/13/2021

Select the Board, Commission, or Committee applying for*

Shady Shores Town Council

▼

Personal Information

First Name*

Michael

Last Name*

Linett

Sex:*

- ☒ Male
- ☐ Female

Address1*

140 Hidden Valley Airpark

Address2

City*

Shady Shores

State*

TX

Zip*

76208



Home Phone Number*

Business Address*

707 Kirkwood Hwy Wilmington DE 19805

Business Phone Number*

302-996-9408

Occupation*

Business Owner

Email Address

mike@zerowait.com

Residency Information

Length of Residency in Shady Shores*

8 years

Are you a registered voter*

- ☒ Yes
- ☐ No

Education and Hobbies

High School

Yes

College

Yes

Trade or Business School



Hobbies

Flying, Antique cars, Radio Control Models

Organization Membership Information**Have you attended any of the meetings listed below in the last year? (Virtually or Physically?)**

- ☐ Keep Shady Shores Beautiful
- ☐ Community Events
- ☐ Planning and Zoning Commission
- ☐ Zoning Board of Adjustments
- ☐ Town Council

Check any that apply

Are you currently serving on other Boards, Commissions, or Committees?*

- ☐ Yes
- ☒ No

If yes, which**Have you served on a Town of Shady Shores Board, Commission, or Committee before?***

- ☐ Yes
- ☒ No

If yes, which**Please list organization memberships and positions held**

AMA, AOPA, EAA, Warbirds of America, Hidden Valley Airpark Assoc. - member

Briefly describe why you would like to serve on this board.

Community involvement



Please Enter Basic Resume Information Below

No Resume - I have run my own international business for over 30 years.

Please upload resume

Choose File

No file chosen





AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: **Lakeshore Bluffs Preliminary Plat- Consider and act on approval of a request made by ECM development for approval of a preliminary plat to be known as Lakeshore Bluffs; more legally described as 30 acres in the JC Bullard Survey Abstract 1566 TR 6A (204 Dobbs Road) .**

BACKGROUND/INFORMATION:

The Lakesore Bluffs Development is a 30 acre tract located on the 30 acres in the J. Bullard Survey, A-1566, Trak 6A (204 Dobbs).

Timeline of Events:

October 11, 2021	Shady Shores Town Council	Approval of Zoning and Development Agreement (Ordinance 352-10-2021)
November 4, 2021	Planning and Zoning Commission	Public Hearing and Recommendation of Approval with changes as proposed by Town Engineer Richard Arvizu
November 11, 2021	Shady Shores Town Council	Public Hearing; a 30-day extension was granted in order to allow the Developer to make the proposed changes and amend the Development Agreement.
December 6, 2021	Shady Shores Town Council	Review and approve the Amended Development Agreement (consent agenda)

Per the amended Ordinance the proposed subdivision will include:

57 lots and two (2) open space lots. The minimum lot size shall be 14,520 square feet, with at least 30% of the lots exceeding the 14, 520 square footage.

All home setbacks will comply with the following:

1. Front Yards: no less than 20 feet measured from front property line
2. Rear Yards: no less than 20 feet measured from back property line; specifically, **Lots 22 – 28, Block 1: shall be no less than 35 feet measured from back property line.** Permanent structures may not be constructed in the setback area.
3. Side Yards: no less than 5 feet from side property line
4. Corner lots: side yard shall not be less than 10 feet

In addition:

All homes must have a minimum finished floor elevation of 539 feet, a minimum of two (2) feet above the 537' contour line. The building setback shall be the greater distance of the 537' contour line or 20 feet measured from back property line (7b).

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

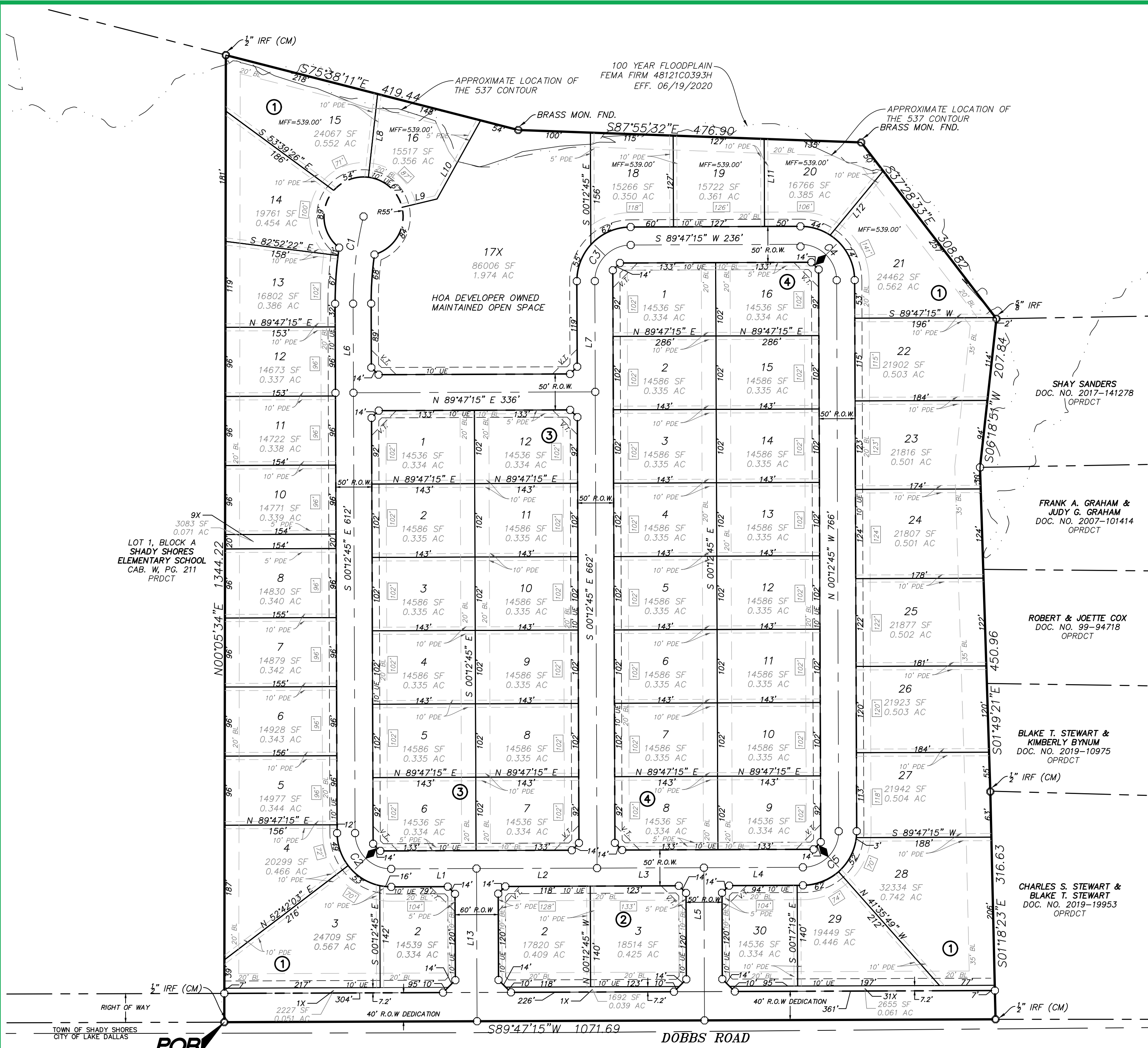
According to state law, if the plat complies with the subdivision regulations it must be approved.

