

MURPHY CITY COUNCIL AGENDA  
REGULAR CITY COUNCIL MEETING  
OCTOBER 7, 2014 AT 6:00 P.M.  
206 NORTH MURPHY ROAD  
MURPHY, TEXAS 75094



Eric Barna  
Mayor

Scott Bradley  
Mayor Pro Tem

Owais Siddiqui  
Deputy Mayor Pro Tem

Ben St. Clair  
Councilmember

Betty Spraggins  
Councilmember

Sarah Fincanon  
Councilmember

Rob Thomas  
Councilmember

James Fisher  
City Manager

NOTICE is hereby given of a meeting of the City Council of the City of Murphy, Collin County, State of Texas, to be held on October 7, 2014 at Murphy City Hall for the purpose of considering the following items. The City Council of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

**1. CALL TO ORDER**

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

**3. ROLL CALL & CERTIFICATION OF A QUORUM**

**4. PUBLIC COMMENTS**

**5. PRESENTATION ITEMS**

A. Keep Texas Beautiful Governor's Community Achievement Award 3<sup>rd</sup> place; Gold Star Affiliate; Award of Excellence; and Educator/Law Enforcement Award.

**6. CONSENT AGENDA**

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

A. Consider and/or act upon meeting minutes for September 16, 2014 Regular City Council Meeting.

B. Consider and take action, if any, on the December 2014 City Council meeting schedule.

C. Consider and take action, if any, on the 2015 City of Murphy Holiday schedule.

D. Consider and/or act on an Alcohol Policy for the Murphy Community Center and Murphy Activity Center.

**7. INDIVIDUAL CONSIDERATION**

A. Consider and take action, if any, on the License Agreement with Oncor Electric Delivery Company LLC and the City of Murphy for a hike and bike trail as part of the Timbers Nature Preserve Park.

B. Consider and take action, if any, upon the approval of an Ordinance adopting the City of Murphy Boundary Map.

- C. Consider and/or act upon the approval of an Ordinance amending Section 9.100 of the Fee Schedule; irrigation rates.
- D. Consider and/or act upon all matters incident and related to approving and authorizing publication of notice of intention to issue certificates of obligation in an amount not to exceed \$3,000,000 for City water and sewer system improvements.
- E. Hold a public hearing and consider and/or act on the application of Wade and Michelle Wilson, requesting a variance to Section 28-132(2) of the Code of Ordinances/Development Standards, to allow less than the *'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes'* and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.
- F. Hold a public hearing and consider and/or act on the application of Champion Langford Venture requesting approval of a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.
- G. Hold a public hearing and consider and/or act on the application of the City of Murphy to zone the subdivision known as Windy Hill Farms – Phase 1 and generally located west of Heritage Parkway and north of FM 544 as a Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet.
- H. Consider and/or take action, if any, on the City of Murphy Code of Ordinances, Chapter 66 Streets and Sidewalks, Article V – Sidewalks.
- I. Discuss Emergency Management planning and training for the City of Murphy.

#### **8. CITY MANAGER/STAFF REPORTS**

North Murphy Road Update  
Fall Recycle Event  
Howl-a-ween Event

#### **9. EXECUTIVE SESSION**

The City Council will hold a closed Executive Session pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

- A. § 551.071. CONSULTATION WITH ATTORNEY; on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of

Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: to receive legal advice regarding planning and zoning issues regarding city development regulations, standards and conditions, and/or city zoning regulations and related issues.

- B. §551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- C. §551.074. Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Manager.

#### **10. RECONVENE INTO REGULAR SESSION**

The City Council will reconvene into Regular Session, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

- A. § 551.071. CONSULTATION WITH ATTORNEY; on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: to receive legal advice regarding planning and zoning issues regarding city development regulations, standards and conditions, and/or city zoning regulations and related issues.
- B. §551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- C. §551.074. Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City Manager.
- D. Take Action on any Executive Session Item.

#### **11. ADJOURNMENT**

I certify that this is a true and correct copy of the Murphy City Council Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on October 3, 2014 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.



Susie Quinn  
City Secretary

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City at 972.468.4011 or [citysecretary@murphytx.org](mailto:citysecretary@murphytx.org).

Notice of Possible Quorum: There may be a quorum of the 4B Community Development Corporation, the Animal Shelter Advisory Committee, the Board of Adjustment, the Building and Fire Code Appeals Board, the Ethics Review Commission, the Murphy Municipal Development District Board, the Park and Recreation Board and/or the Planning and Zoning Commission may be present at the meeting, but they will not deliberate on any city business.

CITY COUNCIL MINUTES  
SEPTEMBER 16, 2014 REGULAR CITY COUNCIL MEETING

**1. CALL TO ORDER**

Mayor Pro Tem Scott Bradley called the meeting to order at 6:00 pm.

**2. INVOCATION & PLEDGE OF ALLEGIANCE**

Councilmember Betty Nichols-Spraggins gave the invocation and led the Pledge of Allegiance to the United States flag.

**3. ROLL CALL & CERTIFICATION OF A QUORUM**

Susie Quinn, City Secretary, certified a quorum with the following Councilmembers present:

Mayor Pro Tem Scott Bradley  
Deputy Mayor Pro Tem Owais Siddiqui  
Councilmember Ben St. Clair  
Councilmember Betty Nichols Spraggins  
Councilmember Sarah Fincanon  
Councilmember Rob Thomas

Councilmembers absent: Mayor Eric Barna

**4. PUBLIC COMMENTS:**

None

**5. PRESENTATION ITEMS:**

A. Presentation of financial report and investment report as of August 31, 2014..

Finance Director Linda Truitt presented the August 31<sup>st</sup> financial report and investment report to the City Council.

Ms. Truitt stated that there was no change in the interest rate of .10%. Sales tax should be close to meeting the budget. She reported that the current budget year was 83% completed. Ninety-two percent of the revenues have been collected with general fund expenditures being at 75% to 80%.

She also reviewed the utility fund and stated that water revenues continued to be under budget but the utility fund expenditures were on track.

Ms. Truitt answered questions from the City Councilmembers.

**6. CONSENT AGENDA**

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

A. Consider and/or act upon meeting minutes:

1. September 2, 2014 Regular City Council Meeting
2. September 10, 2014 Special Joint Meeting with City Council and Park Board

**COUNCIL ACTION (6.A.):**

**APPROVED**

Deputy Mayor Pro Tem Owais Siddiqui moved to accept the consent agenda. Councilmember Fincanon seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0. *(Mayor Barna was absent)*

**7. INDIVIDUAL CONSIDERATION**

- A. Consider and/or act upon approval of an Ordinance adopting the fiscal year 2014-2015 budget and appropriating funds to a sinking fund to pay interest and principal on the City's indebtedness, and appropriating funds to support the City of Murphy for the fiscal year beginning on October 1, 2014 and ending on September 30, 2015.

Staff was complimented for their hard work to stay on budget and creating an appropriate new budget for Fiscal Year 2014-2015.

Mayor Pro Tem Bradley stated that this budget will raise more revenue from property taxes than last year's budget by an amount of \$547,752, which is a 5.86 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$252,218.

**COUNCIL ACTION (7A.):**

**APPROVED**

Deputy Mayor Pro Tem Owais Siddiqui moved to approve an Ordinance adopting the budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015 and making the appropriations as reflected in said budget. Councilmember Rob Thomas seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0. *(Mayor Barna was absent)(Ordinance No. 14-09-984)*

- B. Consider and/or act upon ratifying the property tax revenue increase reflected in the 2014-2015 fiscal year budget.

Staff explained that the state requires a vote by Council to ratify the fact that the budget will raise more total property taxes than last year's budget by \$547,752 or 5.86%, and of that amount \$252,218 is tax revenue to be raised from new property added to the tax roll this year.

**COUNCIL ACTION (7.B.):**

**APPROVED**

Deputy Mayor Pro Tem Owais Siddiqui moved to approve ratifying the property tax revenue increase reflected in the budget for the 2014-2015 fiscal year. Councilmember Rob Thomas seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0. *(Mayor Barna was absent)*

- C. Consider and/or act upon approval of an Ordinance levying ad valorem taxes for use and support of the municipal government of the City of Murphy for the fiscal year beginning October 1, 2014 and ending September 30, 2015.

Staff explained that the property taxes are being decreased two cents from \$.57 to \$.55 per \$100 valuation and that the two prescribed public hearings have been held with little public comment.

Mayor Pro Tem Bradley thanked staff.

**COUNCIL ACTION (7.C.):**

**APPROVED**

Deputy Mayor Pro Tem Owais Siddiqui moved that the property tax rate be increased by the adoption of a tax rate of \$0.550000, which is effectively a 3.43 percent increase in the tax rate. Approve an ordinance fixing and levying municipal ad valorem taxes for the fiscal year beginning October 1, 2014 and ending on September 30, 2015, and for each fiscal year thereafter until otherwise provided. Councilmember Rob Thomas seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0. . *(Mayor Barna was absent)(Ordinance 14-09-985)*

- D. Consider and/or act upon approval of a resolution authorizing signature authority to sign and endorse checks and drafts of the City of Murphy bank account.

Staff explained that since the election and the appointment of the Mayor Pro Tem and Deputy Mayor Pro Tem, the bank signature cards need to be updated to reflect the new authorized signers.

**COUNCIL ACTION (7.D.):**

**APPROVED**

Councilmember Fincanon made the motion to approve a resolution authorizing signature authority to sign and endorse checks and drafts of the City of Murphy bank accounts. Councilmember Rob Thomas seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0. . *(Mayor Barna was absent)(Resolution No. 14-R-805)*

- E. Hold a public hearing and consider and/or act on the application of Allen Tari requesting a variance to sign requirements as stated in the Code of Ordinances Section 28-22, Monument Signs-Business Districts, for a sign at the business known as Tari Car Lot, located at 729 W. FM 544.

Staff explained the history of the sign and the changes that the applicant has made to the sign but the alterations are still not in compliance with the sign requirements. Planning and Zoning denied the variance request at the August 25, 2014 meeting. The written appeal was received timely. Staff made recommendations to the applicant to bring it into compliance.

Aron Frydberg discussed details of the sign and his request for the height variance.

The public hearing opened at 6:33 pm. No one requested to speak. The public hearing closed at 6:33 pm.

The members of the City Council discussed this item at length.

**COUNCIL ACTION (7.E.):**

**DENIED**

Councilmember Rob Thomas made the motion to not overturn the Planning and Zoning decision and to deny the applicant's variance request. Councilmember Betty Nichols Spraggins seconded the motion. For: Unanimous. The motion carried by a vote of 6 to 0. . *(Mayor Barna was absent)*

- F. Discuss upcoming 2014 Community Events.

Staff discussed the following upcoming 2014 Community Events:

**Maize Days** – Saturday, September 27, 2014

**Keep Murphy Beautiful Community Clean & Green Event and 3rd Annual Arbor Day  
Celebration** – Saturday, October 11, 2014

**Murphy Animal Shelter Grand Opening and HOWL-O-WEEN Fest!** – Saturday, October 25,  
2014

**Christmas in the Park** – Thursday, December 4, 2014

***COUNCIL ACTION (7.F.):***

No action was required on this item.

***NON-ACTION ITEM***

**9. ADJOURNMENT**

With no further business, the meeting was adjourned at 6:42 pm.

APPROVED BY:

\_\_\_\_\_  
Scott Bradley, Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Susie Quinn, City Secretary

**City Council Meeting  
October 7, 2014**

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**Issue**

Consider and take action, if any, on the December 2014 City Council meeting schedule.

**Staff Resource/Department**

James Fisher, City Manager

**Summary**

The City Council is scheduled to meet on December 2<sup>nd</sup> and 16<sup>th</sup>. Last year, the City Council decided to meet only once in December and chose the Tuesday in between the regular meeting dates. If the City Council would like to consider this option, then the December meeting date would be December 9<sup>th</sup>. It is important to know when we are meeting in December, as staff is planning construction awards for the Maxwell Creek Parallel Trunk Sewer project, possible public hearings for P and Z matters and general preparation.

The City Charter, Section 3.09, requires the City Council to meet at least once a month.

**Action Requested**

Consider approving December 9<sup>th</sup> as the regular monthly meeting for the City Council.

**City Council Meeting  
October 7, 2014**

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**Issue**

Consider and take action, if any, on the 2015 City of Murphy Holiday schedule.

**Staff Resource/Department**

James Fisher, City Manager

**Summary**

The City of Murphy's Personnel Policy Manual, Section 4.03, requires the City to submit the calendar year holiday schedule to City Council for consideration of approval by November 1<sup>st</sup> of each year. The holiday schedule may not exceed 10 days. The proposed 2015 Holiday Schedule is as follows:

- |                      |                     |                             |
|----------------------|---------------------|-----------------------------|
| • January 1, 2015    | Thursday            | New Year's Day              |
| • January 19, 2015   | Monday              | Martin Luther King, Jr. Day |
| • April 3, 2015      | Friday              | Good Friday/Easter Weekend  |
| • May 25, 2015       | Monday              | Memorial Day                |
| • July 3, 2015       | Friday              | Independence Day            |
| • September 7, 2015  | Monday              | Labor Day                   |
| • Nov. 26 & 27, 2015 | Thursday and Friday | Thanksgiving Break          |
| • Dec. 24 & 25, 2015 | Thursday and Friday | Christmas Break             |

**Action Requested**

Approve the 2015 City of Murphy Holiday Schedule as presented.

**City Council Meeting**  
**October 7, 2014**

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**Issue**

Consider and/or act on an Alcohol Policy for the Murphy Community Center and Murphy Activity Center.

**Staff Resource/Department**

Susie Quinn, City Secretary

**Summary**

Following City Council approval of alcohol use at the Murphy Community Center (MCC) and Murphy Activity Center (MAC), staff is recommending an Alcohol Policy to administer this use.

**Background**

On April 3, 2012, City Council approved an alcohol policy entitled *Alcohol Use Liability Agreement* that sets forth requirements that lessees must adhere to when serving and/or consuming alcoholic beverages at the Murphy Community Center and/or the Murphy Activity Center. The agreement limits the service and/or consumption of alcoholic beverages to Saturday only. Additionally, the agreement requires that alcoholic beverage service terminate at least one hour prior to the scheduled end of the event.

The Board and Commission Appreciation Dinner is scheduled for Thursday, December 11, 2014 from 6:30 pm to 9:30 pm. Progressive Waste Solutions will be sponsoring a beer and wine bar at the event. Staff is requesting that Council grant an exception to the policy to allow for service of beer and wine at the event until 8:30 pm.

**Action Requested**

Motion to grant an exception to the Alcohol Use Liability Agreement to allow for the service of beer and wine at the Murphy Community Center on Thursday, December 11th from 6:30 pm to 8:30 pm for the Board and Commission Appreciation Dinner.

**Attachments**

Alcohol Use Liability Agreement

## Saturday Night Only

### Alcohol Use Liability Agreement City of Murphy

If alcoholic beverages are to be sold, served and/or consumed at \_\_\_\_\_ (the "Facility") during the period of this rental agreement or facility use permit, the lessee agrees to the following:

1. The Lessee shall pay a fee of \$50.00 for an alcohol use permit to serve alcoholic beverages at the event. If alcoholic beverages are to be sold at the event, Lessee must pay a fee of \$100.00 in advance for an alcohol use permit to sell alcoholic beverages at the event. Alcoholic beverages shall be considered to be sold under the following circumstances: a) if a fee is charged for the serving of an alcoholic beverage; and/or b) if the Lessee charges a cover charge or other admission fee or donation for the event and alcoholic beverages are then provided to patrons at no additional cost.

2. Alcoholic beverages may only be consumed inside the authorized portions of the Facility (Murphy Community Center and/or Murphy Activity Center) and only during the permitted event. Permitted events will only be allowed on Saturday evenings.

3. All sale and service of alcoholic beverages must cease no less than one (1) hour prior to the scheduled end of the event.

4. Lessee fully guarantees, represents and shall be totally responsible, that the sale, serving and/or consuming of alcoholic beverages at the event shall comply with the laws of the State of Texas and the rules and regulations of the Texas Alcoholic Beverage Commission ("TABC"), including, without limitation, ensuring that no alcoholic beverages are dispensed to children, minors or any persons under the age of 21. The Lessee also fully guarantees that the responsible party providing, selling and/or serving alcoholic beverages is licensed by the TABC.

5. At events where alcohol is being served or sold, the Lessee shall be responsible, at its sole cost and expense, for providing uniformed, off-duty Murphy Police Department ("MPD") officers or other police officers as approved by the Chief of Police, to ensure safety and security.

**6. LESSEE UNDERTAKES AND AGREES TO SAVE AND KEEP THE CITY OF MURPHY, ITS EMPLOYEES, AGENTS, OFFICERS, OFFICIALS, MAYOR AND CITY COUNCIL MEMBERS, CITY BOARD, COMMISSION AND COMMITTEE MEMBERS, OF AND FROM ANY AND ALL LOSSES, COSTS, EXPENSES AND DAMAGES (INCLUDING WITHOUT LIMITATION ATTORNEY'S FEES AND COSTS), AND FROM ANY AND ALL CLAIMS, ACTIONS, DEMANDS, DAMAGES OR LIABILITY BY OR TO THE PUBLIC, EMPLOYEES OF LESSEE, OR OTHERS, ON ACCOUNT OF OR OCCASIONED BY, NEGLIGENTLY OR OTHERWISE, ANY ACTIVITY PERTAINING TO THE LEASE OF THE FACILITY (INCLUDING THE SALE, SERVING OR CONSUMPTION OF ALCOHOL), OR BY ANY ACT OR OMISSION, NEGLIGENTLY OR OTHERWISE, OF LESSEE OR OF ANY PATRONS OF LESSEE WHEN ON, OR WHEN ABOUT TO ENTER, OR WHEN JUST LEAVING THE FACILITY, HEREIN LEASED TO LESSEE ON THE FOLLOWING DATES:**

\_\_\_\_\_.

7. If the event is expected to involve more than 250 patrons, the Lessee must provide the City of Murphy with a Commercial General Liability insurance policy written on an occurrence basis and with a



**City Council Meeting  
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**Issue**

Consider and take action, if any, on the License Agreement with Oncor Electric Delivery Company LLC and the City of Murphy for a hike and bike trail as part of the Timbers Nature Preserve Park.

**Staff Resource/Department**

James Fisher, City Manager

**Summary**

The Hike and Bike Agreement will allow the City to construct the trail on Oncor property and connect to the trail at South Murphy Road that Plano built. The city staff has met with the Oncor staff and we are in general agreement with the License Agreement.

**Action Requested**

Approve the License Agreement with Oncor Electric Delivery Company LLC and the City of Murphy for a hike and bike trail as part of the Timbers Nature Preserve Park and authorize the City Manager to execute the necessary documents.

**Attachments**

- License Agreement
- Hike and Bike Trail Guidelines

Line Names:  
Deed#  
Request No.

## LICENSE AGREEMENT HIKE & BIKE TRAIL

This License Agreement (“Agreement”) is made this 7<sup>th</sup> day of October, 2014, (“Effective Date”) by and between **Oncor Electric Delivery Company LLC**, a Delaware limited liability company, (“Oncor”) and the **City of Murphy**, a Texas municipal corporation (“City”).

### RECITALS

1. Oncor is the owner of the land described in **Exhibit “A”** attached hereto and made a part hereof for all purposes, and referred to hereinafter as the “Property”, upon which Property is located Oncor’s electric transmission and distribution line(s) and associated facilities.
2. City has requested that Oncor make available the Property for City to construct, install, and maintain a hike and bike trail for the general public’s recreational use, subject to the terms of this Agreement, including the Hike and Bike Trail Guidelines attached hereto as **Exhibit “B”** and incorporated herein (the “Trail Guidelines”).

**NOW, THEREFORE**, for the consideration herein provided, it is agreed as follows:

1. License. Oncor hereby grants to City and City hereby accepts from Oncor, a license to use the Property to construct, install, and maintain a public hike and bike trail consisting of an improved surface and related Oncor-approved landscaping, signage, and facilities on the Property for use by the general public for recreational purposes only (“License”), but with the conditions that such hike and bike trail shall be constructed, installed, and maintained in accordance with the Trail Guidelines and in such a manner as not to damage or destroy Oncor’s electric transmission and distribution line(s) and other facilities, and that the recreational use of the Property shall not interfere with the continued operation and maintenance of Oncor’s electric transmission and distribution line(s) and other facilities, as well as Oncor authorized third party facilities.
2. Limitations Of Use. This License is strictly limited to the public hike and bike trail to be constructed, installed, and maintained on the Property and does not extend to the use of any of Oncor’s facilities or Oncor authorized third party facilities located on the Property. The approved engineering plans and specifications for the concrete trail are attached hereto as **Exhibit “C”**. It is understood that if actual construction and installation of the hike and bike trail has not commenced within nine months after the Effective Date, and diligently pursued to completion thereafter by the City, Oncor shall have the right to terminate this Agreement. Additional general construction limitations

on the Property are described and listed in **Exhibit “D”**, attached hereto and a part hereof for all intent and purpose. Prior to the installation of any landscaping on the hike and bike trail, landscaping plans that comply with the Landscaping Requirements contained in the Trail Guidelines must be submitted to and approved in writing by Oncor. Engineering plans and landscaping plans may be submitted to Oncor separately, provided, however, that all improvements, fixtures, vegetation or other encroachments of any nature must be approved in writing by Oncor before such improvements, fixtures, vegetation or other encroachments of any nature may be installed on the hike and bike trail.

3. Consideration. In consideration for this License, the sufficiency of which Oncor hereby acknowledges, City (a) has paid to Oncor One Dollar (\$1.00), (b) shall undertake the maintenance and other obligations herein provided, and (c) agrees that City shall not object to or contest any future regulatory filings by Oncor to add to, modify, and/or rebuild its facilities on the basis of the use of the Property as a hike & bike trail or recreation area.

4. Term. The License as to the Property granted by this Agreement is non-exclusive and perpetual commencing on the Effective Date; provided, however, the License may be terminated in whole or in part by Oncor with one hundred and eighty (180) calendar days prior written notice to City of such termination in accordance with the notice provisions of this Agreement if such termination is necessitated by a change in local, state or federal law or regulations applicable to same. Furthermore, in the event that Oncor determines it has an operational need for a portion of the Property to the extent that the hike and bike trail cannot be relocated on that portion of the Property pursuant to Paragraph 8 below, the License may be terminated by Oncor, as to the affected portion of the Property only, by providing the City one hundred and eighty (180) calendar days prior written notice of such partial termination in accordance with the notice provisions of this Agreement. In any case of either a change in state or federal law or regulation or an operational need, Oncor will work in good faith with City to minimize the amount of the hike and bike trail to be relocated and/or the amount of the Property and City’s improvements impacted by any termination. Furthermore, in the event Oncor elects to sell to a bona fide unaffiliated third party Property upon which Oncor does not have any facilities, Oncor may do so free from the applicability of this License after having first offered to sell the Property to the City at fair market value. The City shall have thirty (30) calendar days to accept Oncor’s offer to sell the Property. If the City does not accept the offer within such 30 day period, the offer shall be deemed rejected. In the event City elects not to purchase the Property so offered by Oncor, prior to closing of Oncor’s conveyance of the Property to the third party, City shall execute and deliver to Oncor a partial release from this License of such portion of the Property being sold and the parties shall have no further obligations one to the other under this agreement as to such portion of the Property.

5. Security. City shall be solely responsible for maintaining peace and order and shall prevent any nuisances arising from or connected with its license and use of the Property.

6. Oncor’s Access. Oncor and its authorized agents shall have the right to enter the Property at any time for any purpose. It is understood that from time to time entry will be necessary for inspection, maintenance, and work upon Oncor’s facilities located upon the

Property and, on such occasions, it may be necessary to close all or portions of the hike and bike trail and prohibit the public from using same. This License is not exclusive and Oncor, its employees, agents, representatives, and others whom it may license, may go upon, make improvements upon and traverse the Property and make changes in the location of or additions to Oncor's facilities located thereon without payment of compensation to City, and without liability for any damage to the hike and bike trail or for any interruption of use of the hike and bike trail.

7. Acceptance Of Premises. City acknowledges that it has fully inspected the Property and accepts the Property in its present condition as suitable for the purpose for which the License is being granted. This License is granted subject to any and all easements, restrictions, covenants, conditions, limitations, and mineral interests filed of record in the Official Real Property Records of Collin County, Texas in effect as to the Property. City shall not make or cause to be made any improvements to the Property other than as approved by Oncor in advance, in writing, and then only at the sole cost and expense of City.

8. Relocation. If at any time in the future, any portion of the hike and bike trail, in the sole judgment of Oncor, interferes with the installation, operation maintenance and/or removal of Oncor's electric transmission and distribution line(s) and other facilities, Oncor shall have the right to require City to relocate the offending portion of the hike and bike trail on the Property so as not to interfere with Oncor's electric transmission and distribution line(s) and other facilities. Oncor shall notify City in writing within ninety (90) days if a portion of the hike and bike trail must be relocated at City's sole cost and according to plans approved by Oncor, stating the portion so impacted and the reason for the relocation. If at the end of such ninety (90) day period the portion of the hike and bike trail has not been relocated, Oncor may relocate it, at the City's expense. Oncor will not be responsible nor will compensation be paid for damages incurred by such relocation.

