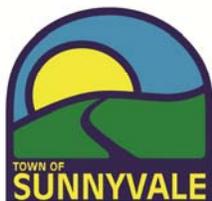


# Town of Sunnyvale

**Town Council**

**June 27, 2016**

## **Town Council Regular Meeting 7:00 P.M.**



**TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
REGULAR MEETING  
MONDAY, JUNE 27, 2016  
TOWN HALL - 127 N. COLLINS RD.  
7:00 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CALL MEETING TO ORDER**

Mayor calls the Meeting to order, state the date and time. State Councilmembers present and declare a quorum present.

**PUBLIC FORUM**

Citizens may speak on any matter other than personnel matters or matters under litigation. No Town Council actions or discussion will be taken until such matter is placed on the agenda and posted in accordance with law.

**CONSENT AGENDA:**

- 1. MINUTES OF REGULAR MEETING – JUNE 13, 2016.**
- 2. DEPARTMENT MONTHLY REPORTS – MAY, 2016.**

**PUBLIC HEARING**

Open or continue public hearing, consider testimony and other information provided, close public hearing, and take necessary action with respect to the following:

- 3. APPLICANT: BILL FOOSE  
AT OR ABOUT: 2718 BELT LINE ROAD APPROX. 11.53 ACRES  
REQUEST: SITE PLAN**
- 4. APPLICANT: BILL FOOSE  
AT OR ABOUT: 2718 BELT LINE ROAD APPROX. 11.53 ACRES  
REQUEST: PRELIMINARY PLAT – BELT LINE VENTURE ADDITION, LOTS 1 & 2, BLOCK A**
- 5. APPLICANT: BILLY DUCKWORTH  
AT OR ABOUT: 323 BARNES BRIDGE ROAD  
REQUEST: PRELIMINARY PLAT – SNEED ADDITION, LOT 1, BLOCK A**
- 6. APPLICANT: DALE HOELTING – DEH CONSULTING, LTD.  
AT OR ABOUT: 182 S. COLLINS ROAD APPROX 4.11 ACRES  
REQUEST: REPLAT – SUNNYVALE COLLINS RETAIL, LOTS 1R, 2R & 3R, BLOCK A**

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**DISCUSSION/ACTION ITEMS:**

**FINANCE**

7. **DISCUSS AND CONSIDER ENGAGING THE SERVICES OF CONWAY COMPANY CPA'S, P.C. FOR THE AUDIT OF THE ANNUAL FINANCIAL STATEMENT FOR THE YEAR ENDING SEPTEMBER 30, 2016.**

**MAYOR & COUNCIL**

8. **MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS.**

**ADJOURN**

ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING.

THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.087 (ECONOMIC DEVELOPMENT).

THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.

**I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON JUNE 24, 2016, IN THE FOLLOWING LOCATION AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING:**

**TOWN HALL AT 127 N. COLLINS ROAD**

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**LESLIE BLACK, TOWN SECRETARY**

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**TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
REGULAR MEETING  
MONDAY, JUNE 13, 2016  
TOWN HALL - 127 N. COLLINS RD.  
7:00 P.M.**

<b>MAYOR</b>	<b>JIM PHAUP</b>
<b>MAYOR PRO-TEM, &amp; PLACE 2</b>	<b>SAJI GEORGE</b>
<b>COUNCILMEMBER, PLACE 1</b>	<b>KARA RANTA</b>
<b>COUNCILMEMBER, PLACE 3</b>	<b>MARK EGAN</b>
<b>COUNCILMEMBER, PLACE 4</b>	<b>JIM WADE</b>
<b>COUNCILMEMBER, PLACE 5</b>	<b>KAREN HILL</b>
<b>COUNCILMEMBER, PLACE 6</b>	<b>CHRIS MCNEILL</b>

**MAYOR PHAUP ADMINISTERED THE OATH OF OFFICE TO MAYOR PRO-TEM GEORGE AND COUNCILMEMBER RANTA**

**INVOCATION**

Councilmember Hill led the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Phaup led the Pledge of Allegiance.

**CALL MEETING TO ORDER**

Mayor Phaup called the meeting to order at 7:07 p.m. All Councilmembers were present.

**PUBLIC FORUM**

Citizens may speak on any matter other than personnel matters or matters under litigation. No Town Council actions or discussion will be taken until such matter is placed on the agenda and posted in accordance with law.