Should the Council need to deny the request, the applicant may request an additional 30 days to make corrections.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

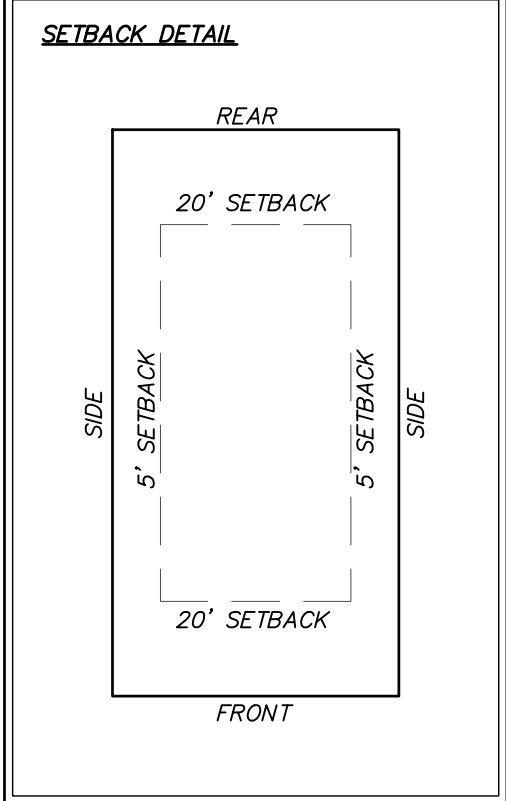
1. 2021-12-02 Lakeshore Bluffs - Shady Shores Preliminary Plat
2. 2021-12-02 Lakeshore Bluffs - Shady Shores Preliminary Paving & Grading
3. 2021-12-02 Lakeshore Bluffs - Shady Shores Preliminary Post-Development DAM
4. 2021-12-02 Lakeshore Bluffs - Shady Shores Preliminary Pre-Develelopment DAM
5. 2021-12-02 Lakeshore Bluffs - Shady Shores Preliminary Utilities

REVIEWED BY:



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	122.31'	500.00'	14° 00' 57"	S 06°47'44" W	122.01'
C2	78.54'	50.00'	90° 00' 00"	S 45°12'45" E	70.71'
C3	78.54'	50.00'	90° 00' 00"	S 44°47'15" W	70.71'
C4	78.54'	50.00'	90° 00' 00"	N 45°12'45" W	70.71'
C5	78.54'	50.00'	90° 00' 00"	N 44°47'15" E	70.71'

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	118.53'	N 89°47'15" E
L2	167.47'	N 89°47'15" E
L3	148.53'	N 89°47'15" E
L4	137.47'	N 89°47'15" E
L5	212.24'	N 00°12'45" W
L6	123.86'	S 00°12'45" E
L7	154.00'	S 00°12'45" E
L8	116.42'	S 06°20'34" W
L9	50.07'	N 76°35'39" E
L10	124.91'	N 28°58'30" E
L11	121.76'	S 00°13'27" E
L12	115.64'	S 39°31'50" W
L13	212.24'	S 00°12'45" E



METES AND BOUNDS DESCRIPTION:

BEING a tract of land situated in the J.C. Bullard Survey, Abstract No. 1566, Town of Shady Shores, Denton County, Texas, being all of a tract conveyed to Louis J. Meyer and Marilyn D. Meyer Revocable Trust, by deed recorded in Document No. 2009-21306 of the Official Public Records of Denton County, Texas, with the subject tract being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the southwest corner of the herein described subject tract and lying in the north right-of-way line of Dobbs Road and lying S 00°05'34" W, 40.00 feet from the southeast corner of Lot 1, Block A of Shady Shores Elementary School, an addition to the Town of Shady Shores, Denton County, Texas, according to the plat thereof recorded in Cabinet W, Page 211, Plat Records, Denton County, Texas;

THENCE, N 00°05'34" E, 1344.22 feet to a 1/2 inch iron rod found at the northeast corner of said Shady Shores Elementary School and lying in a southerly line of United States of America Corps of Engineers tract (U.S.A.C.O.E.);

THENCE along said southerly line of U.S.A.C.O.E. tract, the following bearings and distances:

- S 75°38'11" E, 419.44 feet to a brass monument found;
- S 87°55'32" E, 476.90 feet to a brass monument found;
- S 37°28'33" E, 308.82 feet to a 5/8 inch iron rod found;

S 06°18'51" W, 207.84 feet to a point for corner at the northwest corner of a tract of land conveyed to Frank A. Graham and Judy G. Graham, by deed recorded in Document No. 2007-101414, OPRDCT;

THENCE, S 01°49'21" E, 450.96 feet to a 1/2 inch iron rod at the southwest corner of a tract of land conveyed to Blake T. Stewart and Kimberly Bynum, by deed recorded in Document No. 2019-109075, OPRDCT;

THENCE S 01°18'23" W, 316.63 feet to the southwest corner of a tract of land conveyed to Charles S. Stewart and Blake T. Stewart, by deed recorded in Document No. 2019-19953, OPRDCT and lying in said north right-of-way line of Dobbs Road;

THENCE, S 89°47'15" W, 1071.69 feet, along said north right-of-way line of Dobbs Road to the POINT OF BEGINNING with the subject tract containing 1,307,080 square feet or 30.006 acres of land.