9. Default and Termination. It is understood and agreed that, in case of default by City or its agents in any of the terms and conditions herein stated, including all terms and conditions contained in the attached exhibits, such default continuing for a period of ninety (90) days after Oncor notifies City in writing of such default and the cure action required, Oncor at its election may terminate this Agreement and upon such termination all of City's rights hereunder shall cease and come to an end. This Agreement and the License herein provided shall also terminate upon the abandonment of the hike and bike trail by City.

10. Condition Upon Termination. Upon termination of this Agreement, City shall surrender the Property to Oncor in the same condition as received except for ordinary wear and tear. City may remove such improvements as it desires. By written notice Oncor may require City, upon termination, to remove any improvements made to the Property by City and to restore said portion of the Property to its original condition, at City's expense. All improvements not required by Oncor to be removed or otherwise removed by City shall become Oncor's property at no cost or expense to Oncor. If City fails to remove improvements as required by Oncor, Oncor may remove same and City shall reimburse Oncor 100% of the costs and expenses of having the improvements

removed from the Property. City shall have a reasonable right of access to the Property to accomplish said removal and restoration.

11. Assignment And Subletting. The License is personal to City and may not be sold, transferred, assigned or sublet. Any purported transfer or assignment shall be null and void ab initio and of no force or effect. It is the intention of this Agreement not to confer benefits, rights, or privileges on any person or entity other than Oncor and City. This Agreement is binding on the parties' respective successors and assigns and the purchaser(s) of all or any part of the Property, except for property upon which Oncor has no facilities as set forth in Section 4 of this Agreement. City, at its expense, may file a memorandum providing notice of the existence of this Agreement in the real property records of any county in which part of the Property is located. A change in the control or ownership of Oncor shall not give any party the right to terminate this Agreement. Furthermore, in the event of a merger of Oncor with another entity in which Oncor is not the surviving entity, this Agreement shall be binding on the surviving entity of such merger.

12. Boom-Type Equipment. Use of cranes or other boom-type equipment in connection with any work to be performed on the Property by City, its employees, agents representatives, or contractors, or the public generally, must comply with Chapter 752, Texas Health and Safety Code, the National Electrical Safety Code, and any other applicable clearance requirements. Notwithstanding anything to the contrary, in no event shall any equipment be placed within 15 feet of Oncor's power lines situated on the Property. City must notify Oncor 48 hours prior to the use of any boom-type equipment on Oncor's Property. Oncor reserves the right to refuse City permission to use boom-type equipment.

13. Maintenance of Property. City, at its sole cost and expense, at all times during the term of this Agreement, agrees to keep clean and maintain or cause to be kept clean and maintained the entire Property and all improvements which may be placed or erected on the Property by City, in a good state of appearance and repair reasonably satisfactory to Oncor. City specifically acknowledges that its obligations with regard to maintenance of the Property include maintaining the entire width of the Property, and not just the area surrounding City's Hike & Bike Trail. City, at its sole cost and expense, is liable for all costs and expenses incurred by Oncor arising out of any (i) landscaping vegetation encroachments, and/or (ii) trail related park structure encroachments intended for use by the general public, including, without limitation, picnic tables, park benches, water fountains, covered sheds, playground equipment, etc., on the Property not expressly approved or authorized by Oncor, regardless of whether made or installed by City. City shall not allow any third parties or neighborhood / community groups acting under or through the auspices of City to install anything on the Property, or perform any plantings, landscaping or other improvements that are not approved by or part of a landscaping plan approved by Oncor. City shall not be liable for costs and expenses incurred by Oncor arising out of non-vegetation type encroachments on the Property which are not intended for use by the general public such as individual storage buildings, fences, swimming pools, etc. Oncor is not responsible for any damages to or removal of landscaping due to Oncor's patrol, maintenance or construction related activities. In the event that City fails to properly maintain the Property as provided herein, Oncor shall have the right, but not

the obligation, to have such maintenance completed, and City agrees to reimburse Oncor an amount equal to 100% of Oncor's costs and expenses for such work. City shall pay such amount to Oncor within forty-five (45) calendar days of receipt of Oncor's invoice. Notwithstanding any of the foregoing, the parties acknowledge that City has no cleaning, maintenance or repair obligation with respect to Oncor's transmission and distribution electric line(s) and other facilities located on the Property.

14. Indemnity. To the extent allowable by law, City agrees to defend, indemnify and hold harmless Oncor, its officers, agents and employees, from and against any and all claims, demands, causes of action, loss, damages, liabilities, costs and expenses (including attorney's fees and court costs) of any and every kind of character, known or unknown, fixed or contingent, for personal injury (including death), property damage or other harm for which recovery of damages is sought or suffered by any person or persons that may arise out of, or be occasioned by, the negligent act or omission of City, its officers, agents, employees, or separate contractors that may arise out of or be occasioned by the use of the License and/or Property, except that the obligations provided for in this paragraph shall not apply to any liability resulting from the sole negligence of Oncor, its officers, agents, associates, employees or separate contractors, and in the event of joint and concurrent negligence of both Oncor and City, responsibility and indemnity, if any, shall be apportioned comparatively in accordance with Texas law, without however waiving any defenses or immunities available to the parties.

15. No Waiver Of Limitation Of Liability. By entering into this License Agreement, neither Oncor nor City in any manner waive any right to assert any legal defenses or immunities available to either Oncor or City, including, but not limited to, Chapters 75 and 101 of the Texas Civil Practice and Remedies Code. It is the express intention of Oncor to limit its liability for any injury, death or damage to person or property pursuant to Chapter 75.002, Texas Civil Practice and Remedies Code (Vernon's 1995).

16. Relocation Of Facilities. If, at the request of City, Oncor relocates any of its existing facilities located on the Property in order for City to accomplish its proposed use of the Property, City shall be required to reimburse Oncor for all costs and expenses associated with such relocations. However, Oncor shall not be required by this Agreement to relocate any of its existing facilities, and Oncor may withhold its agreement to do so in its absolute and sole discretion.

17. Notices. All written notices required under this License must be hand delivered or sent by certified mail, return receipt requested, addressed to the proper party at the following address:

**To Oncor:**

**Oncor Electric Delivery Company LLC,**  
a Delaware limited liability company  
Right of Way Office  
115 West 7<sup>th</sup> Street  
Fort Worth, Texas 76102

**To City:**

**City of Murphy**  
City Manager's Office  
206 North Murphy Road  
Murphy, Texas 75094

18. Texas Law. This Agreement shall be construed under, and in accordance with, the laws of the State of Texas. This Agreement is performable in Collin County, Texas and exclusive venue for enforcing same shall be Collin County, Texas.

19. Amendment. No amendment, modification, or alteration of the terms of this Agreement shall be binding unless it is in writing, dated subsequent to this Agreement, and duly executed by the parties hereto.

EXECUTED to be effective as of the Effective Date stated above.

**CITY:**

**CITY OF Murphy**

James Fisher, City Manager

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ONCOR:**

**ONCOR ELECTRIC DELIVERY COMPANY LLC**

By: \_\_\_\_\_

Jill L. Alvarez

Attorney-in-Fact

# ONCOR HIKE AND BIKE TRAIL GUIDELINES

**A SUSTAINABLE COMMUNITY PARTNERSHIP MODEL**

October 26, 2012

**EXHIBIT B**



# Table of Contents

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## Introduction

In 2011, Oncor announced it will begin to transform pathways under parts of the company's transmission rights-of-way into hike and bike trails as part of the new Oncor Texas Trails program. These trails will help create pathways that will be integral parts of the communities Oncor serves. The Oncor Texas Trails program is also a key part of Oncor's commitment to supporting health and fitness initiatives, as well as a key part of a broader Oncor initiative to align Oncor's assets with community needs.

The Oncor Texas Trails program will allow Oncor to work proactively with the communities we serve to design a template for recreational use of transmission rights-of-way, including native and low maintenance landscape designs.

Oncor hopes that the hike and bike trails will lend themselves to health and fitness oriented events such as community walks, runs, rides and other fitness activities along the trails. These types of events illustrate the importance of living a healthy lifestyle and provide an outlet to community members to practice a healthy lifestyle.

## Guiding Principles

The following guiding principles are primary factors when evaluating proposed Hike and Bike Trail plans:

- Maintaining the safety of the public and Oncor's employees and contractors;
- Promoting a sustainable community partnership model that aligns well with Oncor's philanthropic and community involvement focus on health and wellness;
- Ensuring public awareness and support for hike and bike trail projects including the adjacent landowners;
- Maintaining the reliability, security and electrical clearance requirements of Oncor's transmission and distribution lines;
- Preserving Oncor's ability to access facilities for on-going and future inspection, operations and maintenance needs;
- Ensuring the corridor is not constrained in a way to prevent meeting future grid electrical needs, system upgrades, etc.;
- Avoiding increased maintenance expense or liability for Oncor.
- Sustaining and protecting the Licensee's investment in a hike and bike trail.

## Background

Oncor's transmission line rights-of-way (ROW) primary purpose is to provide safe and reliable electric service to the public. The ROW is used by Oncor to construct, operate, and maintain transmission and in some cases distribution facilities. When possible, the use of the ROW for hike and bike trails is a great way for Oncor to partner with cities in our service area. The width of a transmission line ROW depends on the voltage of the line and the height of the structures, but can be 70 to 160 feet wide or more depending on the type of facilities and their location on the ROW.

Transmission lines transfer electricity from generating stations to substations. From these substations, the electricity is distributed to individual homes and communities through distribution lines typically supported by wood poles called distribution poles. These distribution lines and poles are smaller in size, carry a smaller amount of electricity, and are spaced closer together as compared to transmission lines and structures.

Since overhead electric lines are un-insulated, the design of these lines requires that minimum clearances be maintained for safety and reliability. Trees and other plant materials can cause interruptions to electric service if they grow into or fall upon the overhead electric lines. Since 1996, tree and power line conflicts have been implicated as the cause of three large-scale electric grid failures in the US and Canada, including the massive August 14, 2003 blackout that affected 50 million people. As a result, the industry practice of tree clearing both within and along the edge of ROW has become more stringent.

The development of Hike and Bike Trails and Landscaping Enhancements must be carefully planned and these guidelines have been developed to ensure a sustainable community partnership where transmission line ROW remains in compliance with all clearances, safety regulations, and good engineering practices that pertain to existing and future electric transmission and distribution facilities.

## Application/ Process

Each transmission right of way is unique and as such, Oncor reviews each project for approval. These Guidelines and Landscaping Templates are provided as information to minimize misunderstanding and ensure that improvements that are proposed by a community will be possible.

Before developing details plans for a Hike and Bike Trail on Oncor property, the entire proposed scope of the Hike and Bike Trail (including those portions of the proposed trail not impacting Oncor's property) should be submitted to Oncor for review. This preliminary review process is intended to provide project feasibility feedback to the potential Licensee regarding the use of Oncor's property for Hike and Bike Trail purposes before the Licensee makes significant financial investments and plans.

The Hike and Bike Trail project plan documentation requirements are as follows:

- Submit a set of preliminary, scalable plans showing the property lines, transmission and distribution structures, existing facilities (roads, telecom, etc.) and proposed trail location.
- Indicate all proposed grading / elevation modifications.
- Utility access route to be shown on plans.
- If possible, discuss future desired trail improvements if not part of the original plans.

Hike and Bike Trails License Agreements are for use with city or county governments. Oncor will not license a hike and bike trail to other entities such as homeowner's associations.

Hike and Bike Trails are intended for application on typical 138,000 volt or 69,000 volt ROW owned by Oncor. Oncor will review proposed trail locations for appropriate application in the event the property configuration or facility limitations cannot accommodate a Hike and Bike Trail.

The Licensee must conduct an open meeting for all adjacent property owners and the public before the start of a hike and bike trail project to ensure public awareness and support.

Oncor reserves the right to approve or deny Hike and Bike Trails and the trail design or landscaping in certain areas and situations consistent with the Guiding Principles.

## **Hike and Bike Trail Features**

It is important for Oncor to be provided the full scope of a community's proposal for the success of the project and to protect the city's investment in the trail. Following are specific requirements:

### *Trail Design Requirements*

- One side of the transmission line ROW must remain open throughout the trail to allow Oncor access for maintenance and operations. Typically a minimum of 15 feet is required for vehicular access.
- The maximum concrete trail width is 12 ft.
- Divided concrete trails are not allowed.
- Bollards will typically be required at road crossings.
- Trail construction will minimize changes to the existing grade, elevation, and contours within the ROW.
- Written consent is required from Oncor, prior to any excavation or trenching within the ROW.
- Minor changes will be permitted to comply with American with Disabilities Act.

### Amenities

The following commonly requested hike and bike trail amenities are generally acceptable with some restrictions:

- Crossing Metal Fences - maximum height 8 feet, crossing angle at 45 to 90 degrees to the centerline of the ROW.
- Trash Receptacles - at road/street crossings.
- Trail Identification Signage - non-conductive materials only, trail name identification at the road/street crossing, maximum height 6 feet.
- Mile Marker Signage - non-conductive materials only, one per mile, edge of ROW, maximum height 6 feet.
- Rest Areas - located adjacent to publically available road/street access.
- Pedestrian Benches - maximum length 6 feet, located adjacent to publically available road/street access.
- Shade Features – typically located within rest areas, non-conductive, non-climbable, work closely with Oncor on height and ROW location to ensure electrical clearances are met.
- Low Water Crossings - permitted with minimum grade/elevation change.
- Decorative Walls – incorporated within landscaping features, maximum height 5 feet.
- Sprinklers – low pressure drip irrigation only and in areas of approved landscaping vegetation only.
- Portable Restrooms - temporary for events and construction only.

### Restrictions

Consistent with the Guiding Principles, the following improvements are typically not compatible with transmission ROW, but can be incorporated into the overall hike and bike trail design outside the transmission ROW and not on Oncor property:

- Structures (e.g. pavilions, cabanas, playground equipment, storage buildings, etc.)
- Longitudinal Fences (conductive or non-conductive)
- Electrical lighting or wiring
- Dumpsters
- Parking Lots
- Ponds
- Bridges

## Landscaping Requirements

Vegetation density and height are critical issues affecting the safe and reliable operation of Oncor transmission lines. Landscaping requirements attempt to provide basic guidelines for a space that allows compatible use of vegetation and visually attractive landscaping features with the use of Oncor's electric facilities in accordance with the Guiding Principles.

Before any new transmission line ROW landscaping plan for a Hike and Bike Trail or Landscaping Enhancement is approved, Oncor will work with the licensee to identify all existing vegetation incompatible with these Landscape Requirements and determine the plan for removal. Once a new landscaping design is approved by Oncor, the improvements may be installed and are maintained by the Licensee.

The license agreement for the hike and bike trail requires the Licensee maintain the entire length and width of the transmission line ROW covered under the license agreement - not just the areas within and immediately adjacent to the trail.

### Visual Interest Features

Features that promote visual interest such as vegetation, rocks, planting beds, berms, etc. are often desirable features in a landscape plan. Oncor will review and if appropriate approve these features for potential clearance and access issues, consistent with the Guiding Principles.

For the purposes of landscape design requirements, a Landscape Template is provided to communicate where visual interest features are generally acceptable and offer the least interference with ROW access and clearance with electric facilities. The template describes three general zones:

- Structure Zone – includes a 25 foot space surrounding a transmission structure. Typically turf only.
- Sag Zone – includes the middle 40% of the ROW between transmission structures and 10 feet outside the outermost overhead transmission conductor. Grass type plantings only. Visual interest features and other amenities are typically incompatible.
- Visual Interest Zone – features might include approved vegetation, rocks, planting beds, berms and amenities. Typically limited to 5 foot in height.

Other utility facilities within the transmission ROW such distribution lines / poles, substations, utility boxes may exist. Areas within 25' of these facilities should be turf only.

The density of vegetation (all types) for all zones should not exceed 25% of the total space available by landscape area per span. There should be no plantings, stands, or beds that cover the entire length or width of any zone so as to form a barrier to visibility

or travel by foot or by vehicle from one Zone to the next or one span to the next. Adequate breaks or spacing between beds or stands should exist to provide for foot and vehicle travel through these Zones.

Following are the minimum spacing requirements for certain types of plant material:

Shrubs-Minimum 15 ft spacing outside of planting beds  
Ground cover/Flowers/Bunch Grass – typically limited to planting beds

### Grade

The existing ROW should be sufficiently graded to provide good drainage and avoid standing water. Care should be taken during trail construction to avoid any changes in the grade within the transmission line ROW, thus preventing any drainage issues or concerns from adjacent landowners.

### Plant Material List

All plant material that will be installed will be noted on the trail landscaping plans at the exact location where it will be planted. The specific species and variety of all plant material must be listed on the plans.

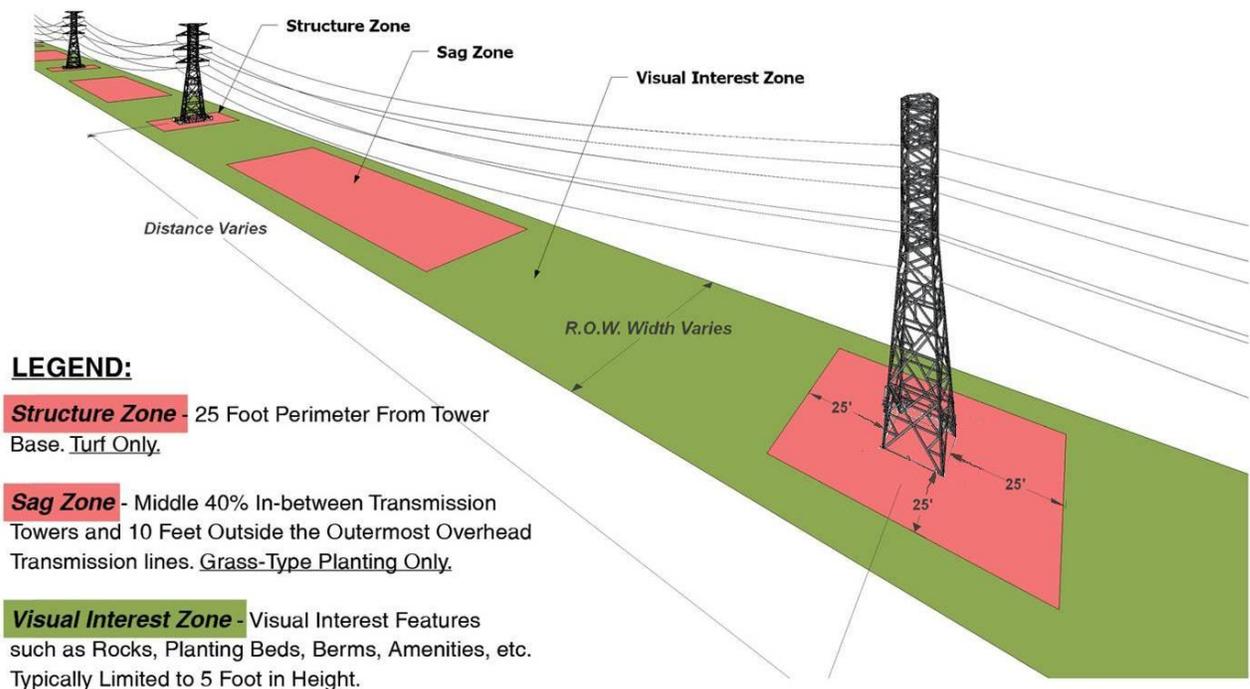
The following Recommended Plant Material List is intended as a guide and does not guarantee that the plants listed will not exceed the maximum height under certain conditions. Licensee will be responsible ensuring that the maximum allowable height of plant material is not exceeded at any time. If, upon inspection by an Oncor representative, plant material is found that exceeds the maximum height allowed for the Zone where it is planted, Oncor representatives will mark (Tag) the plant material for removal by Licensee. Replacement of the plant material will be at the sole cost of the Licensee. If Licensee fails to remove the plant material that has been tagged by Oncor as non-compliant, Oncor reserves the right to remove the plant material and Oncor's discretion after 30 days written notice to Licensee.

Vegetation height at maturity must not exceed 5 feet. The following list of ornamental plants generally meets these requirements. No trees will be approved as part of a landscape design on transmission ROW.

American Beautyberry-*Callicarpa americana*  
Apache Plume-*Fallugia pardoza*  
Bat Face Cuphea-*Cuphea llavea*  
Bridal Wreath Spirea -*Spiraea cantoniensis*  
Bridal Wreath Pirea-*Pirea patens*  
Butterflybush (blackbush)-*Buddleia cacidii var black Knight/Bonnie*  
Coralberry-*Symphoricarpos orbiculatus*  
Cliff Spirea-*Holodiscus dumosus*

- Creosotebush-*Larrea tridentate*
- Fern Acacia-*Acacia angustissima*
- Firebush-*Hamelia patens*
- Flame of the Woods-*Ixora coccinea*
- Golden Currant-*Ribes aureum*
- Oak leaf Hydrangea-*Hydrangea quercifolia*
- Primrose Jasmine-*Jasminum mesnyi*
- Rabbitbrush-*Chrysothamnus nauseosus*
- Rockspray Cotoneaster -*Cotoneaster horizontalis*
- Shrubby Cinquefoil-*Potentilla fruticosa*
- Texas Sage -*Leucophyllum virginicus*
- Three Leaf Sumac-*Rhus trilobata*
- Winter Honeysuckle Bush-*Lonicera fragrantissima*
- Yellow Bird of Paradise-*Caesalpinia gilliesii*

## Landscape Template



**City Council Meeting  
October 7, 2014**

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**Issue**

Consider and take action, if any, upon the approval of an Ordinance adopting the City of Murphy Boundary Map.

**Staff Resource/Department**

James Fisher, City Manager

**Summary**

The city staff, city attorney and city engineer have been working on this map for the last several years. The review has consisted of obtaining incorporation documents and all ordinances that involved annexation and dis-annexation issues.

**Action Requested**

Approve the Map as presented and authorize the City Manager and/or City Secretary to execute the necessary documents for filing.

**Action Requested**

Ordinance adopting the official City of Murphy Map  
Murphy Annexation Map

**ORDINANCE NO. 14-10-986**

**AN ORDINANCE OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS ADOPTING THE OFFICIAL CITY MAP; PROVIDING FOR SEVERABILITY AND REPEALER CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 41 of the Texas Local Government Code requires that each municipality prepare and maintain an official map that accurately reflects its corporate boundaries and its extraterritorial jurisdiction; and

**WHEREAS**, the City Council of the City of Murphy (“City Council”) has been presented with and reviewed the City’s corporate and/or extraterritorial boundaries, and desires to approve the official city map is attached as Exhibit “A” as an accurate depiction of its boundaries; and

**WHEREAS**, the City Council finds and determines that adopting its official city map is necessary and desirable for the citizens of Murphy;

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

**Section 1.     INCORPORATION OF PREMISES**

The findings and recitations contained in the preamble of this Ordinance are incorporated herein by reference as true.

**Section 2.     ADOPTION OF AMENDED CITY MAP**

That the Official City Map of the City of Murphy, Collin County Texas designating its formal corporate and extraterritorial boundaries is hereby adopted and attached hereto as Exhibit “A.”

**Section 3.     DESIGNATED REPOSITORY AND FILING WITH THE COUNTY**

That, pursuant to Section 41.001 of the Texas Local Government Code, the City Council hereby directs the City Secretary to maintain a copy of the amended Official City Map for public inspection and to file a copy with the County Clerk of Collin County after passage of this Ordinance.

**Section 4.     SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not

affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 5. REPEALER CLAUSE**

Any provision of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section 6. PUBLICATION**

The City Secretary is hereby directed to publish notice of this Ordinance in accordance with applicable laws.

**Section 7. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and after its filing with the County Clerk of Collin County.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Texas, on this the 7<sup>th</sup> day of October, 2014.