Michael Giordano at 3056 Cypress Way asked if there were any incidents requiring Dallas Sheriff's Office (DSO) to respond in the last 3 to 4 months or 3 to 4 years at Town Hall. Texas, in 1996 passed a concealed to carry law, and in 2016 passed an open carry law. In Texas, approximately 900,000 people have concealed licenses. In Sunnyvale just over 400 people have a concealed license. He noticed postings concerning concealed/open carry in the Town Hall building. He is concerned that as a Town, this building is a gun free zone, and that is a safety issue. It could cause a safety hazard.

John Noster at 120 Lakeview Drive stated that he hoped everyone read the newsletter and voted for flag #1.

**DISCUSSION/ACTION ITEMS:****TOWN SECRETARY****1. DISCUSS AND CONSIDER ELECTING A COUNCIL MEMBER TO SERVE AS MAYOR PRO-TEM.**

Councilmember Hill nominated Saji George for Mayor Pro-Tem George for term June 2016- June 2017.

Councilmember Hill made a motion, seconded by Councilmember Egan to approve Saji George as Mayor Pro-Tem George for term June 2016- June 2017, and with all members voting affirmative, the item passed 7/0.

**ENGINEERING****2. DISCUSS AND CONSIDER THE AWARD OF A CONTRACT TO MACAULEY CONTROLS COMPANY FOR THE PURCHASE AND INSTALLATION OF FIVE WASTEWATER FLOW METERS.**

Town Manager Sean Fox stated that Town staff has been working with the City of Garland staff for the past two years on a new wastewater services contract which includes provisions to meter wastewater flow into the Garland wastewater collection system. Town staff has requested and received proposals from multiple companies to provide the wastewater flow meters and perform the installation. The City of Garland has reviewed the proposals and determined that the Flo-Dar meters provided by the Hach Company meet the wastewater metering requirements of Garland and will allow their use. The proposal provided by Macauley Controls Company will include the purchase of five (5) wastewater flow meters with installation and calibration. In order to meet the City of Garland requirements a two (2) year service plan is also provided in the proposal. The proposal is for a total fee of \$93,260.75.

As a condition of the wastewater meter installation the City of Garland is requiring the Town to perform an engineering study on each site to determine if flow can accurately be measured.

Staff would recommend awarding a contract to the Macauley Controls Company in the amount of \$93,260.75 for the purchase and installation of five Hach Flo-Dar wastewater meters.

Mayor Pro-Tem George asked if the engineering study be completed first or parallel to the installation of the meters. Town Manager Sean Fox stated it should be parallel. The study is to determine meter location. Garland has approved the technology.

Councilmember Egan stated he did not see documents that guaranteed the vendor will stay with the project until it is agreed to be working properly. He asked if there is a guarantee of performance written into the contract that states they will stay with it until the stations work as agreed upon. Councilmember Egan stated the manufacturer or the

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representative, in the written contract or the written documentation, did not state that both parties have reviewed the City of Garland's requirements and agreed that their stations can live up to that performance. He would like to see that in the contract.

Councilmember Wade asked if there is a 2-year service plan to meet the City of Garland requirements is that in the proposal. Town Manager Sean Fox stated yes, it is in the proposal. Councilmember McNeill stated it is at the bottom of page 12. Councilmember Wade expressed that it does not state that it is for the specification of Garland.

Councilmember McNeill asked what the contract with Garland requires regarding the installation and approval of meters, and if they have to accept the system.

Town Manager Sean Fox stated yes, he has it in writing that they have accepted this technology, and this solution.

Mayor Phaup asked if Garland still wants to see the performance after it is put into place. Town Manager Sean Fox stated yes, they have already bought off on the performance level and accuracy. The one thing they wanted to make certain of with this technology is that you have a signed, sealed Texas engineer certify where they are going to be placed in order to provide the accuracy that they are claiming.

Councilmember McNeill stated he appreciates the concerns, but does not feel like they can back out of the contract with the Town.

Councilmember Egan stated it is not Garland that he is worried about. He is concerned about the vendor not performing.

Councilmember McNeill stated that there will be an engineering study, certified by an engineer. It will state the five places where the meters will go, all five of which are within the limits of the Town of Sunnyvale. Once those are designated, Garland does not get to say yes we agree or no we do not agree. The Town of Sunnyvale just provides Garland with the locations. Macauley goes out and installs and calibrates them to the manufacturer specifications, and then we turn it over to Garland. It sounds like the loop has been closed from every side.