GENERAL NOTES

- THIS PROPERTY MAY BE SUBJECT TO CHARGES RELATED TO IMPACT FEES AND THE APPLICANT SHOULD CONTACT THE TOWN REGARDING ANY APPLICABLE FEES DUE.
- THE BEARINGS AND COORDINATES SHOWN HEREON ARE IN REFERENCE TO THE NAD83 - TEXAS STATE PLANE COORDINATE SYSTEM - NORTH CENTRAL ZONE, 4202, BASED ON GPS OBSERVATIONS UTILIZING THE LEICA GPS REFERENCE NETWORK. ALL DISTANCES SHOWN HEREON WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR IS 1.00014811127, BASE POINT Q,0,0).
- VISIBILITY TRIANGLES SHALL BE PROVIDED AT ALL PUBLIC OR PRIVATE STREET INTERSECTION IN ACCORDANCE WITH CURRENT ORDINANCE. THE AREA BETWEEN TWO AND ONE-HALF FEET AND EIGHT FEET IN HEIGHT, MEASURED FROM THE GRADE OF THE STREET ADJACENT TO THE VISIBILITY TRIANGLE. SHRUBS IN THIS AREA MUST BE KEPT TRIMMED SO AS TO BE SHORTER THAN TWO AND ONE-HALF FEET TALL AND TREES ARE TO BE KEPT TRIMMED SO AS NOT TO HAVE ANY SIDE BRANCHES BELOW EIGHT FEET.
- THE PROPERTY OWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PERIMETER FENCING AND LOTS 1X, 9X AND 31X BLOCK 1, LOT 1X BLOCK 2 TO SERVE AS OPEN SPACE FOR LANDSCAPING WHICH WILL BE HELD IN COMMON OWNERSHIP. LOT 17X BLOCK 1 TO SERVE AS A DETENTION POND AND CONTAIN THE LIFT STATION TO BE HELD IN COMMON OWNERSHIP. LOT 9X, BLOCK 1 TO BE USED AS A PEDESTRIAN ACCESS.
- APPROXIMATE LOCATION OF THE 537 CONTOUR ELEVATION IS BASED ON THE SURVEY BY SPAIRS ENGINEERING & SURVEYING DATED 04/13/2021.
- NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDINGS OF UTILITIES AND BUILDING CERTIFICATES.
- THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE SUBDIVISION OF THE PROPERTY INTO 57 RESIDENTIAL LOTS & 5 OPEN SPACE LOTS.
- WATER AND SANITARY SEWER SERVICE TO BE PROVIDED BY LAKE CITIES MUNICIPAL AUTHORITY.
- RETAINING WALLS SHALL BE PERMITTED THROUGH THE TOWN OF SHADY SHORES AND MAINTAINED BY THE PROPERTY OWNERS ON THEIR PROPERTY AND BY THE HOA IN COMMON AREAS AND PUBLIC EASEMENTS.
- NO BUILDINGS, FENCES, TREES, OR SHRUBS OR OTHER IMPROVEMENTS THAT MAY IMPEDE DRAINAGE SHALL BE PERMITTED IN PRIVATE DRAINAGE EASEMENTS.
- PRIVATE DRAINAGE EASEMENTS SHALL BE MAINTAINED BY INDIVIDUALS LOT OWNERS.
- ELEVATIONS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
- MINIMUM FINISHED FLOOR ELEVATION FOR ALL LOTS SHALL BE 539'.

NOW THEREFORE, KNOWN ALL MEN BY THESE PRESENTS

DOES HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER ALL STREETS, UNLESS SHOWN AS PRIVATE, AND ALL EASEMENTS SHOWN AND FOR ALL PURPOSES ACCOMMODATING DRAINAGE TO THE USE OF PUBLIC FOREVER. NO BUILDINGS OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN ON THIS PLAT. ANY PUBLIC UTILITY, INCLUDING THE TOWN OF SHADY SHORES, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, TREE SHRUB OTHER GROWTH OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THE PLAT; AND THEY SHALL HAVE THE RIGHT AT ALL TIMES TO INGRESS AND EGRESS UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, MAINTAIN AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

BY: _____
ECM DEVELOPMENT, LLC.

PRINTED NAME: _____

DATE: _____

Recommended for Approval by Planning and Zoning Commission:

Chairman: _____

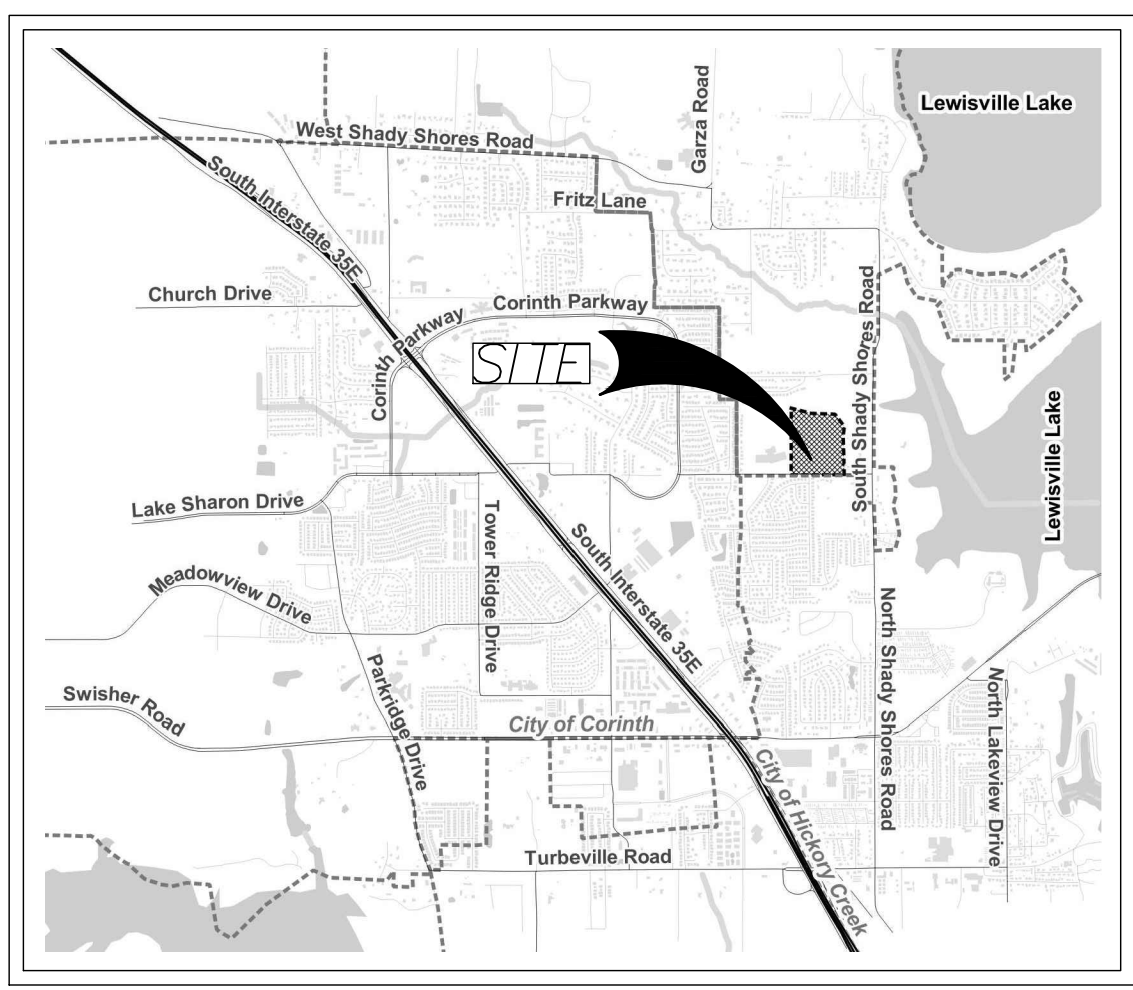
Approved by Town Council:

Mayor: _____

Attested by: _____

Town Secretary: _____

Date of Town Council Approval: _____



VICINITY MAP

NO SCALE

SITE INFO SUMMARY

RESIDENTIAL LOTS

LOT TYPE (AREA)	NO. OF LOTS
0.3 - 0.39 AC	42
0.4 - 0.49 AC	5
0.5+ AC	10
TOTAL	57

LAND USE TABLE		
LAND USE	ACREAGE	SQUARE FEET
RIGHT-OF-WAY	5.92	257,885
RESIDENTIAL	21.883	953,232
PRIVATE OPEN SPACE	2.203	95,963
TOTAL	30.006	1,307,080.00

OWNER:

LOUIS J. MEYER AND
MARILYN D. MEYER
REVOCABLE TRUST
DOC. NO. 2009-21306 OPRDCT

DEVELOPER:

ECM DEVELOPMENT, LLC
2201 E. LAMAR, STE. 290
ARLINGTON, TX 76006
CONTACT: ALEX BEITLER
PHONE: 281.389.8304
EMAIL: abeitler@ecmdev.com

PRELIMINARY PLAT
LAKESHORE BLUFFS

LOTS 1X, 2-8, 9X, 10-16, LOT 17X, LOTS 18-30, 31X BLOCK 1
LOTS 1X, 2-3, BLOCK 2
LOTS 1-12, BLOCK 3
LOTS 1-16, BLOCK 4

AN ADDITION TO THE TOWN OF SHADY SHORES
DENTON COUNTY, TEXAS,
BEING 30.006 ACRES OF LAND SITUATED IN THE
J.C. BULLARD SURVEY, ABSTRACT NO. 1566
TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS.