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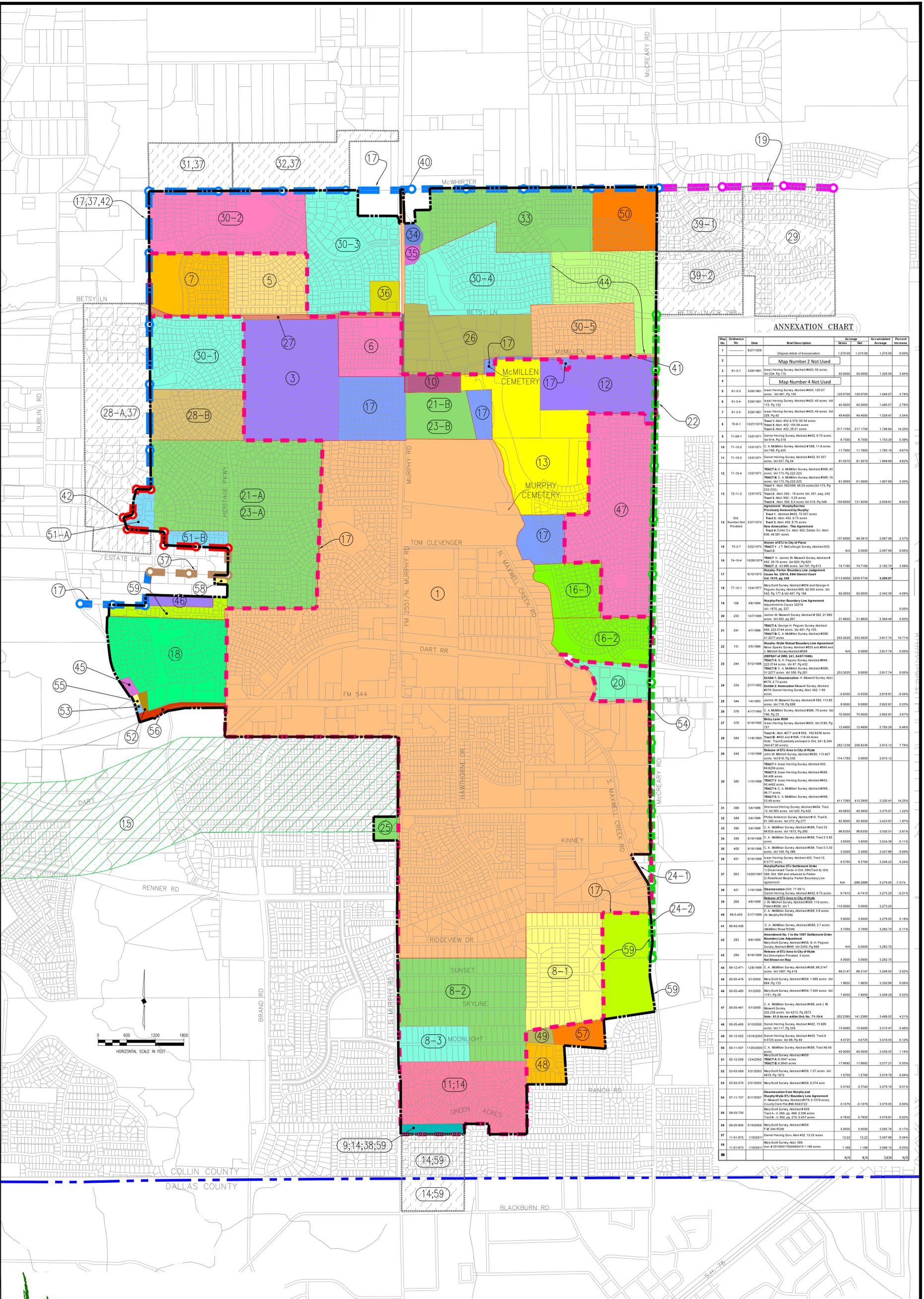
Eric Barna, Mayor  
City of Murphy

ATTEST:

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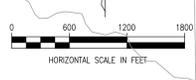
Susie Quinn, City Secretary  
City of Murphy

REVISD: 9/16/14 -- GARY DAVIS -- Annexation Map - Murphy - 2012 - Murphy.dwg



ANNEXATION CHART

Map No.	Ordinance No.	Date	Brief Description	Acres	Original	Net	Accumulated	Percent Increase
1	9271958		Original Act of Incorporation	1,270.00	1,270.00	1,270.00	0.00%	
2			Map Number 2 Not Used					
3	61-3-1	3/28/1961	Isaac Henning Survey, Abstract #403, 50 acres, Vol 254, Pg 170	50.0000	50.0000	1,320.00	3.64%	
4			Map Number 4 Not Used					
5	61-3-3	3/28/1961	Isaac Henning Survey, Abstract #402, 120.07 acres, Vol 254, Pg 170	120.0700	120.0700	1,440.07	3.79%	
6	61-3-4	3/28/1961	Isaac Henning Survey, Abstract #403, 40 acres, Vol 254, Pg 170	40.0000	40.0000	1,480.07	2.79%	
7	61-3-5	3/28/1961	Isaac Henning Survey, Abstract #403, 49 acres, Vol 254, Pg 170	49.0000	49.0000	1,529.07	3.34%	
8	70-8-1	10/27/1970	Tract 1: Abel 402, 5.59, 05.58 acres, Vol 84, Pg 318 Tract 2: Abel 402, 105.08 acres, Vol 84, Pg 318	217.1700	217.1700	1,746.24	14.20%	
9	71-09-1	10/5/1971	Daniel Henning Survey, Abstract #402, 6.75 acres, Vol 84, Pg 318	6.7500	6.7500	1,753.00	0.39%	
10	71-10-2	10/5/1971	C. A. McMullen Survey, Abstract #588, 11.8 acres, Vol 179, Pg 222-223	11.8000	11.8000	1,764.80	0.67%	
11	71-10-3	10/5/1971	Daniel Henning Survey, Abstract #402, 81.507 acres, Vol 327, Pg 14	81.5070	81.5070	1,846.31	4.62%	
12	71-10-4	10/5/1971	TRACT A: C. A. McMullen Survey, Abstract #588, 45 acres, Vol 179, Pg 222-223 TRACT B: C. A. McMullen Survey, Abstract #588, 16 acres, Vol 179, Pg 222-223 TRACT C: Abel 582, 46.25 acres, Vol 179, Pg 222-223 TRACT D: Abel 582, 19 acres, Vol 101, Page 242 TRACT E: Abel 582, 2.2 acres, Vol 318, Pg 248	61.0000	61.0000	1,907.31	3.30%	
13	72-11-2	12/5/1972	Tract 1: Abel 582, 19 acres, Vol 101, Page 242 Tract 2: Abel 582, 2.2 acres, Vol 318, Pg 248	150.0000	151.9200	2,059.23	6.92%	
14	Number Not Processed	2/27/1973	Agreement Waiver by Murphy Previously Annulled by Murphy Tract 1: Abel 402, 75 acres Tract 2: Abel 402, 6.75 acres New Annexation - The Agreement Tract 4: Abel 402, District Co. Abel 536, 48.381 acres					
15	73-3-7	3/23/1973	Waiver of ETJ to City of Plano TRACT 1: T. McCullough Survey, Abstract #303, Tract 2	137.4000	48.3810	2,087.96	2.37%	
16	74-10-4	10/20/1974	TRACT 1: James W. Maxwell Survey, Abstract #59, 222.074 acres, Vol 107, Pg 613 TRACT 2: Abel 402, 6.75 acres, Vol 84, Pg 318	74.7160	74.7160	2,162.70	3.58%	
17	61/01/75	6/10/1975	Murphy Parker Boundary Law Adjustment Cause No. 20818, 98th District Court Vol. 145, Pg. 38	213.9000	226.5700	2,389.27		
18	77-10-1	10/4/1977	Mary Scott Survey, Abstract #59 and George H. Pappas Survey, Abstract #99, 92.000 acres, Vol 142, Pg 175, 180	92.0000	92.0000	2,481.27	4.09%	
19	108	4/6/1984	Murphy Parker Boundary Law Agreement Adjustment to Cause 20218 Vol. 187, Pg. 52				0.00%	
20	233	10/7/1985	James W. Maxwell Survey, Abstract #52, 21.862 acres, Vol 302, Page 287	21.8620	21.8620	2,503.14	0.93%	
21	241	4/7/1986	TRACT A: George H. Pappas Survey, Abstract #99, 222.074 acres, Vol 107, Pg 613 TRACT B: C. A. McMullen Survey, Abstract #588, 31,227.7 acres	253.3020	253.3020	2,617.74	10.71%	
22	131	5/5/1986	Murphy Wyle Mutual Boundary Law Agreement Abstract # 980, 241, 44,897,184				0.00%	
23	244	5/12/1986	TRACT A: G. H. Pappas Survey, Abstract #99, 222.074 acres, Vol 107, Pg 613 TRACT B: C. A. McMullen Survey, Abstract #588, 31,227.7 acres, Vol 302, Page 287 TRACT C: Discontinuance of Maxwell Survey, Abstract #73, 2.3 acres TRACT D: Annexation Maxwell Survey, Abstract #73, Daniel Henning Survey, Abstract #402, 1.80 acres, Vol 158, Pg 105	253.3020	0.0000	2,617.74	0.00%	
24	334	2/17/1992	Murphy Parker ETJ Settlement Order Vol. 187, Pg. 52					
25	344	1/4/1993	James W. Maxwell Survey, Abstract #50, 113.85 acres, Vol 158, Pg 105	6.0000	6.0000	2,623.81	0.23%	
26	376	4/17/1995	C. A. McMullen Survey, Abstract #588, 70 acres, Vol 70, Pg 25	70.0000	70.0000	2,693.81	2.67%	
27	378	6/19/1995	Isaac Henning Survey, Abstract #403, Vol 318, Pg 227	12.4800	12.4800	2,706.29	0.46%	
28	384	11/6/1995	TRACT A: Abel 277 and #819, 152,826 Acres TRACT B: Abel 277 and #819, 113.30 acres Note: Tract B partially annexed in Ord. 241 & 244	208.1200	208.8200	2,915.12	7.79%	
29	249	1/15/1996	Release of ETJ Area to City of Wylie John W. Maxwell Survey, Abstract #59, 113.407 acres, Vol 158, Pg 105	114.1780	0.0000	2,915.12		
30	385	1/15/1996	TRACT 1: Isaac Henning Survey, Abstract #403, 168.620 acres TRACT 2: Isaac Henning Survey, Abstract #403, 168.620 acres TRACT 3: Isaac Henning Survey, Abstract #403, 168.620 acres TRACT 4: C. A. McMullen Survey, Abstract #588, 31.227.7 acres TRACT 5: C. A. McMullen Survey, Abstract #588, 31.227.7 acres	411.2360	411.2360	3,326.36	14.50%	
31	388	3/4/1996	Shenandoah Henning Survey, Abstract #64, Tract 12, 42.565 acres, Vol 320, Pg 422	40.5650	40.5650	3,376.91	1.22%	
32	389	3/4/1996	Shenandoah Henning Survey, Abstract #64, Tract 9, 61.180 acres, Vol 320, Pg 422	62.8000	62.8000	3,439.71	1.87%	
33	390	3/4/1996	C. A. McMullen Survey, Abstract #588, Tract 30, 98.630 acres, Vol 102, Pg 105	98.6300	98.6300	3,538.31	2.81%	
34	399	6/18/1996	C. A. McMullen Survey, Abstract #588, Tract 2, 3.85 acres, Vol 102, Pg 105	3.8500	3.8500	3,542.16	0.11%	
35	400	6/18/1996	C. A. McMullen Survey, Abstract #588, Tract 3, 3.30 acres, Vol 102, Pg 105	3.3000	3.3000	3,545.46	0.09%	
36	401	6/18/1996	Isaac Henning Survey, Abstract #403, Tract 12, 8.77 acres, Vol 318, Pg 227	8.7700	8.7700	3,554.23	0.24%	
37	363	10/20/1997	Murphy Parker ETJ Settlement Order Vol. 187, Pg. 52 Note: Ord. 388 and released in Parker D. Resolutions Murphy Parker Boundary Law Agreement					
38	421	1/19/1998	Discontinuance Ord. 71-09-1 Daniel Henning Survey, Abstract #402, 6.75 acres, Vol 84, Pg 318	6.7410	-0.7410	3,273.20	-0.21%	
39	268	4/6/1998	Release of ETJ Area to City of Wylie John W. Maxwell Survey, Abstract #59, 113.407 acres, Vol 158, Pg 105	110.0000	0.0000	3,273.20		
40	99-5-455	5/17/1999	C. A. McMullen Survey, Abstract #588, 5.8 acres, Vol 102, Pg 105	5.8000	5.8000	3,279.00	0.18%	
41	99-45-456		C. A. McMullen Survey, Abstract #588, 3.7 acres, Vol 102, Pg 105	3.7000	3.7000	3,282.70	0.11%	
42	283	6/6/1999	Revised Ord. No. 146, 1997 Settlement Order Boundary Law Adjustment Murphy Scott Survey, Abstract #59, G. H. Pappas Survey, Abstract #99, Vol 2450, Pg 988					
43	284	6/16/1999	Release of ETJ Area to City of Wylie No Change of Boundaries, 2 acres Not Shown on Map	5.0000	0.0000	3,282.70		
44	99-12-471	12/6/1999	C. A. McMullen Survey, Abstract #588, 96.2147 acres, Vol 1887, Pg 419	65.2147	65.2147	3,348.92	2.02%	
45	00-05-479	5/1/2000	Mary Scott Survey, Abstract #59, 1.968 acres, Vol 413, Pg 372	1.9650	1.9650	3,350.88	0.06%	
46	00-05-480	5/1/2000	Mary Scott Survey, Abstract #59, 7.405 acres, Vol 1151, Pg 26	7.4050	7.4050	3,358.29	0.22%	
47	00-05-481	5/1/2000	C. A. McMullen Survey, Abstract #588, and J. M. Maxwell Survey, 202.208 acres, Vol 4213, Pg 2873 Note: 61.8 Acres within Ord. No. 71-10-4	202.2380	141.2350	3,499.52	4.21%	
48	00-05-485	5/1/2000	Daniel Henning Survey, Abstract #402, 15.926 acres, Vol 177, Pg 338	15.9480	15.9480	3,515.47	0.46%	
49	00-10-502	10/10/2000	Daniel Henning Survey, Abstract #402, Tract 9, 4.0725 acres, Vol 95, Pg 49	4.0725	4.0725	3,519.55	0.12%	
50	00-11-507	11/20/2000	C. A. McMullen Survey, Abstract #588, Tract 46, 40 acres	40.0000	40.0000	3,559.55	1.14%	
51	00-12-509	12/4/2000	Mary Scott Survey, Abstract #59, Tract 46, 40 acres	17.6662	17.6662	3,577.21	0.50%	
52	03-03-569	3/31/2003	Mary Scott Survey, Abstract #59, 1.57 acres, Vol 413, Pg 372	1.5700	1.5700	3,578.78	0.04%	
53	03-03-570	3/31/2003	Mary Scott Survey, Abstract #59, 0.374 acres	0.3740	0.3740	3,579.16	0.01%	
54	01-11-337	9/1/2007	Discontinuance from Murphy and Murphy Wyle ETJ Boundary Law Agreement Murphy Scott Survey, Abstract #59, G. H. Pappas Survey, Abstract #99, Vol 2450, Pg 988	0.1079	-0.1079	3,578.05	0.00%	
55	08-03-750		Murphy Scott Survey, Abstract #59 Tract A - V. 289, pg. 468, 0.256 acres Tract B - V. 289, pg. 275, 0.447 acres	0.7030	0.7030	3,579.81	0.02%	
56	08-05-800	5/18/2008	Mary Scott Survey, Abstract #59 P.M. 544 ROW	5.8500	5.8500	3,585.76	0.17%	
57	11-01-872	11/8/2011	Daniel Henning Survey, Abstract #402, 12.22 acres	12.22	12.22	3,597.98	0.34%	
58	11-01-873	11/8/2011	Mary Scott Survey, Abstract #59, 1.168 acres	1.168	1.168	3,599.15	0.03%	
59				N/A	N/A	3,654	N/A	



ANNEXATION AND EXTRATERRITORIAL JURISDICTION MAP

BIRKHOFF, HENDRICKS & CARTER, L.L.P.  
PROFESSIONAL ENGINEERS  
TBPE FIRM NO. 526 TBPLS FIRM NO. 10031800  
11910 Greenville Ave., Suite 600  
Dallas, Texas 75243 (214) 361-7900

**LEGEND**

- COUNTY LIMIT
- MAP NUMBER (CROSS REFERENCES TO CHART)
- CITY LIMIT

NO.	REVISION DATE	MAP UPDATES DESCRIPTION	BY
2	OCT.B., 2014	ADDED ORDINANCE NO. _____ (MAP #54)	G.C.H.
1	FEB. 2014	ADDED ORDINANCE NO. 61-3-1 AND 61-3-3 TO MAP AND INDEX	G.C.H.
2	FEB. 2012	FIRST DRAFT OF MAP	G.C.H.

**City Council Meeting**  
**October 7, 2014**

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**Issue**

Consider and/or act upon the approval of an Ordinance amending Section 9.100 of the Fee Schedule; irrigation rates.

**Staff Resource/Department**

James Fisher – City Manager  
 Linda Truitt – Finance Director

**Background/History**

On February 18, 2014 the City Council approved a contract with NewGen Strategies & Solutions to perform a utility rate study.

Chris Ekrut of NewGen Strategies & Solutions presented the findings and recommendations of the study at the May 6, 2014 City Council meeting. After receiving additional information and direction from City Council, Chris Ekrut prepared and presented the final recommended water and wastewater rates at the May 20, 2014 City Council meeting. The recommended residential and commercial water rates and residential and commercial wastewater rates were approved by City Council on July 15, 2014 and will take effect on October 1, 2014. The irrigation rates were not included in the ordinance approving the new water rates in July 2014.

**Financial Considerations**

	City Portion	NTMWD Portion	Total Rate
<b>IRRIGATION</b>			
<u>Meter Charge</u>			
3/4"	\$ 20.00		\$ 20.00
1"	33.00		33.00
1 1/2"	67.00		67.00
2"	107.00		107.00
3"	200.00		200.00
4"	333.00		333.00
<u>Volumetric Rate</u>			
0-15,000 gallons	\$ 2.02	\$ 2.11	\$ 4.13
15,001-30,000 gallons	2.32	2.11	4.43
30,001-45,000 gallons	2.67	2.11	4.78
45,001-60,000 gallons	3.07	2.11	5.18
60,000 gallons +	3.53	2.11	5.64

**Action Requested**

Approval of an ordinance amending Section 9.100 of the Fee Schedule and adjusting irrigation rates effective October 1, 2014.

**Attachment**

- 1) Ordinance

**ORDINANCE NO. 14-10-987**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS AMENDING APPENDIX A, FEE SCHEDULE, SECTION 9.100 OF THE MURPHY CODE OF ORDINANCES; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS DATE OF PUBLICATION.**

**WHEREAS**, the City Council has previously adopted a Fee Schedule on May 7, 2013; and

**WHEREAS**, the City Council amended the fee schedule on September 17, 2013, July 15, 2014; and

**WHEREAS**, City Council desires to amend the Fee Schedule to reflect the changes which may be assessed.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AS FOLLOWS:**

**SECTION 1. FINDINGS INCORPORATED**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2.**

That Section 9.100 of the Fee Schedule of the City of Murphy, Texas is hereby amended, which shall read as follows:

<b><u>Irrigation Base Charge</u></b>			
<b>Volumetric rate (per 1,000 gallons)</b>			
<b>Meter Size</b>	<b>City Portion</b>		
3/4"	\$ 20.00		
1"	33.00		
1 1/2"	67.00		
2"	107.00		
3"	200.00		
4"	333.00		
<b>Volumetric Irrigation Rate</b>	<b>City Portion</b>	<b>NTMWD Portion</b>	<b>Total</b>
0-15,000	\$ 2.02	\$ 2.11	\$ 4.13
15,001-30,000	2.32	2.11	4.43
30,001-45,000	2.67	2.11	4.78
45,001-60,000	3.07	2.11	5.18
60,000 +	3.53	2.11	5.64

**Section 4. EFFECTIVE DATE** of October 1, 2014.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Collin County, Texas, on this the 7th day of October, 2014.

**APPROVED:**

---

Eric Barna, Mayor  
City of Murphy

**ATTEST:**

---

Susie Quinn, City Secretary  
City of Murphy

**City Council Meeting**  
**October 7, 2014**

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**Issue**

Consider and/or act upon all matters incident and related to approving and authorizing publication of notice of intention to issue certificates of obligation in an amount not to exceed \$3,000,000 for City water and sewer system improvements.

**Staff Resource/Department**

Linda Truitt, Finance Director

**Background/History**

As discussed during the Water and Sewer Rate Study and the FY 2015 budget preparation, additional funding will be required to complete the construction of the Maxwell Creek Parallel Trunk Sewer line. The design/engineering and right of way acquisition will be funded by the balance of the Series 2009 Certificate of Obligation. Staff is requesting the issuance of \$3,000,000 to ensure the construction and issuance costs are covered.

If there are funds available after the bid award of the Maxwell Creek Trunk Sewer line, the following additional projects may be funded:

- Windy Hills Lift Station mixer installation - \$100,000
- Replace 3" water main with an 8" water main from Moonlight to Ridgeview - \$328,000
- Bunny Run Drive water line loop - \$66,000
- South Maxwell Creek Road to Ridgeview Drive water loop - \$150,000

**Financial Considerations**

Payment of the \$3,000,000 Utility Fund certificates of obligation will be funded from the water and sewer revenues which were included in the rate study recommendations made by NewGen and included in the new water and sewer rates which went into effect on October 1, 2014. The estimated annual debt payment as prepared by FirstSouthwest is approximately \$225,000 a year for the 20 year repayment of the Certificates of Obligation. These numbers are subject to change depending upon the interest rate at the time of sale. The projected True Interest Cost (TIC) is 4.2237543%

Issuance costs are projected at approximately \$70,000 leaving a balance of \$2,930,000 for construction. The current estimated of \$2,500,000 for the project is a couple of years old and the final bids could be greater or less.

**Action Requested**

Approval of a resolution authorizing publication of notice of intention to issue certificates of obligation, including the adoption of a resolution pertaining thereto.

**Attachments**

- 1) Resolution
- 2) Schedule of Events
- 3) Debt Service Schedule

**RESOLUTION NO. 14-R-806****A RESOLUTION approving and authorizing publication of notice of intention to issue certificates of obligation.**

**WHEREAS**, the City Council of the City of Murphy, Texas (the "City"), has determined that certificates of obligation should be issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended, for the purposes specified below; and

**WHEREAS**, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the certificates are to be issued and (iv) the manner in which the City Council proposes to pay the certificates; now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS:**

**SECTION 1.** The Interim City Secretary is hereby authorized and directed to cause notice to be published of the City Council's intention to issue certificates of obligation in a principal amount not to exceed \$3,000,000 for the purpose of paying contractual obligations to be incurred for (i) improvements and extensions to the City's combined Waterworks and Sewer System, including the acquisition of land and rights-of-way therefor, and (ii) professional services rendered in connection with such projects and the financing thereof, and such certificates shall be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of Exhibit A attached hereto and incorporated herein by reference as a part of this resolution for all purposes.

**SECTION 2.** The Interim City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

**SECTION 3.** It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

**SECTION 4.** This Resolution shall be in force and effect from and after its passage on the date shown below.

*[The remainder of this page intentionally left blank.]*

**PASSED AND ADOPTED**, this October 7, 2014.

CITY OF MURPHY, TEXAS

\_\_\_\_\_  
Eric Barna, Mayor

ATTEST:

\_\_\_\_\_  
Susie Quinn, City Secretary

(City Seal)

## EXHIBIT A

**NOTICE OF INTENTION TO ISSUE CITY OF  
MURPHY, TEXAS, CERTIFICATES OF OBLIGATION**

**TAKE NOTICE** the City Council of the City of Murphy, Texas, shall convene at 6:00 o'clock P.M. on the 18<sup>th</sup> day of November, 2014, at its regular meeting place in City Hall, 206 North Murphy Road, Murphy, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation in one or more series in a principal amount not to exceed \$3,000,000 for the purpose of paying contractual obligations to be incurred for (i) improvements and extensions to the City's combined Waterworks and Sewer System, including the acquisition of land and rights-of-way therefor, and (ii) professional services rendered in connection with such projects and the financing thereof, and such certificates shall be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended.