Councilmember McNeill made a motion, seconded by to approve awarding a contract to Macauley Controls Company for the purchase and installation of five wastewater flow meters not to exceed \$93,260.75. Councilmember Egan suggested a friendly amendment for the Town Manager to ensure that the vendor certifies that they will meet the Town of Sunnyvale installation and performance requirements, which was agreed to by Councilmember McNeill. Councilmember Hill seconded the motion, and with all members voting affirmative, the item passed 7/0.

### **3. DISCUSS AND CONSIDER THE AWARD OF A CONTRACT TO DELTATEK ENGINEERING FOR AN ENGINEERING STUDY TO DETERMINE THE PROPER LOCATION FOR INSTALLING FIVE WASTEWATER FLOW METERS.**

Town Manager Sean Fox informed the Council that Town staff has been working with the City of Garland staff for the past two years on a new wastewater services contract which includes provisions to meter wastewater flow into the Garland wastewater

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collection system. As a condition of the wastewater meter installation, the Town is being required to perform an engineering study to determine if the meters can be installed within manufacturers recommended parameters and measure flow accurately. Deltatek Engineering has submitted a proposal for the engineering study which includes surveying of the locations to determine hydraulic gradients and a proper location for accurate flow. The proposal is for \$26,750.00 and will be completed within seven weeks.

Staff recommends awarding a contract Deltatek Engineering in the amount of \$26,750.00 for the wastewater meter engineering study.

Councilmember Egan made a motion, seconded by Mayor Pro-Tem George to awarding a contract to Deltatek Engineering for an engineering study to determine the proper location for installing five wastewater flow meters, and with all members present voting affirmative the item passed 7/0.

#### **4. DISCUSS AND CONSIDER THE AWARD OF A CONTRACT TO UP-RITE FOUNDATION REPAIR FOR THE REPAIR OF THE FOUNDATION AT THE DALLAS SHERIFF'S OFFICE SUBSTATION.**

Town Manager Sean Fox stated that after the Dallas Sheriff's Office substation was purchased in 2015 some settlement of the building foundation was noticed. It is undetermined if the settlement occurred prior to purchasing the building or if it developed after the building was purchased by the Town; a pre-purchase building inspection was performed and no settlement was noted. The foundation settlement needs to be repaired before additional settlement takes place and causes structural damage at the facility. Town staff has advertised for bids and received bids from one contractor that proposed two different repair strategies. One bid proposes to use 64 12" piers at a cost of \$63,780.00 and the alternate bid proposes to use 64 8" dual shaft piers at a cost of \$49,990.00. Both construction methods carry the same lifetime warranty from the contractor. Therefore, staff recommends the 8" dual shaft piers at \$49,990.00. It is important to note that the bid of \$49,990.00 only covers the installation of the concrete piers; repairs to the damaged flooring will be paid for separately.

Staff would recommend awarding a contract to Up-Rite Foundation Repair in the amount of \$49,990.00 for the foundation repair at the Dallas Sherriff's Office substation.

Councilmember Wade raised concerns that the vendors experience listed on their website seemed to consist of mainly residential work. Councilmember McNeill asked the approximate square footage of the building. Town Manager Sean Fox stated 5,200 feet approximately. Councilmember McNeill stated that although it is not technically residential it is not multiple times larger than a residence. Councilmember Egan stated there are probably a lot of houses around that are bigger than the Sheriff's substation. Councilmember McNeill stated right that is my point.

Mayor Pro-Tem George asked if this money is only to cover the installation of the concrete piers but the repairs will be paid separately, is that something you will bring up

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later. Town Manager Sean Fox stated this is one of those things where what we have leftover is an unimproved concrete slab. The Dallas Sheriff's Office (DSO) substation is not a public type building with large public access into it. The Town can get by on concrete floors until this is solved. Previously, Marazzi Tile had provided some tile for Town Hall and for the school. The agreements will be worked out, but right now the building needs to be fixed. With the amount of rainfall thus far, if it starts drying out here, there will be some substantial problems. It is unfortunate. The Town has only owned the building a year and had the inspection done previously. Settling both inside and outside of the building was not observed prior to purchase. The Town had all the building floor plans from the previous owner, and had talked with them, and none of this came about. It is upsetting the fact of 9 to 10 months after the Town bought the building; all of the sudden there is \$50,000 worth of repair work to do. Town staff is trying to be frugal with the expected costs at this time. Mayor Phaup asked was there disclosing on this issue on the real estate listing. Town Manager Sean Fox stated no, not at all. The building is only 5 years old.