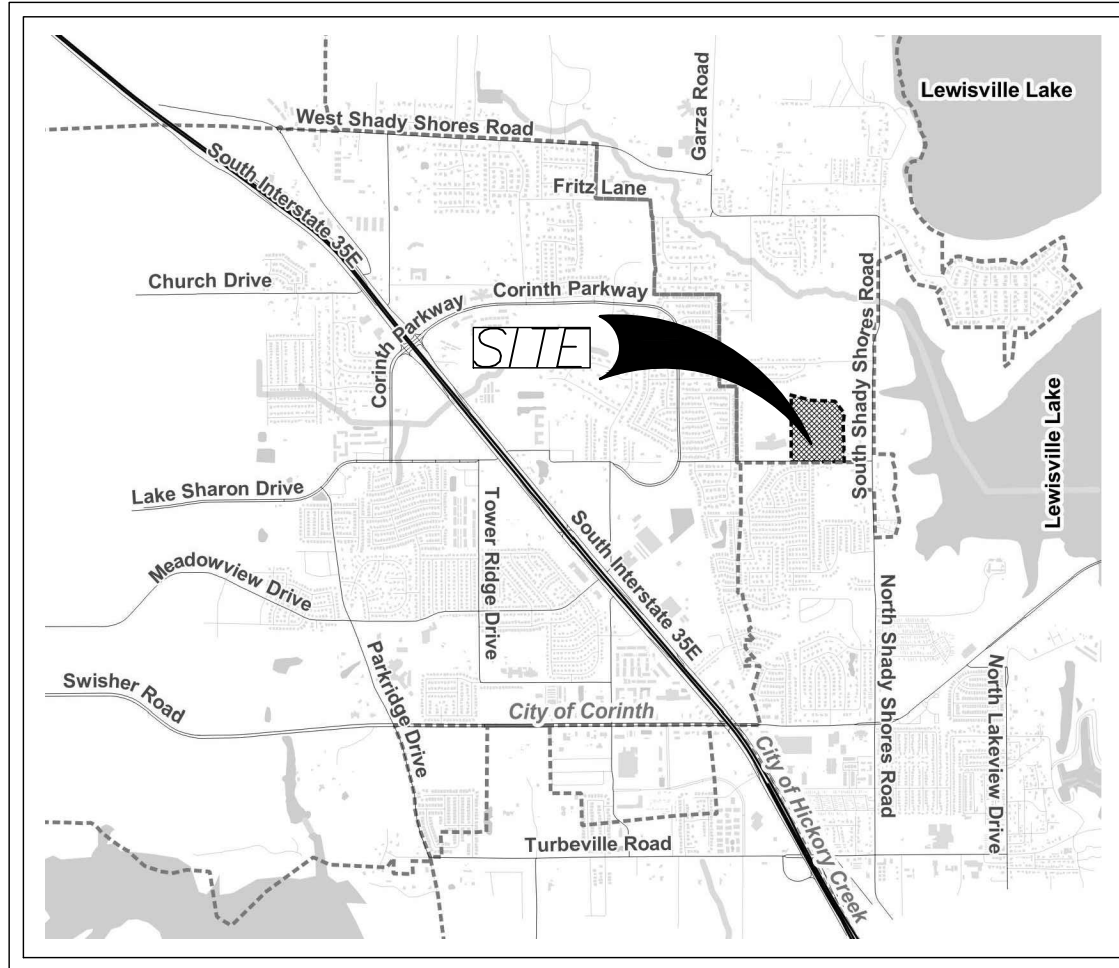
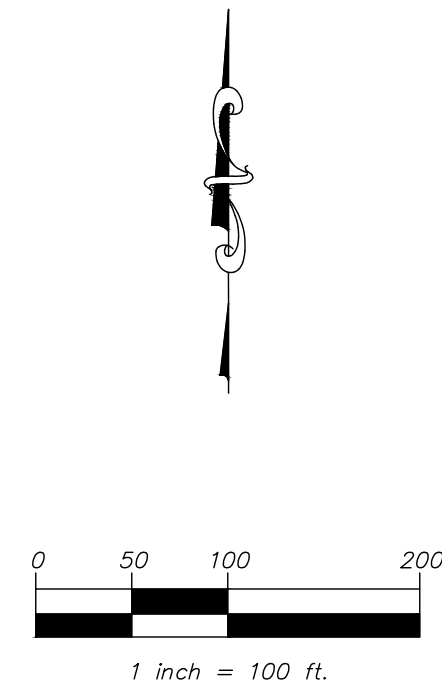
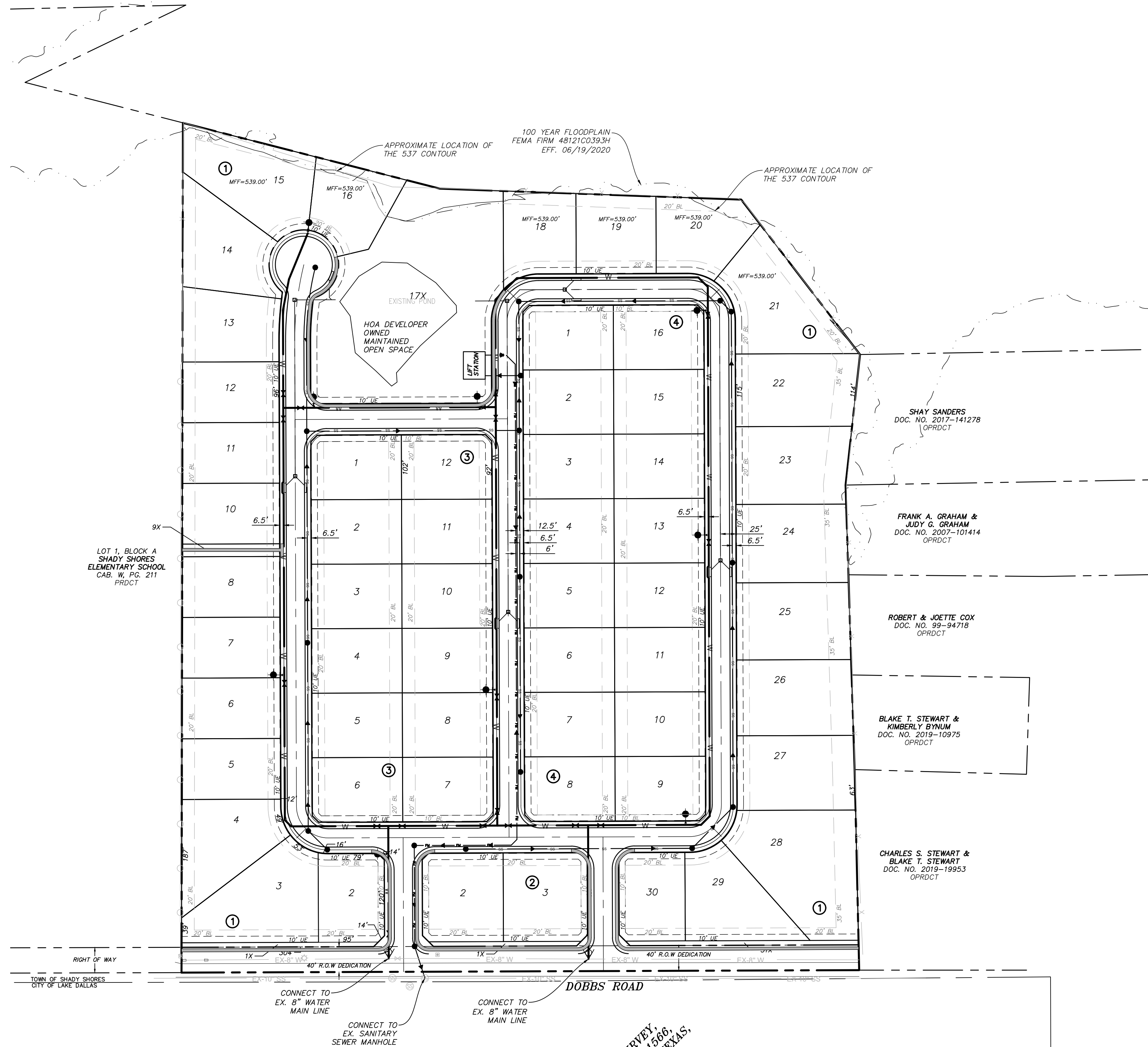
57 BUILDABLE LOTS
5 OPEN SPACE LOTS

DECEMBER 2021
ENGINEER/SURVEYOR:



civil engineering surveying landscape architecture planning
tbp registration number: f - 2759
tbsp registration/license number: 10088000
519 east border
arlington, texas 76010
817-469-1671
fax: 817-274-8757
www.mmotexas.com





- LEGEND:**
- PROP. WATER LINE
 - PROP. FIRE HYDRANT
 - PROP. TAPPING SLEEVE & VALVE
 - PROP. VALVE
 - EX. WATER LINE
 - EX. FIRE HYDRANT
 - PROP. SANITARY SEWER LINE
 - EX. SANITARY SEWER LINE
 - PROP. SANITARY SEWER MANHOLE (SSMH)
 - PROP. STORM WATER LINE
 - PROP. STORM WATER INLET
- NOTES:**
- ALL FIRE HYDRANTS SHALL BE LOCATED AT PCCRS AND LOT LINES UNLESS OTHERWISE NOTED.
 - ALL SANITARY SEWER SERVICES ARE 4" PVC (SDR-26).
 - ALL WATER & SEWER LOCATIONS IN STREET ARE IN ACCORDANCE TO THE TOWN OF SHADY SHORES STANDARDS.
 - ALL WATER AND SEWER SHALL BE PER LAKE CITIES MUNICIPAL UTILITY AUTHORITY (LCMUA) REQUIREMENTS AND REQUIRE LCMUA APPROVAL.