Susie Quinn  
City Secretary  
City of Murphy, Texas

# City of Murphy, TX

## Combination Tax & Waterworks & Sewer System (Limited Pledge) Revenue Certificates of Obligation, Series 2014 0182-020

### Preliminary Schedule of Events

Sep-14						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Oct-14						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Nov-14						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Dec-14						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Complete By	Day	Event
22-Sep-14	Monday	First Southwest requests information for preparation of the Official Statement
29-Sep-14	Monday	First Southwest receives requested information. First Southwest begins preparation of the Official Statement
3-Oct-14	Friday	Draft Official Statement distributed to the City and Bond Counsel
<b>7-Oct-14</b>	<b>Tuesday</b>	<b>Concil meeting to approve publication of Notice of Intent for CO's</b>
<b>10-Oct-14</b>	<b>Friday</b>	<b>1st Notice of Intent published for CO's</b>
10-Oct-14	Friday	First Southwest receives comments on Official Statement
15-Oct-14	Wednesday	Distribute POS to Rating Agency
<b>17-Oct-14</b>	<b>Friday</b>	<b>2nd Notice of Intent published for CO's</b>
Week of Oct. 20th - 24th		Rating Conference Call/Meeting
3-Nov-14	Monday	Receive Rating
4-Nov-14	Tuesday	Electronically mail Official Statement to Potential Purchasers
18-Nov-14	Tuesday	Pricing
<b>18-Nov-14</b>	<b>Tuesday</b>	<b>City Council passes Ordinance authorizing issuance of the Certificates</b>
18-Dec-14	Thursday	Closing and Delivery of Funds to the City

Preliminary

**City of Murphy**

Certificates of Obligation

Series 2014

**Debt Service Schedule**

<b>Date</b>	<b>Principal</b>	<b>Coupon</b>	<b>Interest</b>	<b>Total P+I</b>
09/30/2014	-	-	-	-
09/30/2015	110,000.00	2.000%	115,200.00	225,200.00
09/30/2016	110,000.00	2.000%	113,000.00	223,000.00
09/30/2017	115,000.00	2.000%	110,750.00	225,750.00
09/30/2018	115,000.00	2.000%	108,450.00	223,450.00
09/30/2019	120,000.00	3.000%	105,500.00	225,500.00
09/30/2020	120,000.00	3.000%	101,900.00	221,900.00
09/30/2021	125,000.00	3.000%	98,225.00	223,225.00
09/30/2022	130,000.00	3.000%	94,400.00	224,400.00
09/30/2023	135,000.00	3.500%	90,087.50	225,087.50
09/30/2024	140,000.00	3.500%	85,275.00	225,275.00
09/30/2025	145,000.00	4.000%	79,925.00	224,925.00
09/30/2026	150,000.00	4.000%	74,025.00	224,025.00
09/30/2027	155,000.00	4.000%	67,925.00	222,925.00
09/30/2028	165,000.00	4.500%	61,112.50	226,112.50
09/30/2029	170,000.00	4.500%	53,575.00	223,575.00
09/30/2030	180,000.00	5.000%	45,250.00	225,250.00
09/30/2031	190,000.00	5.000%	36,000.00	226,000.00
09/30/2032	195,000.00	5.000%	26,375.00	221,375.00
09/30/2033	210,000.00	5.000%	16,250.00	226,250.00
09/30/2034	220,000.00	5.000%	5,500.00	225,500.00
<b>Total</b>	<b>\$3,000,000.00</b>	<b>-</b>	<b>\$1,488,725.00</b>	<b>\$4,488,725.00</b>

**Yield Statistics**

Bond Year Dollars	\$33,765.00
Average Life	11.255 Years
Average Coupon	4.4090774%
Net Interest Cost (NIC)	4.3199614%
True Interest Cost (TIC)	4.2237543%
Bond Yield for Arbitrage Purposes	4.0262647%
All Inclusive Cost (AIC)	4.4987973%

**IRS Form 8038**

Net Interest Cost	4.1543304%
Weighted Average Maturity	11.273 Years

Series 2014 CO - \$3.0mm | SINGLE PURPOSE | 9/30/2014 | 9:10 AM

**City Council**  
**October 7, 2014**

---

**Issue**

Hold a public hearing and consider and/or act on the application of Wade and Michelle Wilson, requesting a variance to Section 28-132(2) of the Code of Ordinances/Development Standards, to allow less than the 'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes' and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.

**Summary**

An application was received by Mr. and Mrs. Wilson who are in the new home design process for 150 Skyline. They are requesting a variance to allow less than the required 85% exterior of brick, stone, brick veneer or stone veneer and are proposing the stone percentages as shown in the spreadsheet provided by their architect. They are proposing that in lieu of the remaining percentage to equal 85% or more, the Fiber cement Lap siding (ex: hardiplank) that will be used be allowed to make up that difference.

**Considerations**

1. There is an existing home at this address that will be torn down. The owners are constructing a new home on the site.
2. This property and the surrounding neighborhoods are zoned SF-E (Single Family Estate), a district specific to single-family residences on lot/tracts of not less than 40,000 square feet in size.
3. The Code of Ordinances, Section 28-133. Variance procedure. (also included as an attachment) states that:  
(b) All recommendations of the planning and zoning commission under this article shall be forwarded to city council.

**Board Discussion/Action**

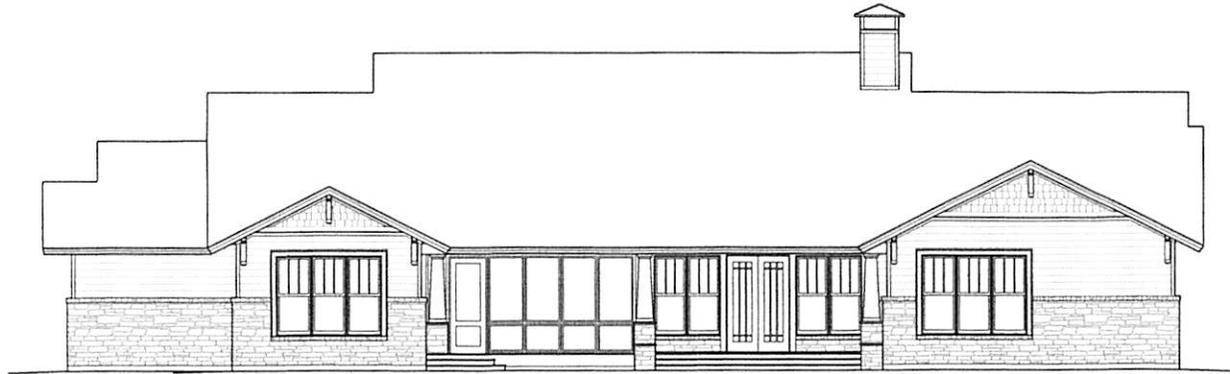
The Planning and Zoning Commission considered this item on September 22, 2014. The Commission approved the variance to allow less than the required 85% exterior of brick, stone, brick veneer or stone veneer. Motion to approve the requested variance passed 4-2 with Chairman Levy and Secretary Holcomb denying the requested variance.

**Staff Recommendation**

Staff recommends City Council consideration.

**Attachments**

Home elevations  
Proposed Stone percentage calculations  
Article V. Exterior Construction and Design  
Location Map  
Reply Forms



rear view (south)

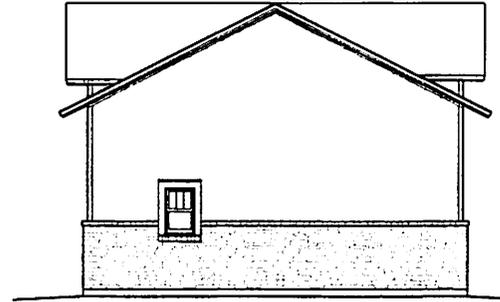
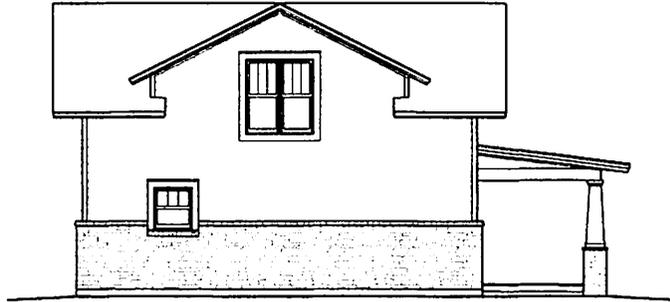


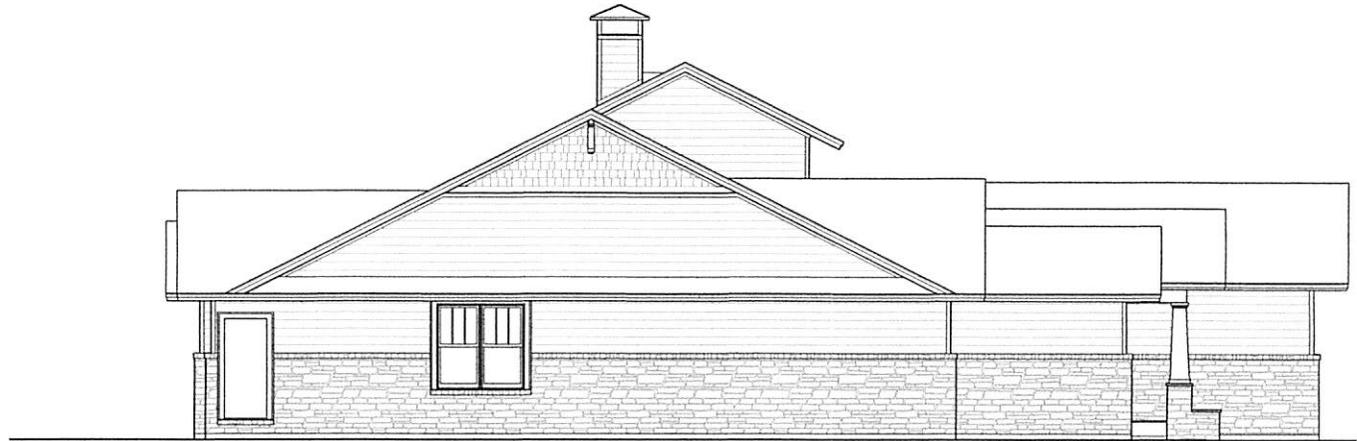
west



Street view (north)

# Proposed secondary structure





east view

**House: % coverage with stone**

	Stone	No Stone	Gable	Total Area	% stone
N	132	273.18	72.00		
	214		24.03		
			23.22		
			86.26		
	346	273.18	205.51	619.18	55.88% to ceiling line
		w/gable	824.69	41.96% including gables	
S	235.06	183.27	30.47		
	123.2	83.26	71.43		
	358.26	266.53	101.90	624.79	57.34% to ceiling line
			w/gable	726.69	49.30% including gables
E	412	258.3	243.00		
	412	258.3	243.00	670.3	61.47% to ceiling line
			w/gable	913.30	45.11% including gables
W	20.3	290.86	82.37		
	15.6		175.29		
	184.05				
	219.95	290.86	257.66	510.81	43.06% to ceiling line
			w/gable	768.47	28.62% including gables

**Pool House: % coverage with stone**

	Stone	No Stone	Total Area	% stone
N	132.34	265.18		
		-37.08		
	132.34	228.1	360.44	36.72%
S	137.86	293.63		
		-38.08		
	137.86	255.55	393.41	35.04%
E	45.22	182.54		
	16.26	12.4		
		1.3		
		-42.32		
	61.48	153.92	215.4	28.54%
W	131.23	312.88		
		0		
	131.23	312.88	444.11	29.55%

Murphy, Texas, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 28 - DEVELOPMENT STANDARDS >>  
**ARTICLE V. EXTERIOR CONSTRUCTION AND DESIGN >>**

**ARTICLE V. EXTERIOR CONSTRUCTION AND DESIGN**

[Sec. 28-131. Minimum exterior construction standards.](#)

[Sec. 28-132. Construction standards.](#)

[Sec. 28-133. Variance procedure.](#)

[Secs. 28-134—28-150. Reserved.](#)

**Sec. 28-131. Minimum exterior construction standards.**

*Definitions.* For the purpose of this section, the following definitions shall apply:

*Masonry construction* shall include all construction of stone material, brick material, concrete masonry units, or concrete panel construction, which is composed of solid, cavity, faced, or veneered-wall construction. Synthetic masonry materials are prohibited.

The standards for masonry construction types are listed below:

- (1) *Stone material.* Masonry construction using stone material may consist of granite, marble, limestone, slate, river rock, and other hard and durable naturally occurring all-weather stone. Cut stone and dimensioned stone techniques are acceptable. Synthetic stone is not acceptable. Stone veneer is acceptable with a minimum thickness of three and five-eighths inches.
- (2) *Brick material.* Brick material used for masonry construction shall be hard fired (kiln fired) clay or slate material which meets the latest version of ASTM standard C216, Standard Specification for Facing Brick (Solid Masonry Unit Made of Clay or Shale), and shall be Severe Weather (SW) grade, and Type FBA or FBS or better. Unfired or underfired clay, sand, or shale brick are not allowed. Brick veneer is acceptable with a minimum thickness of three inches.
- (3) *Concrete masonry units.* Concrete masonry units used for masonry construction shall meet the latest version of the following applicable specifications; ASTM C90, Standard Specification for Hollow Load Bearing Concrete Masonry Units; ASTM C145, Standard Specification for Solid Load Bearing Masonry Units; ASTM C129, Standard Specification for Hollow and Solid Nonload Bearing Units. Concrete masonry units shall have an indented, hammered, split face finish or other similar architectural finish as approved by the city council. Lightweight concrete block or cinderblock construction is not acceptable as an exterior finish. Colored concrete masonry units are prohibited.
- (4) *Concrete panel construction.* Concrete finish, precast panel, tilt wall, or cementitious composite reinforced panel construction shall be painted, fluted, or exposed aggregate. Smooth or untextured concrete finishes are not acceptable.
- (5) *Glass and Metal Standards are as follows:* Glass walls shall include glass curtain walls or glass block construction. Glass curtain wall shall be defined as an exterior wall which carries no structural loads, and which may consist of the combination of metal, glass, or other surfacing material supported in a metal framework.

(Ord. No. 09-05-797, § 2, 5-18-2009; Ord. No. 13-02-947, § 16, 2-19-2013)

**Sec. 28-132. Construction standards.**

*Construction standards.* The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new, altered or repaired construction occurring within the city.

- (a) *Residential:*
  - (1) All residential buildings and structures shall be of exterior fire resistant construction having at least 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes.

- (2) All principal buildings and structures located in the SFA and MF districts shall be of exterior fire resistant construction having at least 85 percent of the total exterior walls, excluding doors and windows, constructed of brick, stone, brick veneer, stone veneer in accordance with the city's building and fire codes.
- (3) Concrete or metal exterior construction is not permitted on any residential structure.
- (4) The concrete foundation of any building or structure may not be exposed more than two feet from the final grade.
- (5) Exemptions:
  - (a) Barns or other accessory buildings in the agricultural (AG) zoning district and SF-E estate district, or located on property of five acres or more, provided that such barns are used solely for agricultural purposes as distinguished from commercial or industrial purposes, shall be exempt from provisions of this section.
  - (b) Mobile homes otherwise lawfully existing under the provisions of this chapter shall also be excluded from provision of this section.
  - (c) Historic structures (with a local, state or national designation/registry as an historic structure).
  - (d) Accessory building in a single-family, duplex or single-family attached zoning district that has less than 500 square feet of floor area;
  - (e) Accessory and maintenance buildings (any size) for a public golf course, a public or parochial school that has less than 500 square feet, or any city facility;
  - (f) Temporary construction buildings and field offices (provided that such facilities are legally permitted by the city for a specific period of time, and provided that they are completely removed from the premises upon expiration of the permit or upon completion of construction, whichever occurs first); temporary sales offices shall be permitted with first model home, provided that sales office is completely removed from the premises upon expiration of the permit or upon completion of construction; and
  - (g) Structures in existence on May 27, 2004, and any addition to those structures that does not exceed 25 percent of the heated and cooled square footage of the structure as measured on May 27, 2004.
- (6) Roof materials shall be composition (30-year), standing seam metal, terra-cotta tiles, concrete tiles or slate in muted colors. Wood shingle, shake, and metal roofing systems associated with agricultural or industrial buildings are prohibited. Only flat pan, standing seam metal roof materials are allowed with a factory finish of an approved color. Natural metal roofs are not allowed, whether galvanized or metal aluminum. Minimum roof pitch shall be at least 8:12, unless otherwise stated in the applicable zoning district or PD ordinance, and except for "Santa Fe" (with a flat roof and highly articulated parapet that conceals the roof and any roof-mounted equipment), "Texas ranch house" (with low pitched roofs, large eaves/overhangs, rambling design), or other uniquely styled home. Any proposed addition to an existing single-family structure shall have a minimum roof pitch of 4:12. The exterior color of all residential structures must be muted, rustic earth tones. Bright colors like pinks, purples, and those classified as primary colors are expressly prohibited.
- (b) *Nonresidential:*
  - (1) All nonresidential structures, including parking structures, shall be of exterior fire resistant construction having at least 90 percent of the total exterior walls above grade level, excluding doors and windows, and a minimum of 80 percent for any story above one, constructed of masonry in accordance with the city's building and fire codes. Strict adherence to this requirement shall not be such as to prevent architectural creativity.
  - (2) The following materials are permitted materials for exterior construction:
    - (a) Stone.
    - (b) Granite.
    - (c) Marble.
    - (d) Other stone (e.g. - limestone).
    - (e) Glass, permitted as 30 percent or less of the exterior wall.
    - (f) Brick.

Use of other exterior construction materials may be permitted by the city council at the time of site plan approval.
  - (3) The following materials for exterior construction shall not exceed 25 percent:

- (a) Painted wood.
  - (b) Concrete (including painted, pressed or stained concrete).
  - (c) Glass, when over 30 percent of the exterior wall.
  - (d) Synthetic materials.
- (4) The concrete foundation of any building or structure may not be exposed more than two feet from the final grade.
  - (5) Any roof materials that are visible from a public street shall be comprised of architectural/dimensional, composition shingle (30-year minimum), flat pan standing seam metal roofing (only with a factory baked-on muted color finish; no bright colors or natural-colored metal roofing allowed), or terra cotta or slate tile in muted colors. Minimum roof pitch of a gabled or otherwise pitched roof shall be at least 8:12, unless otherwise stated in the applicable zoning district or PD ordinance, and except for flat-roofed structures that shall have a highly articulated parapet with a minimum length of two feet and a maximum length of 100 feet that conceals the roof and any roof-mounted equipment.
  - (6) The exterior color of all nonresidential structures shall be muted, rustic earth tones. Bright colors like pinks, purples, and those classified as primary colors are expressly prohibited.
  - (7) Elevated water storage tanks and pump stations. All water storage facilities which serve the public shall be designed and painted to complement natural surroundings. All public water storage facilities shall be placed, to the extent possible, so as to have minimal negative impact on surrounding areas and shall be painted earth-tone, natural colors. The city council shall be authorized to approve alternate color selections if such color(s) are more acceptable with surrounding areas.
  - (8) Temporary construction buildings. Temporary buildings and temporary building material storage areas to be used for construction purposes may be permitted for a specific period of time in accordance with a permit issued by the building official and subject to periodic renewal by the inspector for cause shown. Upon completion or abandonment of construction or expiration of permit, such field offices or buildings and material storage areas shall be removed at the satisfaction of the building official.
- (c) *Procedure for determining alternative exterior materials:*
- (1) All written requests for alternative exterior building materials shall be noted and described on the site plan. If requested by the city, a sample(s) of the proposed exterior finish material(s) may be required to be submitted with the site plan.
  - (2) The city may approve an alternative exterior material if it is determined to be equivalent or better than the exterior materials cited in subsection (b)(2) above as part of the approval of the site plan.
  - (3) Consideration for exceptions to the above requirements shall be based only on the following:
    - (a) Architectural design and creativity.
    - (b) Compatibility with surrounding developed properties.
  - (4) The request shall be reviewed by the planning and zoning commission, and shall be approved or disapproved by the city council.
- (d) *Exterior building design standards:*
- (1) Purpose: To ensure the aesthetic value and visual appeal of nonresidential land uses and to ensure that structures relate harmoniously with the land and on a pedestrian, human scale. The architectural character of the built environment should complement the natural landscape and not dominate it. Vertical proportions which exaggerate building height shall be avoided. Building masses shall be broken up horizontally and vertically to provide relief in the facade. It is encouraged that every building reduce its perceived height and bulk by dividing the building into smaller components, and providing both Articulation and Variation on all building sides.
  - (2) Variation: Variation shall refer (for purposes of this section) to a combination of colors, textures, design features, and/or building materials. Variation shall include but not be limited to design features such as recessed windows, awnings, shutters, canopies, balconies, columns, arches and mullions, cornices, best courses, corbelling, molding, stringcourses, latticework or ornamentation with vegetation, decorative light fixtures, and other sculpturing of the facade with permitted materials.
  - (3) Variation shall be accomplished as follows:
    - (a) A minimum 33 percent of the front and any building side visible from a public roadway shall contain Variation. This percentage is reduced to 25 percent of the total square footage of the

- face of each building side for any face not visible from a public roadway; and,
- (b) For the front of buildings and any side visible from a public roadway, a minimum of five changes in variation (five textures, five colors and materials) is required, excluding the roof, doors and gutters; the required number of variation or design features is reduced to three changes for all other building sides; and,
- (4) Articulation: Articulation shall be defined (for purposes of this section) as an interruption of the building wall plane with an offset, either a recess or projection of at least four feet, at an angle or arc of between 45 degrees and 135 degrees to the wall plane. Articulation shall include (and be used synonymously with) an offset, inset, relief, recess, setback, or projection.
  - (5) Horizontal articulation shall be accomplished as follows:
    - (a) Wall planes of 30 feet or less in length do not require an horizontal articulation (offsets); and
    - (b) No wall plane shall extend more than 50 feet in length. Larger buildings shall be divided into modules, preferably not exceeding 30 feet, but permitted up to 50 feet in length, that are expressed three-dimensionally throughout the entire building (modifications to the facade only shall not meet this standard). The building modules should be expressed with at least one of the following:
      - (1) A setback in wall planes a minimum of four feet;
      - (2) A change in the primary facade material for the extent of the building module; or
      - (3) A vertical architectural element such as a change in roof type or other vertical articulation described below.

Alternating use of similar building modules shall not be permitted.
  - (6) Vertical articulation, as defined above, shall be accomplished as follows:
    - (a) By providing varying roof lines for each building mass through the use of pitched roofs with eaves, false pitch roofs with the appearance of true hips and gables from all public rights-of-way, flat roofs with projecting cornices, parapets and other variations in roof heights and angles (excluding mansard roofs); and
    - (b) Except for pitched roof buildings, no less than 30 percent of the roofline distance for each building side shall have vertical articulation of at least two feet or ten percent of the average height of the wall plane, whichever is greater; however, no single run of roofline shall exceed 60 feet in length without a minimum two-foot transition in vertical roofline height; and,
    - (c) Except for pitched roof buildings, by vertically articulating and emphasizing all principal building entrances by at least two feet or ten percent of the average height of the wall plane, whichever is greater; and,
  - (7) Facade articulations or offsets shall be shown, along with calculations verifying that the building elevations meet the above requirements, on a building facade elevation plan for all sides, and shall be submitted for planning and zoning commission review and approval by the city council, along with the site plan.
  - (8) All building sides shall have aesthetic detail including articulation and variation, with architectural elements that provide shadow lines and visual depth (unless substantially screened with landscaping, whereby the landscape screening in itself provides the aesthetic detailing), with proper maintenance program in place to provide upkeep of landscaping.
  - (9) Street-level storefronts and building entrances shall be open and inviting to pedestrians. Buildings 10,000 square feet or greater shall have a street/parking-to-building zone of at least 20 feet to be used for sidewalks, including a minimum 15-foot landscaped buffer strip or pedestrian spaces including benches and other seating facilities.
  - (10) A minimum exterior entryway offset/inset to help delineate a building's main entrance and add variety to the streetscape shall be provided for businesses based on their floor space as follows:
    - (a) Less than 5,000 square feet shall have a minimum entryway area of 15 square feet.
    - (b) 5,000 to 15,000 square feet shall have a minimum entryway area of 25 square feet.
    - (c) 15,001 to 30,000 square feet shall have a minimum entryway area of 50 square feet.
    - (d) Greater than 30,000 square feet shall have a minimum entryway area of 100 square feet.
  - (11) Windows shall be offset by no less than four inches and/or have a perimeter accent border of at least four inches. No section of glass windows shall extend longer in width than 15 feet without a three-foot minimum break.
  - (12) All rooftop mechanical equipment shall be shielded from public view. The parapet must be of equal

- height to the tallest equipment.
- (13) Building placement on slopes shall not only incorporate stepped massing, but shall also create footprint offsets to save vegetation and natural landforms. Topographical changes shall be reflected by vertical offsets in the massing of buildings wherever possible.
  - (14) Garage-style roll-up doors shall not face public roadways. When used, they must be screened from adjacent properties and public view, unless used for an outdoor patio or bar.
  - (15) Every outparcel building, liner building or other building set between the street right-of-way and a larger adjacent building shall include the architectural detailing set forth above on all sides on the building, including those that face internal parking areas.
  - (16) Irrigation systems must include rain and freeze sensors.
- (e) *Accessory buildings.*
- (1) In the agricultural (AG) zoning district: See subsection (a)(5)(a) of this section regarding exceptions.
  - (2) In a single-family, duplex or single-family attached zoning district: Accessory buildings that have over 500 square feet of floor area shall conform to the minimum exterior construction standards for the main building on the lot/tract, tract or site, and shall be compatible in exterior finishes and colors as the main building, unless located on property of one-half acre or more.
  - (3) In a multifamily or nonresidential zoning district: Accessory buildings (any size) shall conform to the minimum exterior construction standards for the main building on the lot/tract, tract or site, and shall be architecturally compatible in design and constructed of the same exterior finishes and colors as the main building.

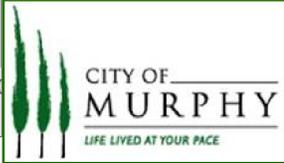
(Ord. No. 09-05-797, § 2, 5-18-2009; Ord. No. 13-02-947, § 16, 2-19-2013)

### **Sec. 28-133. Variance procedure.**

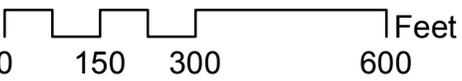
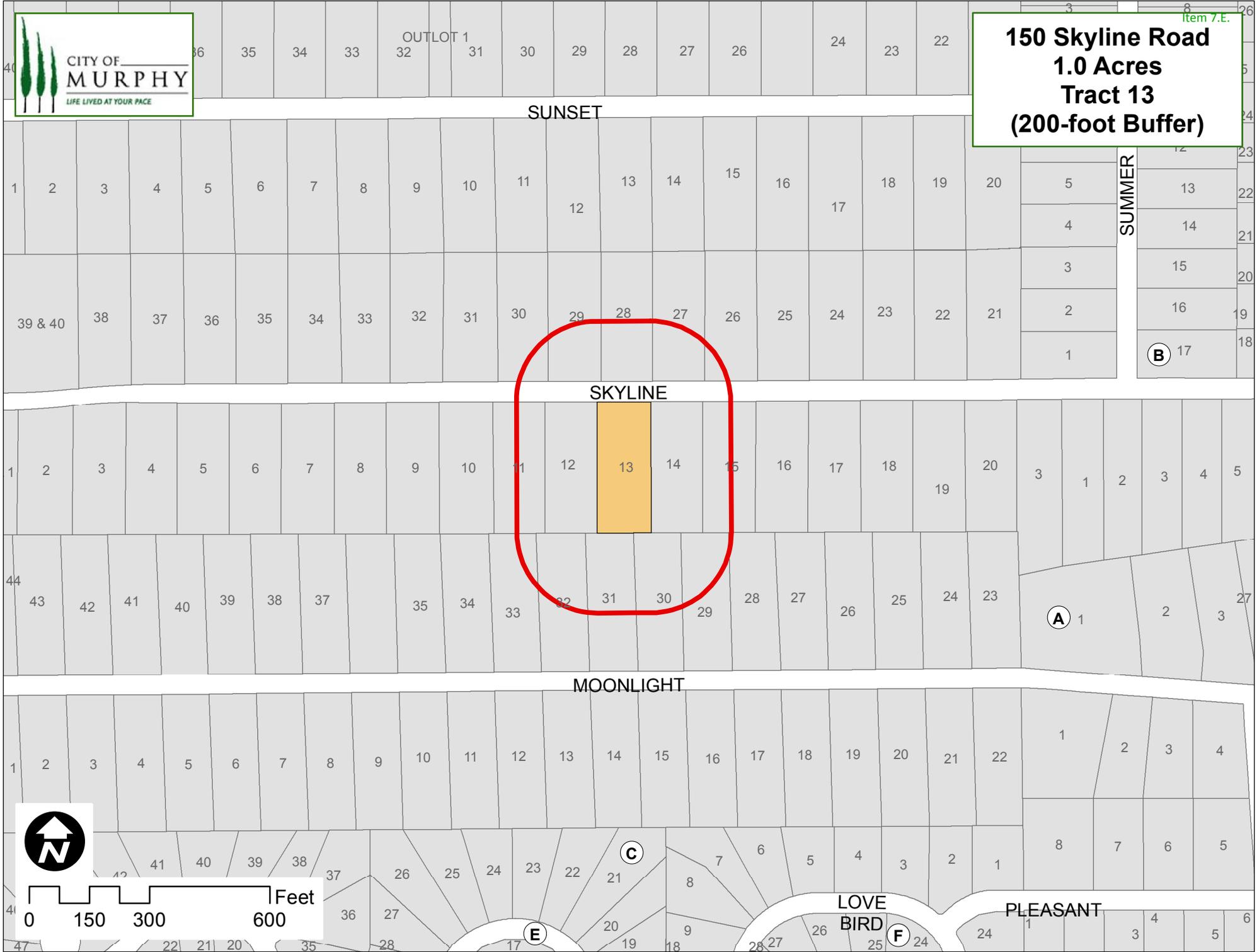
- (a) The planning and zoning commission shall hold a public hearing on any request for a variation or exception to the standards provided by this article. The planning and zoning commission may not recommend a variation or exception unless the planning and zoning commission determines that the variation or exception will not substantially alter the intent of the standards established by this article.
- (b) All recommendations of the planning and zoning commission under this article shall be forwarded to city council. When the planning and zoning commission denies a request for a variation or exception to the standards set forth in this article, a hearing before the city council shall be set only if a written appeal is filed by the applicant with the city manager or his/her designee within 15 days of the date of the denial.

(Ord. No. 09-05-797, § 2, 5-18-2009; Ord. No. 13-02-947, § 16, 2-19-2013)

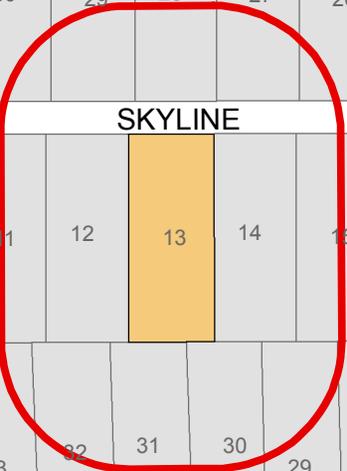
### **Secs. 28-134—28-150. Reserved.**



150 Skyline Road  
1.0 Acres  
Tract 13  
(200-foot Buffer)



Item 7.E.



SUMMER

(B)

(A)

(C)

(E)

(F)

Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of Wade and Michelle Wilson is requesting a variance to Section 28-132(2) of the Code of Ordinances/Development Standards, to allow less than the 'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes' and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.

  ✓   I am **IN FAVOR** of allowing less than the 'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes' and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.

       I am **OPPOSED** to allowing less than the 'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes' and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, September 22, 2014 at 6:00 p.m. and by City Council on Tuesday, October 7, 2014 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

\_\_\_\_\_  
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By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Richard Pennington  
Name (Please Print)

Richard Pennington  
Signature

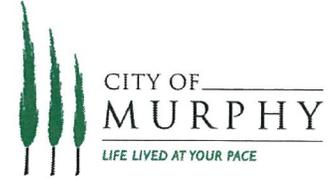
159 SKYLINE DR.  
Address

9-17-14  
Date



Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of Wade and Michelle Wilson is requesting a variance to Section 28-132(2) of the Code of Ordinances/Development Standards, to allow less than the 'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes' and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.

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By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Jeanette M. Miller  
Name (Please Print)

Jeanette M. Miller  
Signature

147 SKYLINE DRIVE  
Address

9/20/14  
Date

32 years -  
PROPERTY VALUE

Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of Wade and Michelle Wilson is requesting a variance to Section 28-132(2) of the Code of Ordinances/Development Standards, to allow less than the 'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes' and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.

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Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

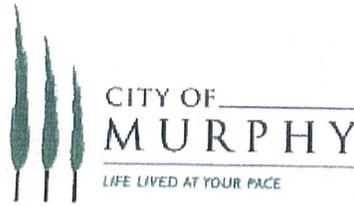
Greg Matocha  
Name (Please Print)

[Signature]  
Signature

151 Moonlight Dr  
Address

9/22/14  
Date

PROPERTY VALUE:



# Public Comment Form

The public may address comments on any subject to the Council/Board during the Public Comment portion of the meeting. Please note that the Council/Board can receive your comments and information but may not be able to respond to you at this meeting. The Council/Board is prohibited by the Open Meetings Act to engage in a discussion of any item or issue that is not posted on the Agenda. Your request or comments will be duly noted and scheduled for a future agenda if necessary or referred to City Staff.

The Public Comment portion of the meeting will be opened and your name will be called if you have submitted this form to the City/Staff Secretary. If you have not submitted a form, please notify the Mayor/Chair that you would like to speak and submit your form promptly. Please state your name and address for the record and limit your comments to five minutes. The Council/Board expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

- Animal Shelter Advisory Board
- 4A (Economic Development Corporation)
- 4B (Community Development Corporation)
- Building & Fire Codes Appeal Board

- City Council
- Parks & Recreation Board
- Planning & Zoning Commission
- Zoning Board of Adjustments

**Please submit this form and any handouts to the City/Staff Secretary prior to the meeting.**

Name: Don Kiertscher

Address: 416 Skyline Drive Murphy

Representing an Organization? NO

Agenda Item No. 2 - Public Hearing ( In Favor  Opposed)

Comments: Please support and maintain the 85% masonry rule in Murphy - Don't set a precedent.

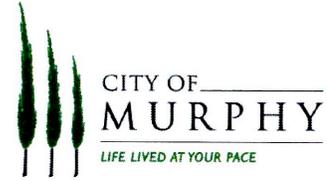
Up-scale Murphy, NOT Hardee-Plank-Village!

Don Kiertscher  
Signature

9/22/14  
Date

Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of Wade and Michelle Wilson is requesting a variance to Section 28-132(2) of the Code of Ordinances/Development Standards, to allow less than the 'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes' and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.

X I am **IN FAVOR** of allowing less than the 'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes' and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.

\_\_\_\_\_ I am **OPPOSED** to allowing less than the 'required 85 percent of the total exterior walls above grade level, excluding doors and windows, constructed of brick, stone, brick veneer, or stone veneer, in accordance with the city's building and fire codes' and accept cement board (hardiplank) on the exterior of a new home to be constructed on property located at 150 Skyline.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, September 22, 2014 at 6:00 p.m. and by City Council on Tuesday, October 7, 2014 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Charles A. James  
Name (Please Print)

[Signature]  
Signature

142 Skyline Dr.  
Address

9/18/14  
Date

972-743-0444 P111

**City Council**  
**October 7, 2014**

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**Issue**

Hold a public hearing and consider and/or act on the application of Champion Langford Venture requesting approval of a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

**Summary**

The applicant is requesting a Specific Use Permit (SUP) and Concept Plan for a drive-thru for a Dunkin Donuts restaurant that would be adjoined to a Nothing Bundt Cake on the subject property. The current Planned Development District allows a drive-in restaurant only with the approval of a SUP (Specific Use Permit). The applicant is requesting approval of an SUP (Specific Use Permit) to allow a Dunkin Donuts with a drive-thru window.

**Considerations**

1. The purpose of the Specific Use Permit is to allow a Dunkin Donuts with a drive-thru window.
2. In addition to the Dunkin Donuts, the developer is also creating an adjacent retail space for Nothing Bundt Cake.
3. A Concept Plan has been submitted with this request which identifies the location of the requested drive thru and required site layout details.
  - a. The applicant must submit a Site Plan, Landscape Plan, Building Elevations and Construction Plat for staff review, Planning & Zoning Commission recommendation and City Council final approval.
4. A public hearing notification for this proposed SUP was published in the newspaper as well as notification being mailed to the property owners included in the required 200 foot notification radius. Responses received to date have been included with this agenda item.

**Board Discussion/Action**

The Planning & Zoning Commission considered this item on September 22, 2014. Secretary Holcomb made a motion to deny the request of a SUP to allow a drive-thru window for a Dunkin Donuts restaurant. Vice-Chairman King seconded the motion to deny the SUP. Motion passed to deny the request of a SUP by 4-2 with Commissioners King, Holcomb, Hemphill and Hooper in favor of the denial; Chairman Levy and Commissioner Johnson voting against the denial.

**City Council**  
**October 7, 2014**

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**Additional Considerations:**

Article V. Specific Use Permit, Section 86-634. Procedures for specific use permits state:

Sec. 86-634. Procedures for specific use permits. 

*(a) Planning and zoning commission recommendation.* Upon receipt of the recommendation from the city manager, or his designee, the planning and zoning commission shall conduct a public hearing (in accordance with article II, division 5 of this chapter) in order to formulate its recommendations to the city council on the specific use permit application. Following the public hearing, the planning and zoning commission shall recommend approval, approval subject to modification, or denial of the proposal to the city council in accordance with article II, division 5 of this chapter. If the appropriateness of the use cannot be assured at the location, the planning and zoning commission shall recommend denial of the application as being incompatible with existing uses or with other uses permitted by right in the district.

*(b) City council action.* The city council shall be the final decision-maker on applications for specific use permits. Following a public hearing and in consideration of the planning and zoning commission's recommendations, the city council shall approve, modify or deny the proposal for a specific use permit in accordance with article II, division 5 of this chapter. If the appropriateness of the use cannot be assured at the location, the application for specific use permit shall be denied as being incompatible with existing uses or with other uses permitted by right in the district.

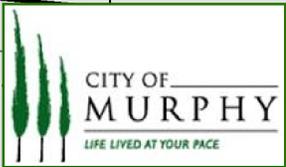
**Staff Recommendation**

Staff recommends approval of Specific Use Permit and Concept Plan for a drive thru for Dunkin Donuts on Lot 3 - Block C – Murphy Marketplace East Addition.

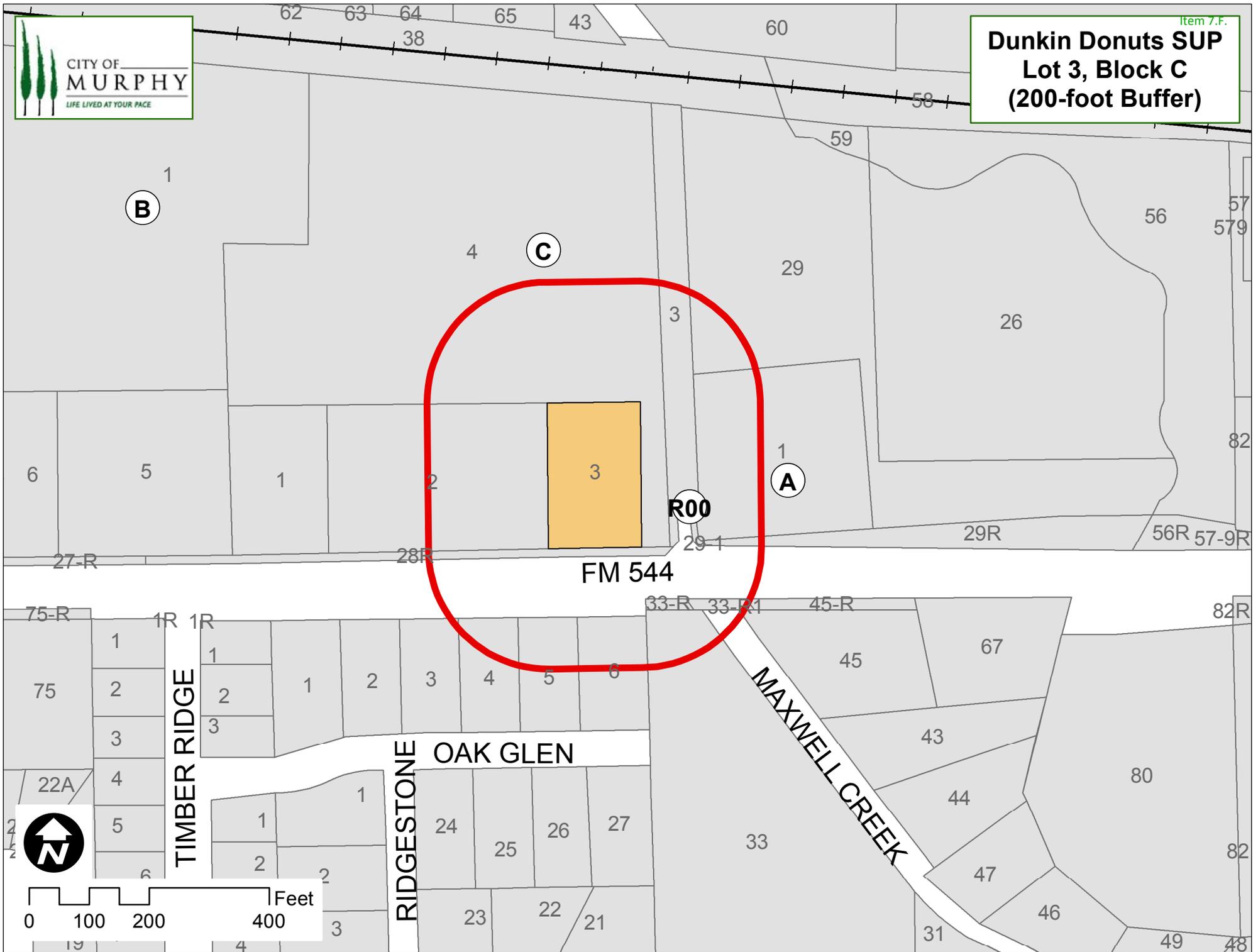
**Attachments**

Concept Plan for this site  
Location Map  
Public Notice Reply Forms





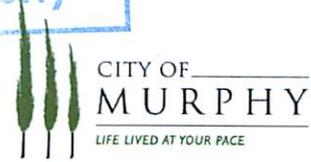
Item 7.F.  
**Dunkin Donuts SUP**  
**Lot 3, Block C**  
**(200-foot Buffer)**





Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of Champion Langford Venture is requesting approval of a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

I am **IN FAVOR** of a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

I am **OPPOSED** to a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, September 22, 2014 at 6:00 p.m. and by City Council on Tuesday, October 7, 2014 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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\_\_\_\_\_

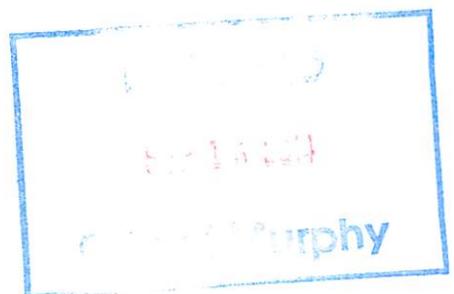
By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Richard Pennington  
Name (Please Print)

Richard Pennington  
Signature

159 SKYLINE DR  
Address

9-15-2014  
Date



Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of Champion Langford Venture is requesting approval of a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

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Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

All  
For:

①  
MURPHY  
& Venture

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

ERIC LANGFORD  
Name (Please Print)

[Signature]  
Signature

5924 TWIN Coves  
Dallas Tx 75248  
Address

9/10/14  
Date

- ② Allen & Loucks
- ③ Champion Langford V.

Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of Champion Langford Venture is requesting approval of a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

   I am **IN FAVOR** of a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

       I am **OPPOSED** to a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, September 22, 2014 at 6:00 p.m. and by City Council on Tuesday, October 7, 2014 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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\_\_\_\_\_

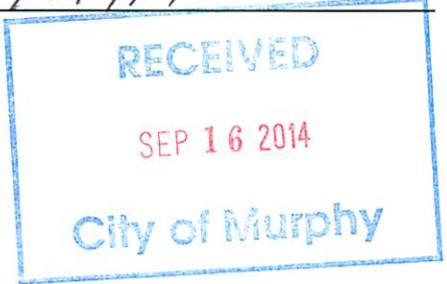
By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Teresa Doyle  
Name (Please Print)

[Signature]  
Signature

157 Skye Ln  
Address

9/11/14  
Date



**Reply Form**

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of Champion Langford Venture is requesting approval of a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

I am **IN FAVOR** of a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

I am **OPPOSED** to a SUP (Specific Use Permit) to allow a drive-thru window for a Dunkin Donuts restaurant on property zoned PD (Planned Development) District No. 12-10-923 for Retail Uses on Lot 3, Block C, Murphy Marketplace East Addition (North Maxwell Creek and FM 544), applicant being Dunkin Donuts on behalf of the property owner Champion Langford Venture.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, September 22, 2014 at 6:00 p.m. and by City Council on Tuesday, October 7, 2014 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

*Commercial uses @ 544 and Maxwell Creek make sense. Looking forward to having donut & coffee there when they open.*

By signing this letter, I declare, I am the owner or authorized agent of the property at the address written below.

By: Ryan Betz, Manager  
Name (Please Print)

[Signature]  
Signature

5707 Willow Dallas  
Address

TX  
75230

Date

9-9-14

**City Council**  
**October 7, 2014**

---

**Issue**

Hold a public hearing and consider and/or act on the application of the City of Murphy to zone the subdivision known as Windy Hill Farms – Phase 1 and generally located west of Heritage Parkway and north of FM 544 as a Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet.

**Summary**

The City of Murphy is conducting this zoning of Windy Hill Farms, Phase 1 to correct some errors that occurred in years past dating back to the year 2000. Windy Hill Farms Phase 1 is an existing, built-out single family subdivision with residential lots ranging from 9,500 square feet to over 15,000 square feet in size. This zoning process will allow the existing residential uses and structures to continue within the neighborhood, but in a planned development zoning district. This zoning will correct the errors and also reflects the actual constructed conditions within the neighborhood.

The purpose of the zoning change is to correct confusion in the required front building setback for over 80 homes in Phase 1. Some residences were constructed with a 25 foot front setback while others were constructed with a 30 foot front setback. This has created a problem with the issuance of title insurance on the properties with the 25 foot front setback and has made it difficult for some owners to be able to sell their home.

**Considerations**

While the zoning map indicates that Windy Hill Farms Phase 1 was zoned by Ord. 99-01-444, a review of the actual ordinance indicates that it applied to other parts of Windy Hill Farms but NOT to Phase 1. This is why the City is now initiating a zoning case to actually zone the property in Windy Hill Farms Phase 1. The proposed ordinance has been drafted to formally approve the development pattern of the existing homes in Phase 1.

Section 86-601 of the Murphy Code describes a PD district as follows: “The planned development (PD) district is an overlay zoning district which accommodates planned associations of uses developed as integral land use units. . . .”

The proposed ordinance provides for SF-15 uses with the following modifications:

Minimum Lot Size: 9,500 square feet

Minimum Lot Width: 85 feet (average within a lot)

Minimum Front Yard: 25 feet

**Board Discussion/Action**

The Planning & Zoning Commission voted unanimously to approve this item on September 22, 2014.

**Staff Recommendation**

Staff recommends approval of the Planned Development District as submitted.

**Attachments**

Proposed PD Ordinance

Boundary Map

Reply Forms

**ORDINANCE NO. 14-10-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, CHANGING THE ZONING ON APPROXIMATELY 90.844 ACRES OF LAND KNOWN AS WINDY HILL FARMS - PHASE 1 AS RECORDED IN CABINET L, PAGES 2-3 OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS, EXCEPT LOTS 1A AND 1-9, BLOCK G AND LOTS 12-14, BLOCK G (NOW IDENTIFIED AS LOTS 1C, 1D, 1E, BLOCK G, 2R-9R, BLOCK G AND LOTS 12R-14R, BLOCK G OF WINDY HILL FARMS, PHASE 6), LOCATED WEST OF HERITAGE PARKWAY AND NORTH OF FM 544, TO A PLANNED DEVELOPMENT DISTRICT FOR SINGLE FAMILY RESIDENTIAL USES AND ESTABLISHING MINIMUM LOT WIDTH, FRONT BUILDING SETBACK AND LOT SIZE; PROVIDING FOR SAVINGS, SEVERABILITY, CUMULATIVE EFFECT, PENALTY AND AN EFFECTIVE DATE.**

**WHEREAS**, a final plat of Windy Hill Farms - Phase 1, as recorded in Cabinet L, Pages 2-3 of the Plat Records of Collin County, Texas attached hereto as **Exhibit A**, was approved by the City of Murphy and filed in the property records of Collin County on March 16, 1999 (the "Final Plat") and;

**WHEREAS**, the Final Plat includes 193 residential lots on 90.844 acres (the "Property"); and

**WHEREAS**, the Final Plat indicates that the Property is zoned SF-2 and shows a 30 foot front setback line on all lots; and

**WHEREAS**, the City's Official Zoning Map, adopted on December 12, 2012 by Ordinance No. 12-12-942 depicts the Property as zoned SF-15 but the City has no record that the Property was zoned to SF-15; and

**WHEREAS**, both the Final Plat and the SF-15 zoning district require a 30 foot front yard setback, but more than 75 of the 193 single family residential homes were constructed with a 25 foot front yard setback; and

**WHEREAS**, the uncertainty of the regulations contained in the SF-2 and SF-15 zoning districts and the conflict between the 30 foot front setback line and the 25 foot actual setback line have created impairments to the ability to obtain title insurance and therefore to sell certain lots within the Property; and

**WHEREAS**, since 2001, the City has approved multiple replats of the Property which were intended to resolve the conflict between the platted front yard setback and the actual setback for a large number of the residential homes; and

**WHEREAS**, the replats have failed to correct all of the front building line within the Property and the City Council desires to, as clearly as possible, establish a minimum 25 foot front building line for all lots within the Property, **excepting Lot 1A, Block G, Lots 1 through 9, Block G, and Lots 12 through 14, Block G**; and

**WHEREAS**, a replat filed March 28, 2005 filed in Cabinet Q, Page 253 of the Plat Records of Collin County, Texas indicates that **lots 1A and 1 through 9, Block G, and Lots 12 through 14, Block G, previously in Windy Hill Farms – Phase I are now part of Windy Hill Farms – Phase 6 and no longer part of Windy Hill Farms – Phase I.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, THAT:**

**Section 1.** That the recitals set forth above are found to be true and correct and are incorporated as if fully set forth herein.

**Section 2.** That the zoning on the Property, except lot 1A, Block G, Lots 1-9, Block G and Lots 12-14, Block G, shall be Planned Development District for SF-15 uses with the following modifications:

- Minimum Lot Size: 9,500 square feet
- Minimum Lot Width: 85 feet (average within a lot)
- Minimum Front Yard: 25 feet

**Section 3.** That any plat or replat, including plats or replats recorded with Collin County, Texas, that shows a front building setback in conflict with the terms of this ordinance shall not be enforced with regard to the front building setback, it being the intention of the City Council to establish a minimum front yard of 25 feet for all lots within Windy Hill Farms – Phase 1.

**Section 4.** That all other Planned Development overlay district requirements contained in Chapter 86 – Zoning, Article IV – Overlay and Special Districts are found to be inapplicable.

**Section 5.** That the City Manager is directed to file this ordinance in the property records of Collin County and to file a declaration of the front setback line consistent with this Ordinance for each lot within the Property

**Section 6. Severability Clause.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 7. Cumulative/Repealer Clause.**

This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Murphy, Texas, whether codified or uncoded, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

**Section 8. Penalty Clause.**

Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to a fine in any sum not to exceed five hundred dollars (\$500.00) and each day of violation shall be deemed a separate offense.