OWNER:
LOUIS J. MEYER AND
MARILYN D. MEYER
REVOCABLE TRUST
DOC. NO. 2009-21306 OPRDCT

DEVELOPER:
ECM DEVELOPMENT, LLC
2201 E. LAMAR, STE. 290
ARLINGTON, TX 76006
CONTACT: ALEX BEITLER
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LAKESHORE BLUFFS
PRELIMINARY
WATER & SEWER PLANS

DECEMBER 2021
LOTS 1X, 2-8, 9X, 10-16, LOT 17X, LOTS 18-30, 31X BLOCK 1
LOTS 1X, 2-3, BLOCK 2
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AN ADDITION TO THE TOWN OF SHADY SHORES
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AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: **Worksession-Conduct a work session relative to the addition of streetlights in specific areas in the Town of Shady Shores. Discuss the concept of a dark sky community. Consider and approve updates to the Town of Shady Shores Streetlight policy.**

BACKGROUND/INFORMATION:

At the November 8, 2021 Town Council meeting, council members reviewed a request for street lights and the existing street light policy for the Town of Shady Shores. Councilmembers agreed to place a work session on this agenda to discuss the value of additional street lights. Staff members were instructed to collect pricing information from Oncor and investigate the advantages and disadvantages to wildlife with the addition of street lights.

Topics for the work session may include:

1. Lighting for Town Hall parking areas and park
2. Immediate lighting needed for hazardous areas (Olive's Branch, Cielo/Lakeshore, Garza @ W Shady)
3. Dark Sky Community Standards and the adoption of an ordinance addressing lighting options for the town

The International Dark Sky Places (IDSP) Program was founded in 2001 to encourage communities, parks and protected areas around the world to preserve and protect dark sites through responsible lighting policies and public education. This organization has studied the effects of "light pollution" and improper lighting on the natural ecosystem and wildlife in the area. Developing a policy that incorporates some of the principles may have the following positive outcomes:

Night Skies and Public Policy Implications

- **Energy:** Policies that promote dark skies are tied directly to reducing the consumption of energy by promoting efficient outdoor lighting technologies. These policies not only control the types of outdoor lighting that may be installed by various public and private entities, but also determine appropriate lighting levels and warranting conditions (whether lights may be installed in certain areas and/or operated during particular hours of day).
- **Ecology:** Wildlife is all around us, whether we live in urban or rural settings. Choices made by various jurisdictions about outdoor lighting impact all species and are especially important for locations in or near sensitive habitats. Bad lighting policies can have lethal consequences for wildlife, but good policies can actually help restore healthy urban ecosystems.
- **Human Health:** The preponderance of available scientific data suggests that exposure to artificial light at night presents significant risks to human health. Jurisdictions can limit residents' exposure to artificial light during their outdoor nighttime activities while providing adequate light levels to ensure safety and security.
- **Public Safety:** Poorly designed and/or installed outdoor lighting is a known hazard to motorists, bicyclists and pedestrians in transit at night. The same policies that keep nighttime skies dark reduce glare and put the right amount of light in the right place and at the right time to ensure the safety of all.

- [Crime](https://www.darksky.org/our-work/lighting/public-policy/): The notion that the preservation of dark skies requires turning lights off and compromising security is not supported by scientific evidence. Over-lighting outdoor spaces at night in the belief that lighting deters crime can actually create favorable conditions for crimes of opportunity. Good policies that protect dark skies enhance security by reducing glare, attenuating harsh lighting that creates shadows, and retaining the element of surprise through the use of adaptive lighting controls. (<https://www.darksky.org/our-work/lighting/public-policy/>)

FINANCIAL IMPLICATIONS:

Street Light Costs - see attached pricing sheet

RECOMMENDATION/ACTION DESIRED:

Town Council may wish to do one or any of the following:

Direct Staff to make changes to the existing Street Light Policy that is outdated

Direct Staff to work with Town Engineers to develop a new Street Light Policy, to ensure that new subdivisions and additional lighting meets a certain standard to avoid noise pollution.

Direct Staff to work with Town Engineers to develop a lighting plan for the Community Center (Town Hall) and the adjacent park.

Other

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Streetlight OnePager - March 18 2019
2. IDA-General-Brochure-English-06-2021
3. DARK SKY COMMENTS AND BRIEF

REVIEWED BY:

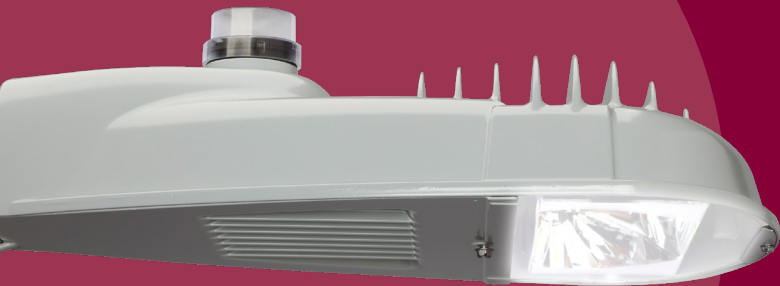


Oncor LED Streetlight Fixture Offerings

AND Monthly Cost Breakdown

Oncor has updated the LED lighting option rates for cities interested in installing and/or replacing streetlight fixtures under Oncor's lighting tariff.

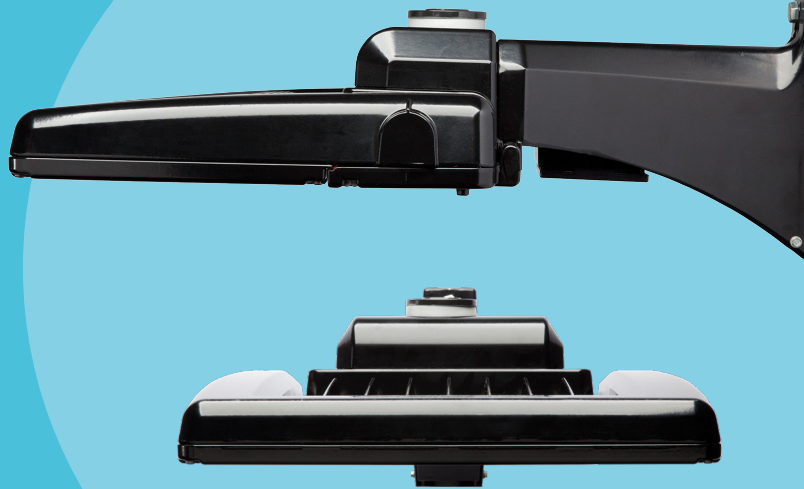
COBRA HEAD*



LAMP	WATTAGE	KWH	SCHEDULE A
LED	0-55	15	\$11.52
LED	56-100	30	\$11.91
LED	101-140	45	\$12.71
LED	141-180	55	\$13.30
LED	181-265	80	\$15.40