**Section 9.      Effective Date.**

This ordinance shall become effective immediately upon its passage and publication as required by law.

**DULY PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Texas, on this the 7th day of October, 2014.

---

Eric Barna, Mayor  
City of Murphy

ATTEST:

---

Susie Quinn, City Secretary  
City of Murphy

APPROVED AS TO FORM:

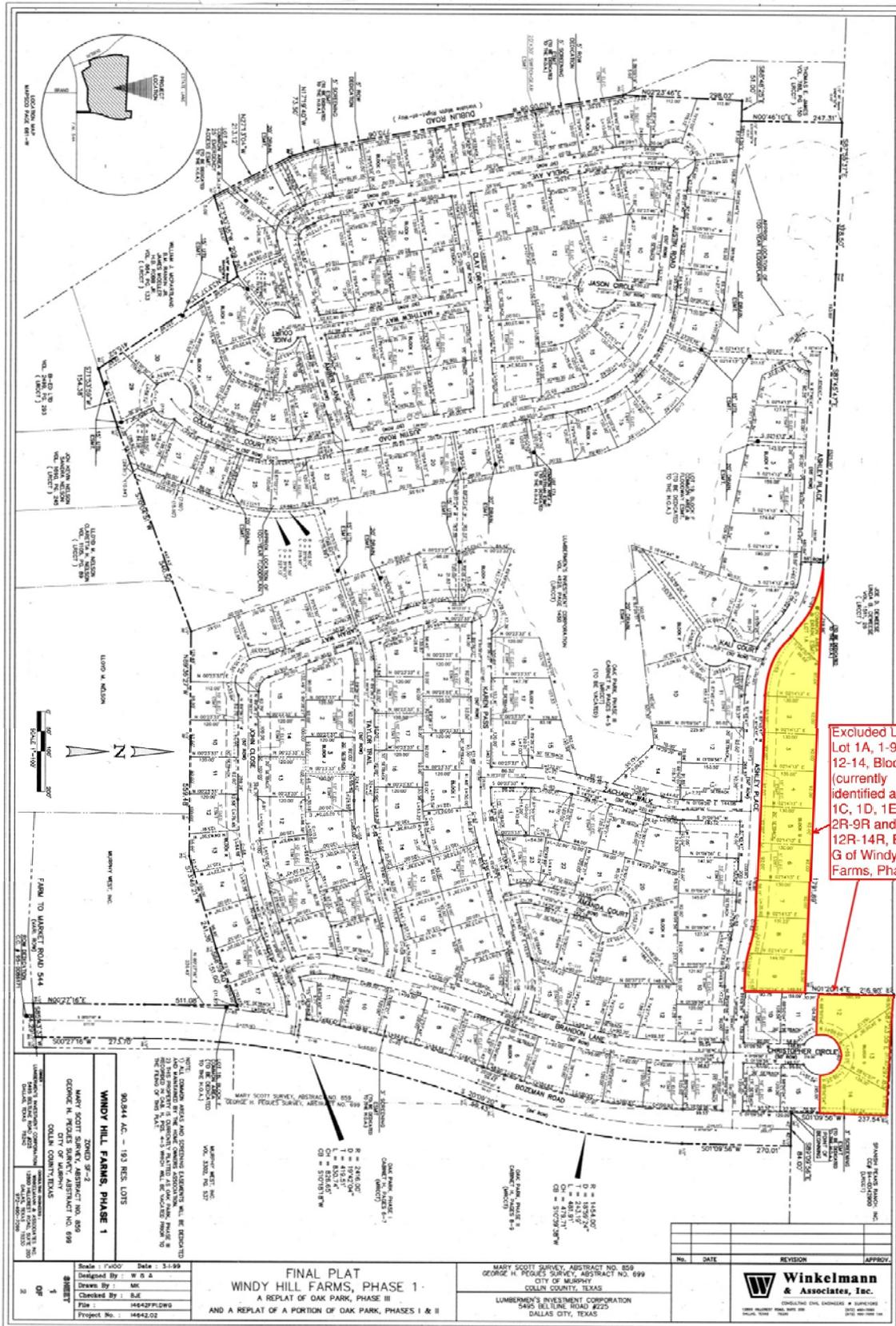
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Wm. Andrew Messer, City Attorney

# EXHIBIT A

C:\wink\lurphy\144271.dwg Mon Apr 01 15:02:33 1999

Filed for Record in  
 COLLIER COUNTY, TEXAS  
 On 1999/03/16  
 At 2:09 P.M.  
 Book: 20-00217  
 Page: 20



Excluded Lots:  
 Lot 1A, 1-9 and  
 12-14, Block G  
 (currently  
 identified as Lots  
 1C, 1D, 1E,  
 2R-9R and  
 12R-14R, Block  
 G of Windy Hill  
 Farms, Phase 6)

90.844 AC. - 193 RES. LOTS  
**WINDY HILL FARMS, PHASE 1**  
 ZONING SF-C  
 MARY SCOTT SURVEY, ABSTRACT NO. 859  
 GEORGE H. PECK'S SURVEY, ABSTRACT NO. 899  
 COLLIER COUNTY, TEXAS

**FINAL PLAT**  
**WINDY HILL FARMS, PHASE 1**  
 A REPLAT OF OAK PARK, PHASE III  
 AND A REPLAT OF A PORTION OF OAK PARK, PHASES I & II

Scale: 1"=500' Date: 3-1-99  
 Designed By: W B A  
 Drawn By: ME  
 Checked By: SJE  
 File: 144271.DWG  
 Project No.: 1442-02

MARY SCOTT SURVEY, ABSTRACT NO. 859  
 GEORGE H. PECK'S SURVEY, ABSTRACT NO. 899  
 CITY OF MURPHY  
 COLLIER COUNTY, TEXAS  
 LUMBERMEN'S INVESTMENT CORPORATION  
 5405 BELLEVUE ROAD #222  
 DALLAS CITY, TEXAS

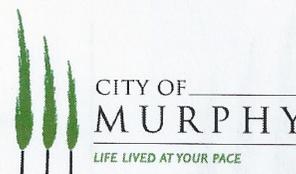
No.	DATE	REVISION	APPROVAL

**Winkelmann & Associates, Inc.**  
 CONSULTING CIVIL ENGINEERS & SURVEYORS  
 1999 MURPHY ROAD, SUITE 100  
 DALLAS, TEXAS 75244



Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of the City of Murphy is to zone the subdivision known as Windy Hill Farms – Phase 1 and generally located west of Heritage Parkway and north of FM 544 as a Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet.

**PLEASE NOTE:**

Windy Hill Farms Phase 1 is an existing, built-out single family subdivision with residential lots ranging from 9,500 square feet to over 15,000 square feet in size. This planned development district will put in place appropriate zoning to reflect the actual constructed conditions within the neighborhood.

I am **IN FAVOR** of the Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet also known as Windy Hill Farms Phase 1.

I am **OPPOSED** to the Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet also known as Windy Hill Farms Phase 1.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, September 22, 2014 at 6:00 p.m. and by City Council on Tuesday, October 7, 2014 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

WILLIAM H. WILSON  
Name (Please Print)

*W H Wilson*  
Signature

224 Justin Road  
Address

Sept 16, 2014  
Date

Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



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PLEASE NOTE:

Windy Hill Farms Phase 1 is an existing, built-out single family subdivision with residential lots ranging from 9,500 square feet to over 15,000 square feet in size. This planned development district will put in place appropriate zoning to reflect the actual constructed conditions within the neighborhood.

X I am **IN FAVOR** of the Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet also known as Windy Hill Farms Phase 1.

\_\_\_\_\_ I am **OPPOSED** to the Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet also known as Windy Hill Farms Phase 1.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, September 22, 2014 at 6:00 p.m. and by City Council on Tuesday, October 7, 2014 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

MARY ELLEN TAYLOR  
Name (Please Print)

Mary Ellen Taylor  
Signature

216 BRANDON LN, Murphy  
Address

9/23/2014  
Date

Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of the City of Murphy is to zone the subdivision known as Windy Hill Farms – Phase 1 and generally located west of Heritage Parkway and north of FM 544 as a Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet.

**PLEASE NOTE:**

Windy Hill Farms Phase 1 is an existing, built-out single family subdivision with residential lots ranging from 9,500 square feet to over 15,000 square feet in size. This planned development district will put in place appropriate zoning to reflect the actual constructed conditions within the neighborhood.

\_\_\_\_\_ I am **IN FAVOR** of the Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet also known as Windy Hill Farms Phase 1.

\_\_\_\_\_ I am **OPPOSED** to the Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet also known as Windy Hill Farms Phase 1.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, September 22, 2014 at 6:00 p.m. and by City Council on Tuesday, October 7, 2014 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Lloyd M Nelson  
Name (Please Print)

Lloyd M Nelson  
Signature

7087 Shire Lane  
Address McKinney, TX Date \_\_\_\_\_  
75071





Kristen Roberts  
Director of Economic and  
Community Development

Lori Knight  
Executive Administrative  
Assistant

September 8, 2014

RE: Windy Hill Farms – Phase 1; Planned Development District for SF-15

Dear Property Owner:

The City of Murphy is conducting a zoning of Windy Hill Farms, Phase 1 to correct some errors that occurred in years past dating back to the year 2000.

We know that Windy Hill Farms Phase 1 is an existing, built-out single family subdivision with residential lots ranging from 9,500 square feet to over 15,000 square feet in size. This zoning process will allow the existing residential uses and structures to continue within the neighborhood, but in a planned development zoning district. This zoning will correct the errors and also reflects the actual constructed conditions within the neighborhood.

The City of Murphy Planning and Zoning Commission will hold a public hearing on **Monday, September 22, 2014 at 6:00 p.m.** and the City Council will hold a public hearing on **Tuesday, October 7, 2014 at 6:00 p.m.** in the City Council Chambers at 206 N. Murphy Road, Murphy Texas, for the purpose of receiving comments and voting on the application of the City of Murphy to zone the subdivision known as Windy Hill Farms – Phase 1 and generally located west of Heritage Parkway and north of FM 544 as a Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet.

Section 86-144 of the Murphy Texas Code of Ordinances requires that written notice of the public hearing be sent to all owners of property, as indicated by the most recently approved city tax roll that is located within the area of the application, and within 200 feet of any property affected.

If you would like more information or have questions, please contact me directly at 972-468-4014 or email, [kroberts@murphytx.org](mailto:kroberts@murphytx.org) or Lori Knight at (972) 468-4014, [lknight@murphytx.org](mailto:lknight@murphytx.org).

A reply form is enclosed which can be mailed to the Community Development Department. Mail or scan/email the reply form to: City of Murphy, Attn: Lori Knight, Community Development Department, 206 North Murphy Road, Murphy, Texas 75094 or [kroberts@murphytx.org](mailto:kroberts@murphytx.org).

The Planning and Zoning Commission and City Council agendas are available 72 hours prior to the meetings at City Hall and on the City's website at [www.murphytx.org](http://www.murphytx.org).

Sincerely,

*KMRoberts*

Kristen Roberts  
Director of Economic and Community Development

### Reply Form

Planning & Zoning Commission /City Council  
206 North Murphy Road  
Murphy, Texas 75094



The application of the City of Murphy is to zone the subdivision known as Windy Hill Farms – Phase 1 and generally located west of Heritage Parkway and north of FM 544 as a Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet.

**PLEASE NOTE:**

Windy Hill Farms Phase 1 is an existing, built-out single family subdivision with residential lots ranging from 9,500 square feet to over 15,000 square feet in size. This planned development district will put in place appropriate zoning to reflect the actual constructed conditions within the neighborhood.

  /   I am **IN FAVOR** of the Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet also known as Windy Hill Farms Phase 1.

       I am **OPPOSED** to the Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet also known as Windy Hill Farms Phase 1.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, September 22, 2014 at 6:00 p.m. and by City Council on Tuesday, October 7, 2014 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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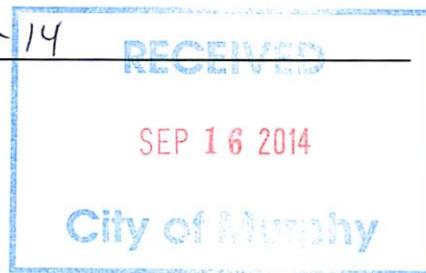
By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Derek Boyd  
Name (Please Print)

Derek Boyd  
Signature

628 John Close  
Address

9-11-14  
Date





Kristen Roberts  
Director of Economic and  
Community Development

Lori Knight  
Executive Administrative  
Assistant

September 8, 2014

RE: Windy Hill Farms – Phase 1; Planned Development District for SF-15

Dear Property Owner:

The City of Murphy is conducting a zoning of Windy Hill Farms, Phase 1 to correct some errors that occurred in years past dating back to the year 2000.

We know that Windy Hill Farms Phase 1 is an existing, built-out single family subdivision with residential lots ranging from 9,500 square feet to over 15,000 square feet in size. This zoning process will allow the existing residential uses and structures to continue within the neighborhood, but in a planned development zoning district. This zoning will correct the errors and also reflects the actual constructed conditions within the neighborhood.

The City of Murphy Planning and Zoning Commission will hold a public hearing on **Monday, September 22, 2014 at 6:00 p.m.** and the City Council will hold a public hearing on **Tuesday, October 7, 2014 at 6:00 p.m.** in the City Council Chambers at 206 N. Murphy Road, Murphy Texas, for the purpose of receiving comments and voting on the application of the City of Murphy to zone the subdivision known as Windy Hill Farms – Phase 1 and generally located west of Heritage Parkway and north of FM 544 as a Planned Development (PD) District for SF-15 (Single Family 15 Residential) uses with a minimum lot size of 9,500 square feet, a minimum average lot width of 85 feet and a minimum front yard setback of 25 feet.

Section 86-144 of the Murphy Texas Code of Ordinances requires that written notice of the public hearing be sent to all owners of property, as indicated by the most recently approved city tax roll that is located within the area of the application, and within 200 feet of any property affected.

If you would like more information or have questions, please contact me directly at 972-468-4014 or email, [kr Roberts@murphytx.org](mailto:kr Roberts@murphytx.org) or Lori Knight at (972) 468-4014, [lknight@murphytx.org](mailto:lknight@murphytx.org).

A reply form is enclosed which can be mailed to the Community Development Department. Mail or scan/email the reply form to: City of Murphy, Attn: Lori Knight, Community Development Department, 206 North Murphy Road, Murphy, Texas 75094 or [kr Roberts@murphytx.org](mailto:kr Roberts@murphytx.org).

The Planning and Zoning Commission and City Council agendas are available 72 hours prior to the meetings at City Hall and on the City's website at [www.murphytx.org](http://www.murphytx.org).

Sincerely,

*KMRoberts*

Kristen Roberts  
Director of Economic and Community Development

**City Council Meeting  
October 7, 2014**

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**Issue**

Consider and/or take action, if any, on the City of Murphy Code of Ordinances, Chapter 66 Streets and Sidewalks, Article V – Sidewalks.

**Staff Resource/Department**

James Fisher, City Manager

**Summary**

The City of Murphy's current policy regarding sidewalk repairs requires that the property owner and City equally share in the replacement/repair cost of the sidewalk. The current policy really handcuffs staff and the property owner when considering repairs on their property. Most property owners do not want to pay the 50% and that causes the potential repair to fall out of the work process. Some property owners have agreed to share in the cost and their sidewalk was repaired (I do not believe we have billed them to date as this policy revision has been up in the air for a while). There is also a disagreement of what constitutes a repair or replacement. The staff has developed a checklist to help determine eligible projects.

**Current Policy**

**CHAPTER 66, ARTICLE V. – SIDEWALKS**

**Sec. 66-81. - To be kept in state of good repair; mud and obstructions prohibited.** All sidewalks, walkways, steps and driveways located on all private property shall be maintained in a state of good repair. The owner and tenant of private property adjacent to all public sidewalks, walkways and steps shall keep such sidewalks, walkways, and steps free of mud, debris, or other obstruction that would impair or prevent their use. (Code 1993, § 96.50; Ord. No. 417, 12-1-1997)

**Sec. 66-82. - Owner responsibility, unwillingness to maintain; city actions to effect repairs; costs to repair.**

(a) The official policy of the city shall be that owners of property situated within a zoning district of the city other than single-family residential shall be responsible for all costs associated with the repair, maintenance, replacement or reconstruction of sidewalks adjacent to or abutting such property. The city shall participate with owners of property situated within a single-family residential zoning district of the city in the repair, maintenance, replacement or reconstruction of sidewalks adjacent to and abutting such property, in accordance with the terms and conditions adopted pursuant to subsection (c) of this section.

(b) In the event any property owner in the city is unwilling to participate voluntarily in the repair, replacement or maintenance of a sidewalk that is determined by the city council to be a hazard to the public safety and welfare, the city council may undertake the repair, replacement or maintenance of such sidewalk and may undertake involuntary assessment proceedings to effect the necessary repairs, replacement or maintenance of a sidewalk.

(c) *There is no subsection c.*

(d) The property owner and the city shall each be responsible for 50 percent of the total repair and/or replacement costs, including costs of labor, material, equipment, engineering and inspection services. The procedures and forms for maintenance, repair, and replacement of sidewalks within single-family residential zoning districts of the city, as set forth on Exhibit A, which is adopted by reference as if set forth fully herein, and is available upon request in the office of the city secretary.

*(Code 1993, § 96.51; Ord. No. 00-08-491, 8-21-2000)*

**State Law reference**— General authority of home-rule municipality regarding sidewalks, V.T.C.A., Transportation Code § 311.004.

### **Proposed Policy**

The proposed policy would place the cost of the repairs solely on the City. The policy would also use an evaluation system similar to this:

### **SIDEWALK REPLACEMENT CRITERIA**

Criteria for sidewalk replacement will be as follows:

1. Sidewalk must be located within the City of Murphy street right-of-way or easement.
2. Sidewalk that has surface spalling with a depth of ¼ inch or greater and covers 50% or greater of the area to be replaced.
3. Sidewalk cross fall that is 1 ½ inches or greater than the City's sidewalk specifications (1/4"/Foot) found in the City's Standard Construction Details. (2 ½" total on a 4' walk)
4. A sidewalk section that is missing pieces that creates a safety hazard, (not chips or cracks that are cosmetic in nature).
5. Sidewalk longitudinal sections that have a dip of 2 ¾ inches or greater.
6. Trip hazard, i.e., sidewalk sections that are adjoining and have a 1/4 inch or greater difference in levelness.
7. Provide a 36-inch minimum clearance for obstructions located in sidewalks (ie. mailboxes, utility poles, fire hydrants).

### **Financial Impact**

The staff has estimated (through windshield surveys, repair requests and onsite visits) that there are 554 locations in town that equate to about 1863 sections (approximately 24 square feet). This number will change when construction begins and estimates become known factors. Also, ADA requirements may also need to be addressed in some areas of the city.

The estimated cost is \$85 per square yard or \$9.45 per square foot which includes the sidewalk, backfilling and sod establishment. If the staff's estimate of repairs/replacement are correct, then the 1863 sections that need repair/replacement equates to approximately \$422,528 (1 section = 24 square feet \* \$9.45 per square foot = \$226.80 per section; 1863 sections \* \$226.80 = \$422,528).

The City has budgeted \$50,000 in FY 15 and will begin the replacement/repair process in March 2015. Since FY 10, the City has spent approximately \$120,000 on sidewalk repairs, not including any that were repaired due to utility issues.

The Sidewalk Repair/Replacement Program will also need to be considered by the Community Improvement Committee to determine if it is an item to be considered by City Council and placed before the voters.

**Action Requested**

Direct staff to amend Chapter 66, Article V, Sections 66-81 and 66-82 to incorporate sidewalk repair/replacement financial responsibility to the City, develop an evaluation criteria for repair/replacement and sidewalk inventory. The proposed policy will be brought back to City Council for consideration no later than December 16, 2014.

**Attachments**

- City Attorney Memo regarding sidewalk maintenance
- Draft Sidewalk Repair List
- Sample Pictures



## MEMORANDUM

To: James Fisher  
 From: Andy Messer, Zach Noblitt  
 Date: 9/12/14  
 Re: Sidewalk Maintenance [our file 2014-471]

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### Issues

1. Who holds responsibility for maintenance and repair of sidewalks?
2. What liability does the City have with regard to premise liability claims arising from defective sidewalks?

### Answers & Analysis

City staff has proposed altering Section 66-82 of the Code of Ordinances to reflect a new policy with regard to funding sidewalk repair costs. Staff is recommending that all costs for sidewalk repair and maintenance in residential areas be paid for by the City. Currently, the City requires all non-residential property owners to pay for the cost of sidewalk repair, and the City shares the cost of sidewalk repair 50/50 with residential property owners who submit an application with the City to assist with the repair costs. To determine the impact of the proposed policy change, it is important to determine 1) whether the City currently has an obligation to maintain the sidewalks; and 2) whether re-allocating repair costs will affect or increase the City's liability on premise liability claims.

#### *Ownership and Repair of Sidewalks*

Section 70-75 of the Murphy Code of Ordinances states in relevant part that, "Sidewalks shall be constructed within the street right-of-way,..." . " Because sidewalks are to be located in the right-of-way, the City exercises control over them. Additionally, all necessary street improvements, which are defined in Section 70-13 include sidewalks and walkways, are to be dedicated by private property owners to the City. Section 70-71(6)(a). Maintenance responsibility is on those who own or control the sidewalks. *County of Cameron v. Brown*, 80 S.W.3d 549, 556 (Tex. 2002); *Tiradou v. City of El Paso*, 361 S.W.3d 190, 191 (Tex. App. – El

#### DALLAS

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 Abilene, TX 79606  
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Paso 2012). Thus, the City has a responsibility to maintain its sidewalks. The City, within its authority under the Transportation Code and by ordinance as a home-rule city, has delegated a portion of the cost associated with this maintenance responsibility on abutting property owners. Section 66-82(a) of the Code of Ordinances states in particular that it is the City's policy that all property owners outside of a single-family residential district shall bear the costs of sidewalk maintenance and improvement. The City agrees to split the costs 50/50 of the same within single family residentially-zoned areas.

Section 311.004 of the Texas Transportation Code states that a home-rule municipality may regulate sidewalks in three ways:

1. The manner in which sidewalks are designed and constructed;
2. Take action to repair sidewalks or curbs and levy costs on abutting property owners; and
3. Declare defective sidewalks as public nuisances

Section 311.093 of the Transportation Code gives a home-rule city the authority to levy assessments against property owners for the entire costs of sidewalk and curb construction whose property abuts the improvements, which also creates the ability to place a lien on the property for the costs.

#### *City's Sidewalk Liability*

Cities are only generally required to improve and maintain rights-of-way if the city: owns the property; enters and uses the property; has performed previous maintenance on the property; or formally accepts the right-of-way dedication via plat approval, easement, or otherwise. *Tex. Atty Gen. Op. GA-459 (2006)*. Cities required to maintain and improve sidewalks, then, would be subject to a premises liability claims under the Tort Claims Act. Premise liability claims are classified as either ordinary or special. Heightened proof standards for claimants apply to ordinary defects. To be classified as a special defect, "the central inquiry is whether the condition is of the same kind or falls within the same class as an excavation or obstruction." *Tex. Dept. of Transp. v. York*, 284 S.W.3d 844, 847 (Tex. 2009) (citing *Cnty. of Harris v. Eaton*, 573 S.W.2d 177, 179 (Tex.1978)). In determining whether a particular condition is like an excavation or obstruction and therefore a special defect, the Supreme Court has mentioned several helpful characteristics, such as: (1) the size of the condition; (2) whether the condition unexpectedly and physically impairs an ordinary user's ability to travel on a road; (3) whether the condition presents some unusual quality apart from the ordinary course of events; and (4) whether the condition presents an unexpected and unusual danger. *The Univ. of Tex. at Austin v. Hayes*, 327 S.W.3d 113, 116 (Tex.2010) (per curiam) (citing *York*, 284 S.W.3d at 847). Virtually all sidewalk injury claims are ordinary defect claims, not involving defects like excavations or obstructions. See *City of Grapevine v. Roberts*, 284 S.W.3d 844 (Tex. 1997) (a partially cracked and crumbled sidewalk step was not a special defect); *City of El Paso v. Bernal*, 986 S.W.2d 610, 611 (Tex.1999) (eroded or abraded area in the

sidewalk with a depth of three inches at its lowest point was not a special defect as a matter of law).

The Tort Claims Act provides that, in an ordinary premises liability claim, the governmental unit owes only the duty “that a private person owes to a licensee on private property, unless the claimant pays for the use of the premises.” TEX. CIV. PRAC. & REM.CODE § 101.022(a). Under Texas law, a licensor of real property owes a duty not to injure the licensee by willful or wanton acts or omissions or gross negligence. *State Dep't of Highways & Public Transp. v. Payne*, 838 S.W.2d 235, 237 (Tex.1992). When the governmental unit has actual knowledge of a dangerous condition and the licensee does not, the government must either warn the licensee or make the condition safe. *State v. Tennison*, 509 S.W.2d 560, 562 (Tex.1974). To prove the actual-knowledge element of a viable premises-defect claim, the licensee must show that at the time of the incident, the government landowner knew about the dangerous condition. See *City of Corsicana v. Stewart*, 249 S.W.3d 412, 413–15 (Tex.2008) (per curiam). Actual knowledge is not merely knowledge of the possibility that a dangerous condition can develop over time. *Reyes v. City of Laredo*, 335 S.W.3d 605, 608 (Tex. 2010); *City of Dallas v. Thompson*, 210 S.W.3d 601, 603 (Tex.2006) (per curiam). “Awareness of a potential problem is not actual knowledge of an existing danger.” *Reyes v. City of Laredo*, 335 S.W.3d at 609. Most defects in sidewalks are not actually known to cities before an accident occurs. Therefore, cities usually have no liability for ordinary premise defect claims, including defective sidewalks, and are held to be immune.

In sum, because the City already owns and controls residential sidewalks, shifting the burden of payment for sidewalk maintenance to the City does not affect the City’s liability. The City’s exposure to liability will continue to be minimal, and moreover, its liability is protected by risk pool coverage, with its deductible as its sole financial exposure. Even if the City’s exposure to liability somehow was increased (which it does not), most claims would be defensible and dismissed based on immunity.

<b>DAMAGED SIDEWALK INVENTORY</b>					
<b>Address</b>	<b>Street</b>	<b>Issue</b>	<b>Place of Issue</b>	<b>Amount of Damaged Area</b>	<b>Customer Issue</b>
<b>AVIARY</b>					
526	CEDARBIRD TRAIL	TRIP HAZARD	SIDEWALK / FIRE HYDRANT SPLASH PAD	1 SECTION	
629	CONDOR DRIVE	DIP	SIDEWALK	4 SECTIONS	
803	FALCON TRAIL	DIP	SIDEWALK	2 SECTIONS	
926	FALCON TRAIL	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
628	HUMMINGBIRD COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
623	MOCKINGBIRD DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
624	MOCKINGBIRD DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
628	MOCKINGBIRD DRIVE	DIP	SIDEWALK	6 SECTIONS	
715	MOCKINGBIRD DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
601	PEACOCK DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
730	PHEASANT RUN DRIVE	DIP	SIDEWALK	3 SECTIONS	
630	QUAIL RUN DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
12				24	0
<b>DANIEL CROSSING</b>					
802	BONNIE COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
	CAROLYN LN / SUMMERFIELD DR	TRIP HAZARD	SIDEWALK	3 SECTIONS	
118	CAROLYN LANE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
108	MISTY GLEN LANE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
204	MISTY GLEN LANE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
701	MORNING VIEW WAY	TRIP HAZARD	SIDEWALK	1 SECTION	
713	MORNING VIEW WAY	TRIP HAZARD	SIDEWALK	5 SECTIONS	
829	MORNING VIEW WAY	TRIP HAZARD	SIDEWALK	1 SECTION	
108	PRAIRIE VIEW DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
112	PRAIRIE VIEW DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
127	PRAIRIE VIEW DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	2 SECTIONS	
132	PRAIRIE VIEW DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
136	PRAIRIE VIEW DRIVE	TRIP HAZARD / DIP	SIDEWALK	2 SECTIONS	
112	SHANAHOAH LANE	TRIP HAZARD	SIDEWALK	1 SECTION	
127	SHANAHOAH LANE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
<b>DANIEL CROSSING (continued)</b>					
103	SPRING RIDGE DRIVE	TRIP HAZARD	SIDEWALK	7 SECTIONS	
709	SUMMERFIELD DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	

123	WESTMINISTER AVENUE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
<b>18</b>				<b>39 SECTIONS</b>	<b>0</b>
<b>GLEN RIDGE ESTATES</b>					
424	AMBROSE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
427	AMBROSE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
431	AMBROSE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
513	AMBROSE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
522	AMBROSE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
517	ANGLE RIDGE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
428	BROOKWOOD DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
120	CLUBVIEW COURT	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
106	EDGEMERE COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
117	EDGEMERE COURT	TRIP HAZARD	SIDEWALK	2 SECTIONS	
118	EDGEMERE COURT	TRIP HAZARD	SIDEWALK	2 SECTIONS	
119	GLEN RIDGE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
123	GLEN RIDGE DRIVE	TRIP HAZARD / DIP	SIDEWALK	3 SECTIONS	
238	GLEN RIDGE DRIVE	TRIP HAZARD	SIDWALK	1 SECTION	
317	GLEN RIDGE DRIVE	TRIP HAZARD	SIDWALK	1 SECTION	
328	GLEN RIDGE DRIVE	TRIP HAZARD	SIDWALK / LEAD WAY	3 SECTIONS	
417	GLEN RIDGE DRIVE	TRIP HAZARD	SIDWALK	2 SECTIONS	
421	GLEN RIDGE DRIVE	TRIP HAZARD	SIDWALK	1 SECTION	
331	HAMPSTEAD DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
407	HAMPSTEAD DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
332	HILLGLEN DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
336	HILLGLEN DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
458	LAKEDALE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
412	LAKEHURST DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
300	LAKEFIELD DRIVE	TRIP HAZARD / DIP	SIDWALK	3 SECTIONS	
312	LAKEFIELD DRIVE	TRIP HAZARD	SIDWALK	1 SECTION	
342	LAKEFIELD DRIVE	TRIP HAZARD	SIDWALK	2 SECTIONS	
409	LAKEFIELD DRIVE	TRIP HAZARD	SIDWALK	1 SECTION	
<b>GLEN RIDGE ESTATES (continued)</b>					
449	LAKEFIELD DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
508	LOCKWOOD DRIVE	TRIP HAZARD	SIDWALK	1 SECTION	
509	LOCKWOOD DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	2 SECTIONS	
517	LOCKWOOD DRIVE	TRIP HAZARD	SIDWALK	1 1-SECTION	
505	MUSTANG RIDGE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	5 SECTIONS	

509	MUSTANG RIDGE DRIVE	DIP	SIDWALK	4 SECTIONS	
513	MUSTANG RIDGE DRIVE	DIP	SIDWALK	5 SECTIONS	
517	MUSTANG RIDGE DRIVE	DIP	SIDWALK / LEAD WAY	5 SECTIONS	
521	MUSTANG RIDGE DRIVE	DIP	SIDWALK / LEAD WAY	5 SECTIONS	
600	MUSTANG RIDGE DRIVE	TRIP HAZARD	SIDWALK	1 SECTION	
513	NEWPORT COURT	TRIP HAZARD	SIDEWALK / LEAD WALK	3 SECTIONS	
514	NEWPORT COURT	TRIP HAZARD	SIDEWALK / LEAD WALK	2 SECTIONS	
449	PARKSHIRE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
103	SHIREHURST DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
320	WOODGLEN DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	2 SECTIONS	
<b>43</b>				<b>82 SECTIONS</b>	<b>0</b>

### HUNTER LANDING

1000	AMESBURY	TRIP HAZARD	SIDEWALK	2 2-SECTIONS	
937	BEECHWOOD	TRIP HAZARD	SIDEWALK	1 1-SECTION	
941	BEECHWOOD	TRIP HAZARD / DIP	SIDEWALK	4 4-SECTIONS	
1007	BEECHWOOD	TRIP HAZARD	SIDEWALK	1 1-SECTION	
1018	BEECHWOOD	TRIP HAZARD / DIP	SIDEWALK	6 6-SECTIONS	
936	BRENTWOOD	TRIP HAZARD	SIDEWALK	1 1-SECTION	
940	BRENTWOOD	TRIP HAZARD	SIDEWALK	1 1-SECTION	
1008	BRENTWOOD	TRIP HAZARD	SIDEWALK	1 1-SECTION	
1012	BRENTWOOD	TRIP HAZARD	SIDEWALK	1 1-SECTION	
329	DALEPORT	TRIP HAZARD	SIDEWALK	2 2-SECTIONS	
337	DALEPORT	TRIP HAZARD	SIDEWALK	2 2-SECTIONS	
301	HUNTINGTON	TRIP HAZARD / DIP	SIDEWALK	2 SECTIONS	
412	HUNTINGTON	TRIP HAZARD	SIDEWALK	1 SECTION	
306	COVINGTON COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
314	COVINGTON COURT	DIP	SIDEWALK	3 SECTIONS	

### HUNTER LANDING (continued)

321	COVINGTON COURT	TRIP HAZARD	SIDEWALK	2 SECTIONS	
302	GREENFIELD DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
414	GREENFIELD DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
430	GREENFIELD DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
724	MUSTANG RIDGE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
814	MUSTANG RIDGE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
333	SHADY OAKS DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	

22				38 SECTIONS	0
<b>MAXWELL CREEK NORTH</b>					
302	BROOKMERE LANE	TRIP HAZARD	SIDEWALK	1 SECTION	
322	BROOKMERE LANE	TRIP HAZARD	SIDEWALK	1 SECTION	
401	BROOKMERE LANE	TRIP HAZARD / DIP	SIDEWALK / LEAD WAY	6 SECTIONS	
317	CANDLEWOOD TRAIL	TRIP HAZARD	SIDEWALK	1 SECTION	
614	CANDLWOOD	TRIP HAZARD	SIDEWALK	2 SECTIONS	
619	CANDLWOOD	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
635	CANDLWOOD	TRIP HAZARD	SIDEWALK	1 SECTION	
304	CAVE RIVER DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
312	CAVE RIVER DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
321	CAVE RIVER DRIVE	DIP	SIDEWALK	6 SECTIONS	
344	CAVE RIVER DRIVE	DIP	SIDEWALK / LEAD WAY	7 SECTIONS	
401	CAVE RIVER DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
417	CAVE RIVER DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
533	CAVE RIVER DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
901	CHESTNUT COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
804	COLD SPRINGS COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
805	COLD SPRINGS COURT	TRIP HAZARD	SIDEWALK	3 SECTIONS	
131	CREEKSIDE DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
139	CREEKSIDE DRIVE	DIP	SIDEWALK / LEAD WAY	2 SECTIONS	
200	CREEKSIDE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTIONS	
205	CREEKSIDE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	4 SECTIONS	
229	CREEKSIDE DRIVE	DIP	SIDEWALK	6 SECTIONS	
233	CREEKSIDE DRIVE	TRIP HAZARD / DIP	SIDEWALK / LEAD WAY	14 SECTIONS	
<b>MAXWELL CREEK NORTH (continued)</b>					
237	CREEKSIDE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
522	CREEKSIDE DRIVE	DIP	SIDEWALK	3 SECTIONS	
200	CREPE MYRTLE	TRIP HAZARD	SIDEWALK / LEAD WAY (POTHOLE)	2 SECTIONS	
224	CREPE MYRTLE	TRIP HAZARD	SIDEWALK	4 SECTIONS	
228	CREPE MYRTLE	TRIP HAZARD	SIDEWALK	1 SECTION	
244	CREPE MYRTLE	TRIP HAZARD	SIDEWALK	1 SECTION	
	DESPERADO / McMILLEN	TRIP HAZARD	SIDEWALK	1 SECTION	
828	HUNTERS GLEN	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
921	HUNTERS GLEN	TRIP HAZARD	SIDEWALK	2 SECTIONS	
804	MORNINGSIDE TRAIL	TRIP HAZARD	SIDEWALK	1 SECTION	

824	MORNINGSIDE TRAIL	TRIP HAZARD	SIDEWALK	2 SECTIONS	
712	PAINT CREEK ROAD	TRIP HAZARD	SIDEWALK / FIRE HYDRANT SPLASH PAD	1 SECTION	
424	PARKSIDE	TRIP HAZARD / DIP	SIDEWALK / LEAD WAY	4 SECTIONS	
307	POST OAK	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
424	POST OAK	TRIP HAZARD	SIDEWALK	2 SECTIONS	
301	ROYAL OAK	TRIP HAZARD	SIDEWALK	1 SECTION	
333	ROYAL OAK	TRIP HAZARD	SIDEWALK	1 SECTION	
345	ROYAL OAK	TRIP HAZARD / DIP	SIDEWALK	4 SECTIONS	
405	ROYAL OAK	TRIP HAZARD	SIDEWALK / LEAD WAY	2 SECTIONS	
641	SUNDOWN WAY	TRIP HAZARD	SIDEWALK	1 SECTION	
701	TWIN VALLEY DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	5 SECTIONS	
709	TWIN VALLEY DRIVE	TRIP HAZARD	SIDEWALK / DRIVEWAY APPROACH (POT HOLES)	2 SECTIONS	
721	TWIN VALLEY DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
122	GREEN ACRES DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
126	GREEN ACRES DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
204	GREEN ACRES DRIVE	TRIP HAZARD	LEAD WALK	1 SECTION	
205	GREEN ACRES DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
306	GREEN ACRES DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
<b>51</b>				<b>131 SECTIONS</b>	<b>0</b>

<b>MURPHY FARMS</b>					
314	GREEN ACRES DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
321	GREEN ACRES DRIVE	TRIP HAZARD / DIP	SIDEWALK	3 SECTIONS	
322	GREEN ACRES DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
330	GREEN ACRES DRIVE	TRIP HAZARD	SIDEWALK / FIRE HYDRANT SPLASH PAD	SECTIONS & FIRE 5 HYDRANT SPLASH PAD	
428	LOVEBIRD LANE	DIP	SIDEWALK	4 SECTIONS	CUSTOMER SIDE
425	LOVEBIRD LANE	DIP / DROP TO CURB	SIDEWALK	5 SECTIONS	CUSTOMER SIDE
418	LOVEBIRD LANE	TRIP HAZARD / DIP	SIDEWALK	5 SECTIONS	
407	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
331	LOVEBIRD LANE	TRIP HAZARD / DIP	SIDEWALK	6 SECTIONS	
328	LOVEBIRD LANE	DIP	SIDEWALK	6 SECTIONS	
319	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	3 SECTIONS	

317	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK (SHOWING REBAR)	5 SECTIONS	
316	LOVEBIRD LANE	DIP	SIDEWALK	5 SECTIONS	
310-312	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
306	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
302	LOVEBIRD LANE	DIP	SIDEWALK	8 SECTIONS	CUSTOMER SIDE
278	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
274	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
268-270	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
251	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
241-243	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
226	LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
218	LOVEBIRD LANE	TRIP HAZARD / DIP	SIDEWALK	6 SECTIONS	
	MOCKINGBIRD HILL COURT / LOVEBIRD LANE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
1062-1058	MOCKINGBIRD HILL COURT	TRIP HAZARD	SIDEWALK	6 SECTIONS	
1055	MOCKINGBIRD HILL COURT	TRIP HAZARD	SIDEWALK	4 SECTIONS	
412	PLEASANT RUN	TRIP HAZARD	SIDEWALK	2 SECTIONS	
1019	QUAIL HOLLOW COURT	TRIP HAZARD	SIDEWALK / LEAD WALK	7 SECTIONS	
1016	SLEEPY HOLLOW COURT	TRIP HAZARD	SIDEWALK	2 SECTIONS	
<b>29</b>				<b>122 SECTIONS</b>	<b>3</b>

<b>THE RANCH &amp; GABLES</b>					
1218	ALABAMA	TRIP HAZARD	HANDICAP RAMP	4 SECTIONS / RAMP	
319	APACHE	DIP	SIDEWALK	6 SECTIONS	
337	APACHE	DIP	SIDEWALK	4 SECTIONS	
345	APACHE	DIP	SIDEWALK	4 SECTIONS	
500	AVALANCHE	DIP	SIDEWALK / LEAD WALK	4 SECTIONS	CUSTOMER SIDE
501	AVALANCHE	DIP	SIDEWALK	5 SECTIONS	
605	AVALANCHE	TRIP HAZARD	SIDEWALK	1 SECTION	
	BUCKSHOT CT / COMANCHE TRL	TRIP HAZARD	SIDEWALK	3 SECTIONS	
1005	BUCKSHOT COURT	TRIP HAZARD / DIP	SIDEWALK	5 SECTIONS	CUSTOMER SIDE
1009	BUCKSHOT COURT	DIP	SIDEWALK	4 SECTIONS	
1013	BUCKSHOT COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
506	COMANCHE TRAIL	TRIP HAZARD	SIDEWALK / DRIVEWAY APPROACH	2 SECTIONS	
510	COMANCHE TRAIL	TRIP HAZARD	SIDEWALK	1 SECTION	

513	COMANCHE TRAIL	TRIP HAZARD	SIDEWALK	2 SECTIONS	
604	COMANCHE TRAIL	TRIP HAZARD	SIDEWALK / DRIVEWAY APPROACH	1 SECTION	
324	CORRAL COURT	DIP	SIDEWALK	5 SECTIONS	
1012	COWBOY COURT	TRIP HAZARD	SIDEWALK / LEAD WAY (SHOWING REBAR)	2 SECTIONS	
1000	HIDEAWAY COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
1005	HIDEAWAY COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
1021	HIDEAWAY COURT	TRIP HAZARD	SIDEWALK	2 SECTIONS	
328-332	IDAHO	TRIP HAZARD	SIDEWALK	2 SECTIONS	
349	IDAHO	TRIP HAZARD	SIDEWALK	3 SECTIONS	
1230	IOWA	DIP	SIDEWALK	4 SECTIONS	
335	KANSAS	DIP	SIDEWALK	4 SECTIONS	
336	KANSAS	DIP	SIDEWALK	4 SECTIONS	
360	KANSAS	DIP	SIDEWALK	5 SECTIONS	
363	KANSAS	DIP	SIDEWALK / LEAD WALK	5 SECTIONS	CUSTOMER SIDE

### THE RANCH & GABLES

	LOOKOUT / GENE AUTRY LN	TRIP HAZARD	SIDEWALK / FIRE HYDRANT SPLASH PAD	6 SECTIONS	
1227	LONESOME DOVE	TRIP HAZARD	SIDEWALK / LEAD WALK	2 SECTIONS	
1309	LONESOME DOVE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
633	MEMORIAL HILL LANE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
637	MEMORIAL HILL LANE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
343	MONTANA	DIP	SIDEWALK	5 SECTIONS	
400	PONDEROSA	DIP	SIDEWALK / LEAD WALK	5 SECTIONS	
424	PONDEROSA	TRIP HAZARD / DIP	SIDEWALK	5 SECTIONS	
	RODEO DRIVE / TEXAS TRAIL		HANDICAP RAMP	2 SECTIONS	
604	ROTHSCHILD LANE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
608	ROTHSCHILD LANE	TRIP HAZARD	SIDEWALK	1 SECTION	
412	ROY ROGERS	TRIP HAZARD	SIDEWALK	2 SECTIONS	
319	SAGEBRUSH TRAIL	DIP	SIDEWALK	4 SECTIONS	
405	TEXAS TRAIL	TRIP HAZARD / DIP	SIDEWALK	5 SECTIONS	
<b>42</b>				<b>130 SECTIONS</b>	<b>3</b>

### ROLLING RIDGE ESTATES

504	CARRINGTON LANE	TRIP HAZARD	SIDEWALK	1 SECTION	
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505	CARRINGTON LANE	TRIP HAZARD	SIDEWALK / FIRE HYDRANT SPLASH PAD	2 SECTIONS	
1228	CRESTWICK DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
1201	DARTMOUTH CIRCLE	DIP	SIDEWALK / LEAD WAY	5 SECTIONS	
1205	DARTMOUTH CIRCLE	TRIP HAZARD	SIDEWALK	1 SECTION	
1218	EASTWICK CIRCLE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
429	LAUREL HILL LANE	TRIP HAZARD	SIDEWALK / FIRE HYDRANT SPLASH PAD	1 SECTION	
417	REMINGTON DRIVE	TRIP HAZARD	SIDEWALK / LEAD WAY	1 SECTION	
422	REMINGTON DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
1308	SALSBURY CIRCLE	DIP	SIDEWALK	3 SECTIONS	
525	WENTWORTH LANE	TRIP HAZARD	SIDEWALK	1 SECTION	
<b>11</b>				<b>20</b>	<b>0</b>

### STRATFORD CROSSING

117	DEVENSHIRE	TRIP HAZARD	SIDEWALK	1 SECTION	
130	DEVENSHIRE	TRIP HAZARD	SIDEWALK	1 SECTION	
204	DEVENSHIRE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
936	DOVER	TRIP HAZARD	SIDEWALK	1 SECTION	
1007	LAUREN	TRIP HAZARD	SIDEWALK / LEAD WALK	2 SECTIONS	
1011	LAUREN	TRIP HAZARD	SIDEWALK	1 SECTION	
1023	LAUREN	TRIP HAZARD	SIDEWALK	2 SECTIONS	
806	SHADYBROOK	TRIP HAZARD	SIDEWALK	1 SECTION	
213	SHERWOOD	DIP	HANDICAP RAMP	6 SECTIONS	
209	SHERWOOD	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
123	SHERWOOD	TRIP HAZARD	SIDEWALK	1 SECTION	
<b>11</b>				<b>22 SECTIONS</b>	<b>0</b>

### TIMBERS

244	BRIAR OAK DRIVE	TRIP HAZARD / DIP	SIDEWALK / HANDICAP RAMP	11 SECTIONS / HANDICAP RAMP	
236	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK	7 SECTIONS	
224	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
219	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
203	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
200	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
135	BRIAR OAK DRIVE	DIP	SIDEWALK	3 SECTIONS	

131	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
130	BRIAR OAK DRIVE	SETTLED	SIDEWALK	12 SECTIONS	
127	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
126	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
122	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	CUSTOMER SIDE
118	BRIAR OAK DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	CUSTOMER SIDE
114	BRIAR OAK DRIVE	TRIP HAZARD / SETTLED	SIDEWALK / LEAD WALK	8 SECTIONS	
102	BRIAR OAK DRIVE	SETTLED / DIP	SIDEWALK	5 SECTIONS	
244	BRIAR OAK DRIVE	TRIP HAZARD	HANDICAP RAMP	1 HANDICAP RAMP	
118	ELMCREST	TRIP HAZARD	SIDEWALK	1 SECTION	
130	ELMCREST	TRIP HAZARD	SIDEWALK	1 SECTION	
200	ELMCREST	TRIP HAZARD	SIDEWALK	1 SECTION	
<b>TIMBERS Continued</b>					
204	ELMCREST	TRIP HAZARD	SIDEWALK	1 SECTION	
130	FALLBROOK DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
208	FALLBROOK DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
216	FALLBROOK DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
113	FALLBROOK DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
208	FOREST	TRIP HAZARD / SETTLED	SIDEWALK	4 SECTIONS	
216	FOREST	TRIP HAZARD	SIDEWALK / HANDICAP RAMP	4 SECTIONS	
210	GLENWOOD	TRIP HAZARD	SIDEWALK	5 SECTIONS	
533	HACKBERRY DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
112	HAWTHORNE DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
113	HAWTHORNE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
117	HAWTHORNE DRIVE	TRIP HAZARD	LEAD WALK	1 SECTION	CUSTOMER SIDE
120	HAWTHORNE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
208	HAWTHORNE DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
209	HAWTHORNE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	3 SECTIONS	
212	HAWTHORNE	TRIP HAZARD	SIDEWALK	1 SECTION	
217	HAWTHORNE DRIVE	TRIP HAZARD	SIDEWALK / HANDICAP RAMP	4 SECTIONS	
220	HAWTHORNE	TRIP HAZARD / SETTLED	SIDEWALK / LEAD WALK	4 SECTIONS	CUSTOMER SIDE - SIDEWALK
221	HAWTHORNE DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
300	HAWTHORNE	TRIP HAZARD	SIDEWALK / LEAD WALK	5 SECTIONS	
301	HAWTHORNE	TRIP HAZARD / DIP	SIDEWALK / LEAD WALK	7 SECTIONS	

304	HAWTHORNE	TRIP HAZARD	SIDEWALK / LEAD WALK	6 SECTIONS	
308	HAWTHORNE	TRIP HAZARD	SIDEWALK / LEAD WALK	5 SECTIONS	
312	HAWTHORNE	TRIP HAZARD	SIDEWALK / LEAD WALK	3 SECTIONS	CUSTOMER SIDE - DRIVEWAY
317	HAWTHORNE	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
320	HAWTHORNE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
321	HAWTHORNE	TRIP HAZARD / DIP	SIDEWALK	3 SECTIONS	

### TIMBERS Continued

324	HAWTHORNE	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
328	HAWTHORNE	TRIP HAZARD	SIDEWALK	4 SECTIONS	
329	HAWTHORNE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
333	HAWTHORNE	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
405	HAWTHORNE	TRIP HAZARD	SIDEWALK	1 SECTION	
429	HAWTHORNE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
433	HAWTHORNE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
501	HAWTHORNE	TRIP HAZARD	SIDEWALK	1 SECTION	
510	HAWTHORNE	TRIP HAZARD	SIDEWALK	1 SECTION	
523	HAWTHORNE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
324	HEATHER BROOK	TRIP HAZARD	SIDEWALK	2 SECTIONS	
427	HICKORY DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
435	HICKORY DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	CUSTOMER SIDE
440	HICKORY DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
500	HICKORY DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
508	HICKORY DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
509	HICKORY DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
512	HICKORY DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
516	HICKORY DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
524	JASMINE DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
532	JASMINE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
318	KENTWOOD DRIVE	TRIP HAZARD	HANDICAP RAMP	1 HANDICAP RAMP	
422	MAPLE SUGAR	TRIP HAZARD / SETTLED	SIDEWALK	5 SECTIONS	
434	MAPLE SUGAR	TRIP HAZARD / SETTLED	SIDEWALK	5 SECTIONS	
442	MAPLE SUGAR	TRIP HAZARD	SIDEWALK / LEAD WALK	11 SECTIONS	
443	MAPLE SUGAR	TRIP HAZARD	SIDEWALK	5 SECTIONS	
117	MEADOW CREEK	TRIP HAZARD / DIP	SIDEWALK	7 SECTIONS	CUSTOMER SIDE - DRIVEWAY