RECTANGULAR*

LAMP	WATTAGE	KWH	SCHEDULE A
LED	0-55	15	\$25.14
LED	56-100	30	\$25.99
LED	101-140	45	\$27.28



*MANUFACTURER AND WATTAGE ARE SUBJECT TO CHANGE

POST TOP*



LAMP	WATTAGE	KWH	SCHEDULE A
LED	0-55	15	\$13.92
LED	56-100	30	\$14.30

*MANUFACTURER AND WATTAGE ARE SUBJECT TO CHANGE

HISTORICAL*

LAMP	WATTAGE	KWH	SCHEDULE A
LED	0-55	15	\$28.59
LED	56-100	30	\$29.76



*MANUFACTURER AND WATTAGE ARE SUBJECT TO CHANGE

OUR MISSION

To protect the night
from light pollution.



Photo by Bettymaya Footit

ABOUT US

The International Dark-Sky Association fosters and empowers a global volunteer network that drives the worldwide dark sky movement by promoting eco-friendly outdoor lighting and educating policymakers and the public about the importance of nighttime conservation.

The IDA is a 501(c)(3) non-profit organization based in Tucson, Arizona USA.



JOIN THE DARK SKY MOVEMENT

SINCE 1988,
the International Dark-Sky Association
has led the global movement to protect
the night from light pollution. Our impact
now reaches more than 51 countries with
members, advocates, and dark sky places
on every inhabited continent.



Give Today

darksky.org/ways-to-give
+1-520-293-3198
contact@darksky.org

International Dark-Sky Association
5049 E Broadway Blvd, # 105
Tucson, AZ 85711 USA

darksky.org

Front-panel photo by Shreenivasan Manickavannan

Protect the Night



INTERNATIONAL DARK-SKY ASSOCIATION

LIGHT POLLUTION HURTS OUR PLANET

The inappropriate or excessive use of artificial light — known as light pollution — can have serious environmental consequences for humans, wildlife, and our climate.



LIGHT POLLUTION DEVASTATES WILDLIFE.

Plants and animals depend on Earth's daily light and dark cycle to govern life-sustaining behaviors. Research shows that artificial light at night has adverse and even deadly effects on many species.



LIGHT POLLUTION WASTES ENERGY AND MONEY.

As much as 50% of outdoor lighting is wasted, which increases greenhouse gas emissions, contributes to climate change, and renders us all more energy-dependent.



LIGHT POLLUTION ROBS US OF OUR HERITAGE.

Our ancestors experienced a night sky that inspired science, religion, philosophy, art, and literature. Now, millions of children across the globe will never know the wonder of the Milky Way.



LIGHT POLLUTION CAN MAKE YOU LESS SAFE.

There is no clear scientific evidence that increased outdoor lighting deters crime. Poor outdoor lighting can decrease personal safety by making victims and property more visible to criminals.



LIGHT POLLUTION MAY HARM YOUR HEALTH.

Studies suggest that artificial light at night negatively affects human health by increasing our risks for obesity, sleep disorders, depression, diabetes, breast cancer, and more.

LIGHT POLLUTION IS **REVERSIBLE!**

Unlike other forms of pollution, light pollution is a problem with solutions that are easy to implement. These solutions deliver immediate and lasting results.

SUCCESS STORY In 2018, the City of Tucson, Arizona, USA (population 500,000) upgraded its streetlights; by doing so, it saved \$2.2 million per year in energy costs and reduced light pollution by 7%.

Photo by Bettymaya Footit

OUR PROGRESS



1,000+

More than 1,000 dark sky-certified lighting fixtures are available in the marketplace.

170+

IDA has designated more than 170 International Dark Sky Places, protecting over 110,000 sq km of dark places around the globe.

500+

IDA supports more than 500 volunteer advocates in 49 countries.

LIGHT TO PROTECT THE NIGHT

Follow IDA's Five Principles for Community Outdoor Lighting to reduce light pollution where you live.

MAKE SURE YOUR LIGHTING IS:

- 1 Useful**
Install lighting only when and where it's needed.
- 2 Targeted**
Shield your lights so they shine down on the ground, which reduces harmful glare and decreases skyglow.
- 3 Low Light Levels**
Light should be no brighter than necessary.
- 4 Controlled**
Use controls such as timers, dimmers, and motion sensors on outdoor lights.
- 5 The Appropriate Color**
Use warm color lights where possible. Limit the use of harmful blue wavelength lighting.

BEFORE

Photos by Richard Brien

AFTER



Section 3000 of the TX Govt. Code is the statute that, in:

(1), prohibits a city from regulating building materials in residential or commercial buildings, and in

(2) prohibits a city from regulating the standards of such material in a manner more stringent than the applicable international building code.

However, paragraph (c) of the statute excludes both of these prohibitions as they relate to lighting ordinances from applying to a town that:

Is, or has correctly applied for, a DARK SKY certification from the International Dark Sky Association.

See 3(a), below.

OR

A town that has complied with state law per (c) 4. Below. Those regulations are provided below, following Sec. 3000. Neither LGC 229 or 240 Apply to the Town, leaving the Dark Sky Association the only choice. The Texas Chapter of that organization has on its website a link to their favored Model Ordinance. <https://www.darksky.org/our-work/lighting/public-policy/mlo/>

The Link to start to process for Dark Sky Community status is here:

<https://www.darksky.org/our-work/conservation/idsp/> it appears from the website there are only four TX cities on the list. Others may be pending.

The link to the graphic showing the application process (1-3 years) is:

<https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/2019/12/IDA-IDSP-Application-Process.pdf>

A Dark Sky Community may use its hotel motel tax for dark sky compliant lighting, subject the regulations in TX TAX Code section 351.10692 Not more than 25% of the annual HOT tax after the first five years.

DETAILS FOLLOW:

Sec. 3000.002. CERTAIN REGULATIONS REGARDING BUILDING PRODUCTS, MATERIALS, OR METHODS PROHIBITED. (a) Notwithstanding any other law and except as provided by Subsection (d), a governmental entity may not adopt or enforce a rule, charter

provision, ordinance, order, building code, or other regulation that:

(1) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(2) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(b) A governmental entity that adopts a building code governing the construction, renovation, maintenance, or other alteration of a residential or commercial building may amend a provision of the building code to conform to local concerns if the amendment does not conflict with Subsection (a).