121	MEADOW CREEK	TRIP HAZARD / SETTLED	SIDEWALK / LEAD WALK	7 SECTIONS	
301-305	MESQUITE COURT	TRIP HAZARD	SIDEWALK	3 SECTIONS	
312	MESQUITE COURT	DIP	SIDEWALK	6 SECTIONS	
317	MESQUITE COURT	TRIP HAZARD	SIDEWALK	4 SECTIONS	
241	MIMOSA DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	

### TIMBERS Continued

244	MIMOSA DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
249	MIMOSA DRIVE	TRIP HAZARD / DIP	SIDEWALK	9 SECTIONS	
341	MIMOSA DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
405	MIMOSA DRIVE	TRIP HAZARD	SIDEWALK	4 SECTIONS	
110	OAKBLUFF DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	CUSTOMER SIDE
122	OAKBLUFF DRIVE	TRIP HAZARD	HANDICAP RAMP	1 HANDICAP RAMP	
125	OAKBLUFF DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
205	OAKBLUFF DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
213	OAKBLUFF DRIVE	TRIP HAZARD / DIP	SIDEWALK	8 SECTIONS	
221 -217	OAKBLUFF DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
301	OAKDALE	TRIP HAZARD	SIDEWALK	1 SECTION	
309	OAKDALE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
403	OAK GLEN	TRIP HAZARD / DIP	SIDEWALK	8 SECTIONS	
411	OAK GLEN	TRIP HAZARD	SIDEWALK	2 SECTIONS	
412	OAK GLEN	TRIP HAZARD / SETTLED	SIDEWALK	7 SECTIONS	
416	OAK GLEN	TRIP HAZARD	SIDEWALK	10 SECTIONS	
419	OAK GLEN	TRIP HAZARD	SIDEWALK	17 SECTIONS	
420	OAK GLEN	TRIP HAZARD	SIDEWALK	9 SECTIONS	
423	OAK GLEN	SETTLED DUE TO CITY SEWER REPAIR	SIDEWALK	13 SECTIONS	
424	OAK GLEN	TRIP HAZARD	SIDEWALK	3 SECTIONS	
220	PEACHTREE DRIVE	TRIP HAZARD	HANDICAP RAMP	1 HANDICAP RAMP	
220	PEACHTREE DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
224	PEACHTREE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
224	PEACHTREE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
228	PEACHTREE DRIVE	TRIP HAZARD	SIDEWALK / DRIVEWAY APPROACH	3 SECTIONS	
232	PEACHTREE DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
301	PINE TOP DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
309	PINE TOP DRIVE	DIP	SIDEWALK / LEAD WALK	7 SECTIONS	
313	PINE TOP DRIVE	TRIP HAZARD / DIP	SIDEWALK	5 SECTIONS	

317	PINE TOP DRIVE	DIP	SIDEWALK / LEAD WALK	7 SECTIONS	
333	PINE TOP DRIVE	TRIP HAZARD / DIP	SIDEWALK	7 SECTIONS	

### TIMBERS Continued

341	PINE TOP DRIVE	TRIP HAZARD / DIP	SIDEWALK / LEAD WALK	4 SECTIONS	
119	POST CREST DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
122	POST CREST DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
127	POST CREST DRIVE	DIP	SIDEWALK	4 SECTIONS	
126	POST CREST DRIVE	DIP	SIDEWALK / LEAD WALK	4 SECTIONS	
143	POST CREST DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
151	POST CREST DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
428	RAINFOREST COURT	TRIP HAZARD	SIDEWALK	3 SECTIONS	
435	RAINFOREST COURT	TRIP HAZARD	SIDEWALK	5 SECTIONS	
436	RAINFOREST COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
300	RAINTREE DRIVE	TRIP HAZARD	SIDEWALK / DRIVEWAY APPROACH	5 SECTIONS	
117	RIDGESTONE	TRIP HAZARD	SIDEWALK / DRIVEWAY APPROACH	11 SECTIONS	CUSTOMER SIDE - DRIVEWALK
121	RIDGESTONE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
125	RIDGESTONE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
129	RIDGESTONE	TRIP HAZARD / SETTLED	SIDEWALK	8 SECTIONS	
133	RIDGESTONE	TRIP HAZARD	SIDEWALK	11 SECTIONS	
201	RIDGESTONE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
205	RIDGESTONE	TRIP HAZARD	SIDEWALK	7 SECTIONS	
209	RIDGESTONE	TRIP HAZARD	SIDEWALK	1 SECTION	
408	ROCKY GLEN	TRIP HAZARD	SIDEWALK	1 SECTION	
411	ROCKY GLEN	TRIP HAZARD	SIDEWALK / LEAD WALK / VALVE STACKS	18 SECTIONS	
412	ROCKY GLEN	TRIP HAZARD	SIDEWALK	4 SECTIONS	
415	ROCKY GLEN	TRIP HAZARD	SIDEWALK	4 SECTIONS	
418	ROCKY GLEN	TRIP HAZARD	SIDEWALK / LEAD WALK	2 SECTIONS	
419	ROCKY GLEN	TRIP HAZARD	SIDEWALK / LEAD WALK / DRIVEWAY APPROACH	3 SECTIONS	
420	ROCKY GLEN	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
423	ROCKY GLEN	TRIP HAZARD	SIDEWALK / LEAD WALK / DRIVEWAY APPROACH	4 SECTIONS	
424	ROCKY GLEN	TRIP HAZARD	SIDEWALK	2 SECTIONS	

TIMBERS Continued					
308	ROLLING OAK DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	9 SECTIONS	CUSTOMER SIDE
309	ROLLING OAK DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
312	ROLLING OAK DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
313	ROLLING OAK DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	7 SECTIONS	
316	ROLLING OAK DRIVE	TRIP HAZARD / DIP	SIDEWALK	3 SECTIONS	
317	ROLLING OAK DRIVE	TRIP HAZARD / DIP	SIDEWALK / DRIVEWAY APPROACH	5 SECTIONS	
320	ROLLING OAK DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
321	ROLLING OAK DRIVE	SETTTLED	SIDEWALK / LEAD WALK	3 SECTIONS	
329	ROLLING OAK DRIVE	TRIP HAZARD	SIDEWALK / DRIVEWAY APPROACH	1 SECTION	
331	ROLLING OAK DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
	SHADY TIMBERS LAND / PINE TOP DRIVE	HANDICAP RAMP	HANDICAP RAMP	3 SECTIONS	
201	SHADY TIMBERS DRIVE	TRIP HAZARD	HANDICAP RAMP	6 SECTIONS	
205	SHADY TIMBERS DRIVE	TRIP HAZARD / LEAD WALK	SIDEWALK / LEAD WALK	4 SECTIONS	
221	SHADY TIMBERS DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
225	SHADY TIMBERS DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
300	Shady Timbers Ln / Pine Top Dr			8 SECTIONS	
304	SHADY TIMBERS LANE	TRIP HAZARD / DIP	SIDEWALK	9 SECTIONS	
305	SHADY TIMBERS LANE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
308	SHADY TIMBERS LANE	TRIP HAZARD	LEAD WALK	1 SECTION	
309	SHADY TIMBERS LANE	DIP	SIDEWALK	3 SECTIONS	
312	SHADY TIMBERS LANE	TRIP HAZARD	SIDEWALK	4 SECTIONS	
313	SHADY TIMBERS LANE	TRIP HAZARD	SIDEWALK / LEAD WALK / DRIVEWAY APPROACH	4 SECTIONS	
316	SHADY TIMBERS LANE	TRIP HAZARD	SIDEWALK	1 SECTION	
317	SHADY TIMBERS LANE	TRIP HAZARD / DIP	SIDEWALK	5 SECTIONS	
324-328	SHADY TIMBERS LANE- Flume		FLUME	1 SECTION	
328	SHADY TIMBERS LANE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
413	SUMAC COURT	DIP	SIDEWALK	3 SECTIONS	
420	SUMAC COURT	TRIP HAZARD	SIDEWALK	2 SECTIONS	
	SUMAC COURT	TRIP HAZARD	SIDEWALK	8 SECTIONS	

TIMBERS Continued					
421	SUMAC COURT	TRIP HAZARD	SIDEWALK	6 SECTIONS	
424	SUMAC COURT	TRIP HAZARD	SIDEWALK	1 SECTION	

428	SUMAC COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
437	SUMAC COURT	TRIP HAZARD	SIDEWALK	6 SECTIONS	
	SUNNY CREST DRIVE / WOODLAKE DRIVE	Valve Stack			
116	SUNNY CREST DRIVE	TRIP HAZARD / SETTLED	SIDEWALK	4 SECTIONS	
120	SUNNY CREST DRIVE	TRIP HAZARD	SIDEWALK	4 SECTIONS	
121	SUNNY CREST DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
124	SUNNY CREST DRIVE	TRIP HAZARD	SIDEWALK	4 SECTIONS	CUSTOMER SIDE - DRIVEWAY
125	SUNNY CREST DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
128	SUNNY CREST DRIVE	TRIP HAZARD /SETTLED	SIDEWALK	9 SECTIONS	
129	SUNNY CREST DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
200	SUNNY CREST DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	8 SECTIONS	
201	SUNNY CREST DRIVE	TRIP HAZARD	SIDEWALK	4 SECTIONS	
204	SUNNY CREST DRIVE	SETTLED	SIDEWALK / LEAD WALK	7 SECTIONS	
111	SWEETGUM	TRIP HAZARD	SIDEWALK	1 SECTION	
309	SYCAMORE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	6 SECTIONS	
313	SYCAMORE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	7 SECTIONS	
316-320	SYCAMORE DRIVE	DIP	SIDEWALK	2 SECTIONS	
324	SYCAMORE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
337	SYCAMORE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
340	SYCAMORE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
340	SYCAMORE DRIVE	TRIP HAZARD / DIP	SIDEWALK	7 SECTIONS	
341	SYCAMORE DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
349	SYCAMORE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
529	TALL TREE DRIVE	TRIP HAZARD	HANDICAP RAMP	2 SECTIONS	
601	TALL TREE DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
604	TALL TREE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
613	TALL TREE DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
105	TIMBERBLUFF	TRIP HAZARD	SIDEWALK	2 SECTIONS	
110	TIMBERBLUFF	TRIP HAZARD /SETTLED	SIDEWALK	4 SECTIONS	

### TIMBERS Continued

114	TIMBERBLUFF	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
117	TIMBERBLUFF	TRIP HAZARD	SIDEWALK	2 SECTIONS	
121	TIMBERBLUFF	TRIP HAZARD	SIDEWALK	2 SECTIONS	
126	TIMBERBLUFF	TRIP HAZARD	SIDEWALK	2 SECTIONS	
133	TIMBERBLUFF	TRIP HAZARD	SIDEWALK	1 SECTION	

200	TIMBERBLUFF	TRIP HAZARD	SIDEWALK	3 SECTIONS	
201	TIMBERBLUFF	TRIP HAZARD	SIDEWALK	3 SECTIONS	
206	TIMBERBLUFF	TRIP HAZARD	HANDICAP RAMP	1 SECTION	
217	TIMBERBLUFF	TRIP HAZARD	SIDEWALK	1 SECTION	
100	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	4 SECTIONS	CUSTOMER SIDE - SIDEWALK
101	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
104	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
108	TIMBER RIDGE DRIVE	TRIP HAZARD / DIP / SETTLED	SIDEWALK	13 SECTIONS	
109	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
112	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	8 SECTIONS	
113	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	7 SECTIONS	
116	TIMBER RIDGE DRIVE	TRIP HAZARD / DIP	SIDEWALK	11 SECTIONS	CUSTOMER SIDE - DRIVEWAY
117	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
120	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
121	TIMBER RIDGE DRIVE	TRIP HAZARD / DIP	SIDEWALK	3 SECTIONS	
124	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	8 SECTIONS	
125	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	5 SECTIONS	
128	TIMBER RIDGE DRIVE	TRIP HAZARD / DIP	SIDEWALK	14 SECTIONS	CUSTOMER SIDE - DRIVEWAY
129	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	8 SECTIONS	
133	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
200	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK / DRIVEWAY APPROACH	9 SECTIONS	
201	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
205	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	7 SECTIONS	

### TIMBERS Continued

208	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK / DRIVEWAY APPROACH	3 SECTIONS	
212	TIMBER RIDGE DRIVE	TRIP HAZARD / DIP	SIDEWALK	6 SECTIONS	
213	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	14 SECTIONS	
220	TIMBER RIDGE DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
419	WALNUT DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
420	WALNUT DRIVE	DIP	SIDEWALK	4 SECTIONS	
423	WALNUT DRIVE	TRIP HAZARD	SIDEWALK	7 SECTIONS	

426	WALNUT DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	CUSTOMER SIDE
427	WALNUT DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
435	WALNUT DRIVE	TRIP HAZARD / SETTLED	SIDEWALK	8 SECTIONS	CUSTOMER SIDE
436	WALNUT DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
444	WALNUT DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
448	WALNUT DRIVE	TRIP HAZARD	SIDEWALK	4 SECTIONS	
516	WEeping WILLOW DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
519	WEeping WILLOW DRIVE	TRIP HAZARD / DIP	SIDEWALK	8 SECTIONS	
520	WEeping WILLOW DRIVE	TRIP HAZARD / DIP	SIDEWALK	9 SECTIONS	
523	WEeping WILLOW DRIVE	TRIP HAZARD / DIP	SIDEWALK	5 SECTIONS	
528	WEeping WILLOW DRIVE	TRIP HAZARD	SIDEWALK	7 SECTIONS	
531	WEeping WILLOW DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
535	WEeping WILLOW DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
536	WEeping WILLOW DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
216	WESTWOOD DRIVE	DIP	SIDEWALK	5 SECTIONS	
220	WESTWOOD DRIVE	TRIP HAZARD	SIDEWALK / HANDICAP RAMP	4 SECTIONS/HANDICAP RAMP	
	WILLOW BEND DRIVE / BRIAR OAK DRIVE	TRIP HAZARD	HANDICAP RAMP	3 SECTIONS	
408	WILLOW BEND DRIVE	TRIP HAZARD / SETTLED	SIDEWALK	2 SECTIONS	CUSTOMER SIDE - DRIVEWAY
413	WILLOW BEND DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
417	WILLOW BEND DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
421	WILLOW BEND DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
424	WILLOW BEND DRIVE	TRIP HAZARD / DIP / SETTLED	SIDEWALK	5 SECTIONS	

### TIMBERS Continued

429	WILLOW BEND DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	2 SECTIONS	
428	WILLOW BEND DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	3 SECTIONS	
432	WILLOW BEND DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
411	WOODCREST	TRIP HAZARD	SIDEWALK / LEAD WALK	8 SECTIONS	
412	WOODCREST	TRIP HAZARD	SIDEWALK / LEAD WALK	13 SECTIONS	
415	WOODCREST	TRIP HAZARD / SETTLED	SIDEWALK	9 SECTIONS	
416	WOODCREST	TRIP HAZARD / SETTLED	SIDEWALK	11 SECTIONS	
420	WOODCREST	TRIP HAZARD	SIDEWALK / DRIVEWAY APPROACH	2 SECTIONS	CUSTOMER SIDE - DRIVEWAY & SIDEWALK
225	WOODLAKE DRIVE	TRIP HAZARD / SETTLED	SIDEWALK / LEAD WALK	16 SECTIONS	CUSTOMER SIDE

300	WOODLAKE DRIVE	TRIP HAZARD	SIDEWALK	2 SECTION	
305	WOODLAKE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	4 SECTIONS	
309	WOODLAKE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
312	WOODLAKE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	10 SECTIONS	
Lot next to 313	WOODLAKE DRIVE			2 SECTIONS	
316	WOODLAKE DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
324	WOODLAKE DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
328	WOODLAKE DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
332	WOODLAKE DRIVE	TRIP HAZARD / SETTLED	SIDEWALK	6 SECTIONS	
340	WOODLAKE DRIVE	TRIP HAZARD	SIDEWALK	5 SECTIONS	
344	WOODLAKE DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
<b>278</b>				<b>1158 SECTIONS</b>	<b>19</b>

### WINDY HILL FARMS

705	ASHLEY PLACE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
712	ASHLEY PLACE	TRIP HAZARD	SIDEWALK	1 SECTION	
216	BRANDON LANE	TRIP HAZARD	SIDEWALK	1 SECTION	
321	ELIZABETH TRAIL	DIP	SIDEWALK	5 SECTIONS	
621	JOHN CLOSE	TRIP HAZARD	SIDEWALK	1 SECTION	
625	JOHN CLOSE	TRIP HAZARD	SIDEWALK	1 SECTION	
220	JUSTIN ROAD	TRIP HAZARD	SIDEWALK	2 SECTIONS	

### WINDY HILL FARMS

135	MERIDETH DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
408	MICHAEL DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
427	MICHAEL DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
513	MICHAEL DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
140	PAIGE COURT	TRIP HAZARD	SIDEWALK	1 SECTION	
205	SARAH WAY	TRIP HAZARD	SIDEWALK	2 SECTIONS	
240	SELETA DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
408	SELETA DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
409	SELETA DRIVE	DIP	SIDEWALK	4 SECTIONS	
412	SELETA DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
421	SELETA DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
437	SELETA DRIVE	TRIP HAZARD	SIDEWALK	3 SECTIONS	
448	SELETA DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
225	SHEILA AVENUE	TRIP HAZARD	SIDEWALK	1 SECTION	

138	SHELBY TRACE	TRIP HAZARD / DIP	SIDEWALK	4 SECTIONS	
154	SHELBY TRACE	TRIP HAZARD	SIDEWALK	1 SECTION	
162	SHELBY TRACE	DIP	SIDEWALK	4 SECTIONS	
425	SOREN DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
446	SOREN DRIVE	TRIP HAZARD	SIDEWALK / LEAD WALK	1 SECTION	
445	SOREN DRIVE	TRIP HAZARD	SIDEWALK	2 SECTIONS	
449	SOREN DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
612	TAYLOR TRAIL	TRIP HAZARD	SIDEWALK	1 SECTION	
236	TERESA STREET	TRIP HAZARD / DIP	SIDEWALK	5 SECTIONS	
205	THOMAS DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
317	THOMAS DRIVE	TRIP HAZARD	SIDEWALK	6 SECTIONS	
320	THOMAS DRIVE	TRIP HAZARD	SIDEWALK	1 SECTION	
<b>33</b>				<b>63 SECTIONS</b>	<b>0</b>
<b>PARKS</b>					
	BRENTWOOD PARK			8 SECTIONS	
	CITY PARK			30 SECTIONS	
	MAXWELL CREEK TRAILS			10 SECTIONS	
	MUSTANG PARK			5 SECTIONS	
<b>4</b>				<b>53 SECTIONS</b>	<b>0</b>
<b>GRAND TOTAL</b>					
<b>554</b>				<b>1863 SECTIONS</b>	<b>25</b>







**City Council Meeting  
October 7, 2014**

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**Issue**

Discuss Emergency Management planning and training for the City of Murphy.

**Staff Resource/Department**

Mark Lee, Fire Chief

**Summary**

The cities of Collin County develop their own plans for their jurisdiction and have deadlines for submittal to various groups. The City of Murphy Hazard Mitigation Stakeholders Group met on Monday, October 6, 2014 at 3 p.m. in the Council Chambers to continue the process of Hazard Mitigation Action Planning. On October 20, 2014, the completed Mitigation Strategies developed by the stakeholder group are to be submitted to Collin County and the North Central Texas Council of Governments for their review. Following that submission, more work will be done and the process continues with the County comprising a report that includes all the participating cities in Collin County as well as the unincorporated areas and submits it to the State by January 16, 2015. Following approval by the State it is returned for each City to approve.

The city is also scheduling a Senior Officials Workshop and Crisis Leadership for November 14, 2014. We will be asking City Councilmembers to attend this workshop.

**Action Requested**

No action as this is just a discussion item.

Name	Organization	Email Address
Jason Lane	Collin County Emergency Management	jlane@co.collin.tx.us
John Tondeur	Collin County Emergency Management Intern	jtondeur@co.collin.tx.us
Nicholas LaGrassa	North Central Texas Council of Governments	nlagrassa@nctcog.org
Ron Hill	CERT Coordinator for Murphy	roma94ph@verizon.net
Mayor Barna	Mayor of Murphy	ebarna@murphytx.com
Mayor Pro Tem Bradley	Mayor Pro Tem of Murphy	sbradley@murphytx.com
James Fisher	City Manager	jfisher@murphytx.com
Gary Hendricks	City Engineer	ghendricks@murphytx.com
Rod Hogan	Interim Parks & Public Works Director	rhogan@murphytx.com
Rick Hudson	Public Works Superintendent	rhudson@murphytx.com
Matt Foster	Parks Superintendent	mfoster@murphytx.com
Adana Barber	Police Department Representative	abarber@murphytx.com
Wendle Medford	IT Department	wmedford@murphytx.com
Barry Young	Oncor Representative	barry.young@oncor.com
Jan Rugg	Atmos Representative	jan.rugg@atmosenergy.com
Kiarash (Kia) Nikourazm	Verizon Representative	kia.x.nikourazm@verizon.com
Jason Walker	CoServe Representative	jawalker@coserve.com
Frank Spataro	Farmers Electric Representative	f.spataro@farmersselectric.coop
Barbara Harless	Citizen/Resident	bpharless@verizon.net
Gary Adams	Murphy Building Official	buildingofficial@murphytx.org
David Gensler	Code Compliance	dgensler@murphytx.com
Marv Williams	Chamber of Commerce Representative	marvelus5@verizon.net
Tom Kula	North Texas Municipal Water District	executivedirector.info@ntmwd.com

# SENIOR OFFICIALS WORKSHOP FOR ALL-HAZARDS PREPAREDNESS

MGT-312

Texas A&M Engineering Extension Service  
National Emergency Response and Rescue Training Center



# SENIOR OFFICIALS WORKSHOP FOR ALL-HAZARDS PREPAREDNESS

## MGT-312

This workshop provides a forum for local or regional executives to share strategies and coordinate plans for emergency preparedness and response. This workshop is an efficient process for discussing executive-level issues with leaders from the agencies involved in all levels of the emergency management structure. The expected outcome: Executive and administrative staff, responder chiefs/department heads and infrastructure and resource leaders sharing a common perspective and an understanding of the challenges they will face in times of crisis.

### Training Level:

Management and Planning

### Venue:

This workshop is typically delivered at a time and place determined by the requesting jurisdiction. Each workshop, including site and curriculum delivery costs, is fully funded through DHS/FEMA's Homeland Security National Training Program.

### Course Length:

1 Day (6 hours)

### Workshop Topics:

- Roles and responsibilities and preparedness challenges
- Domestic preparedness resources and how to leverage them for your community
- Homeland Security Strategic Planning as it relates to risk and needs assessment and the Emergency Operations Plan (EOP) for your jurisdiction
- Executive-level incident response and recovery considerations, including medical/public health, situational appraisal, incident management (ICS), mutual aid agreements, media relations, recovery and restoration processes, Federal assistance, and business/economic recovery
- Includes a practical exercise tailored for the jurisdiction(s) as the catalyst to generate discussion of policy and emergency operations center activities required to support the incident commander's and state/federal government requirements related to an all-hazard, catastrophic incident

### Continuing Education Credits:

IACET - 0.6 CEUs

For more information, contact:

**TEXAS A&M ENGINEERING EXTENSION SERVICE**  
**Steve Keim, Training Manager, Executive Programs**  
200 Technology Way  
College Station, Texas 77845-3424  
979.458.5646 or 855.245.1614 (toll free)  
Steven.Keim@teex.tamu.edu  
[www.teex.org/esti](http://www.teex.org/esti)

### Course Materials:

Participants receive an executive handbook on all-hazards preparedness. This reference book contains chapters on:

- The importance of all-hazards preparedness and the "right" questions to ask during an emergency situation
- The National Response Framework
- Local Government Partner Guides
- ESF and Support Annexes
- Working with the media

Overviews of: the Stafford Act Support to States; DOD Support to Domestic Incidents; and Federal Support in Non-Stafford Act events

### Participants:

This workshop is intended for elected and appointed senior officials from a local jurisdiction, but may also include executives from other community entities, both public and private, that are likely to be involved in a disaster response, including:

- Directors of local response agencies
- Chiefs of departments: fire, law, EMS, HazMat, public works, water, public health, health care, emergency management, governmental administrative disciplines/services
- Public Information Officers
- Resident federal agency representatives (FBI, BATF, Secret Service, FEMA, TSA)
- CEOs of hospitals, college and university representatives, school district superintendents
- Airport and port facility managers
- DoD installation commanders and representatives
- Stadium and sports facility managers and directors of security

### Class Size:

Approximately 30 participants