(c) This section does not apply to:

(1) a program established by a state agency that requires particular standards, incentives, or financing arrangements in order to comply with requirements of a state or federal funding source or housing program;

(2) a requirement for a building necessary to consider the building eligible for windstorm and hail insurance coverage under Chapter [2210](#), Insurance Code;

(3) an ordinance or other regulation that regulates outdoor lighting that is adopted for the purpose of reducing light pollution and that:

(A) is adopted by a governmental entity that is certified as a **Dark Sky** Community by the International **Dark-Sky** Association as part of the International **Dark Sky** Places Program;

(B) is adopted by a governmental entity that has adopted a resolution stating the entity's intent to become certified as a **Dark Sky** Community by the International **Dark-Sky** Association as part of the International **Dark Sky** Places Program and does not regulate outdoor lighting in a manner that is more restrictive than the prohibitions or limitations required to become certified as a **Dark Sky** Community; or

(C) applies to outdoor lighting within five miles of the boundary of a military base in which an active training program is conducted;

(4) an ordinance or order that:

(A) regulates outdoor lighting; and

(B) is adopted under Subchapter B, Chapter 229, Local Government Code, or Subchapter B, Chapter 240, Local Government Code;

(5) a building located in a place or area designated for its historical, cultural, or architectural importance and significance that a municipality may regulate under Section 211.003(b), Local Government Code, if the municipality:

(A) is a certified local government under the National Historic Preservation Act (54 U.S.C. Section 300101 et seq.); or

(B) has an applicable landmark ordinance that meets the requirements under the certified local government program as determined by the Texas Historical Commission;

(6) a building located in a place or area designated for its historical, cultural, or architectural importance and significance by a governmental entity, if designated before April 1, 2019;

(7) a building located in an area designated as a historic district on the National Register of Historic Places;

(8) a building designated as a Recorded Texas Historic Landmark;

(9) a building designated as a State Archeological Landmark or State Antiquities Landmark;

DARK SKY ---COMMENTS AND BRIEF

(10) a building listed on the National Register of Historic Places or designated as a landmark by a governmental entity;

(11) a building located in a World Heritage Buffer Zone;

(12) a building located in an area designated for development, restoration, or preservation in a main street city under the main street program established under Section [442.014](#);

(13) a standard for a plumbing product required by an ordinance or other regulation implementing a water conservation plan or program described by Section [11.1271](#) or [13.146](#), Water Code; and

(14) a standard for a plumbing product imposed by the Texas Water Development Board as a condition of applying for or receiving financial assistance under a program administered by the board.

(d) A municipality that is not a municipality described by Subsection (c) (5) (A) or (B) may adopt or enforce a regulation described by Subsection (a) that applies to a building located in a place or area designated on or after April 1, 2019, by the municipality for its historical, cultural, or architectural importance and significance, if the municipality has the voluntary consent from the building owner.

(e) A rule, charter provision, ordinance, order, building code, or other regulation adopted by a governmental entity that conflicts with this section is void.

Added by Acts 2019, 86th Leg., R.S., Ch. 1289 (H.B. [2439](#)), Sec. 1, eff. September 1, 2019.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 475 (S.B. [1090](#)), Sec. 1, eff. September 1, 2021.

DARK SKY ---COMMENTS AND BRIEF

Sec. 3000.003. INJUNCTION. (a) The attorney general or an aggrieved party may file an action in district court to enjoin a violation or threatened violation of Section [3000.002](#).

(b) The court may grant appropriate relief.

(c) The attorney general may recover reasonable attorney's fees and costs incurred in bringing an action under this section.

(d) Sovereign and governmental immunity to suit is waived and abolished only to the extent necessary to enforce this chapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 1289 (H.B. [2439](#)), Sec. 1, eff. September 1, 2019.

LOCAL GOVERNMENT CODE

Section 229 does not apply to the town unless there is an observatory nearby.

Sec. 229.053. REGULATION OF OUTDOOR LIGHTING. (a) The governing body of a municipality by ordinance shall regulate the installation and use of outdoor lighting.

(b) **An ordinance adopted under this section must be designed to protect against the use of outdoor lighting in a way that interferes with scientific astronomical research of an observatory.**

(c) In the ordinance, the governing body may:

(1) require that a permit be obtained from the municipality before the installation and use of certain types of outdoor lighting in a regulated area;

(2) establish a fee in an amount to cover the costs of administering the issuance of the permit;

(3) prohibit the use of a type of outdoor lighting that is incompatible with the effective use of an observatory;

(4) establish requirements for the shielding of outdoor lighting; and

(5) regulate the times during which certain types of outdoor lighting may be used.

(d) The governing body may apply more stringent standards for areas in which the use of outdoor lighting has a greater impact on observatory activities.

(e) The governing body may adopt an ordinance under this section only after conducting a public hearing on the proposed ordinance. The governing body shall give at least two weeks' public notice of the hearing.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1166 (H.B. [2857](#)), Sec. 1, eff. January 1, 2012.

LGC 240—applies only to county regulations, rather than city.



AGENDA MEMORANDUM

DATE: December 6, 2021
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: **Worksession Strategic Planning Committee- Conduct a worksession relative to establishing a strategic planning committee.**

BACKGROUND/INFORMATION:

To stay responsive to our ever-changing environment, demographics, and resources, the Town Council may wish to consider the formation of a Strategic Planning Committee to work with key staff, board and council members to determine future infrastructure needs, goals and services that will be needed to promote a sustainable and thriving community. Considerations should include:

Identification of Stakeholders (Committee Members)

Suggested Committee Members:

Town Engineer
Town Administrator
Municipal Court Administrator
Council Representation
Planning and Zoning Member
Residents (2)
Community Relations staff
Town Attorney

Future Needs Planning:

Review of previous planning documents
Review of the Organization's Values, Mission and Vision
Access Current Situations
Set Future Goals
- Roads
- Broadband/Technology
- Services
Draft Review and Present a plan/findings

FINANCIAL IMPLICATIONS:

None at this time; Future Planning

RECOMMENDATION/ACTION DESIRED:

The Board could make a recommendation to form and appointment members to the committee
The Board could request more information from town staff and discuss at a future Town Council Meeting.

ATTACHMENTS/SUPPORTING DOCUMENTATION:

None