Wes Garrett at 1380 FM 1389, Combine, Texas, reviewed the process. In response to Councilmember Egan, Wes Garrett stated yes it is post-tension. Wes Garrett stated the blue prints have existing drilled piers that were installed at the time of construction. If they are exposed and proven to be monolithic to the slab they will need to be broken loose in order to lift the slab properly. That is the only unknown at this time.

Mayor Phaup asked if this is this a safety issue currently. He is surprised that this is so critical. He stated that photos would help to understand the urgency. He wants to understand the total impact.

Mayor Pro-Tem George asked for clarification on the lifetime warranty. Wes Garrett stated it is a limited lifetime warranty on the drilled piers. It is based on what is paid for the piers, per pier at 25 percent. If adjustments are needed before the first three years, it is made free of charge; if it is needed after the first three years then it is 25 percent of the pier cost.

Councilmember Ranta asked if anyone has determined the root cause of the foundation issues. Wes Garrett stated it is the construction of the building. It is the over-engineering of the building and the soil it is built on that causes a failure in the slab.

Councilmember Wade stated he is assuming the "x's" are what is not covered and the checks are what is covered by the company on the bid sheet.

Wes Garrett stated yes.

In response to a question by Councilmember Wade, Wes Garrett stated \$5,900 covers all breakouts which is new rebar, pouring and refinishing of concrete.

Councilmember Wade asked about the removal and replacement of small shrubs. Town Manager Sean Fox stated yes, the shrubs will be replaced. Councilmember Wade asked if there are any anticipated plumbing needs. Wes Garrett stated that most plumbing is in center of building, but will do a test, and it is included in the quote.

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Mayor Pro-Tem George asked if this building is 5 years old. Town Manager Sean Fox stated yes it is 5 years old. Mayor Pro-Tem George asked most residential buildings have a typical 10-year warranty, is that applicable to commercial buildings and is it transferrable from the previous owner.

Town Manager Sean Fox stated he is not certain but it was not transferred in any building paperwork of the purchase of the building.

Councilmember Egan commented he has 19 to 25 of these piers in his house. He has 3 under his fireplace and has had it re-jacked once in 36 to 37 years. This technology does not require replacement of piers. Town staff has chosen the right technology and option. He asked before any cuts are made if they try to find cabling. Wes Garrett stated there no cuts on the interior for that reason. They did agree to take care of all tuck point work at no charge to fix mortar joints on the exterior of building.

Councilmember McNeill made a motion, seconded by Councilmember Egan to approve awarding a contract to Up-Rite Foundation Repair for the repair of the foundation at the Dallas Sheriff's Office substation not to exceed \$49,990, and with all members present voting affirmative the item passed 7/0.

**5. DISCUSS AND CONSIDER SECOND READING OF ORDINANCE 16-07: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS, AMENDING THE CODE OF ORDINANCES TO CREATE ARTICLE 8.11 IN CHAPTER 8 OF THE CODE OF ORDINANCES; PROHIBITING A PROPERTY OWNER OR OCCUPANT FROM ALLOWING PROPERTY, RESIDENCES, AND STRUCTURES TO BE USED FOR GATHERINGS WHERE MINORS CONSUME ALCOHOL OR CONTROLLED SUBSTANCES; PROVIDING FOR A PENALTY NOT BE LESS THAN \$1,000.00 NOR EXCEED \$2,000.00; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Manager Sean Fox stated that Town Staff was asked to work with concerned Sunnyvale Independent School District parents and residents and to propose an ordinance to address social hosting and underage drinking within the Town.

Taking language and best practices from neighboring communities, the draft ordinance was presented to Council on March 14, 2016. Council directed changes to the minimum and maximum fine allowed, adding language related to trespassing in the presumption and defenses section, and that the draft ordinance be placed on the Town's website and Facebook page.

An updated draft was presented to Council on April 11<sup>th</sup> but was tabled until April 25<sup>th</sup> to allow additional questions and comments. At the meeting, Council posed questions regarding the difference between criminal and civil penalties, the overall applicability of social hosting laws pertaining to minors and the definition of real property.

According to research staff conducted, there are several differences between civil and criminal cases, but key differences pertain to who or whom was harmed, the burden of proof and the protection afforded defendants. Civil cases usually involve private disputes between persons or

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organizations whereas criminal cases involve an action that is considered to be harmful to society as a whole. Civil cases require a lower standard of proof such as "the preponderance of the evidence," whereas criminal case must generally be proved "beyond a reasonable doubt." And finally, the protections afforded to defendants under criminal law are considerable (such as the protection against illegal searches and seizures under the 4th Amendment), whereas many of these well-known protections are not available to a defendant in a civil case.

Currently, 33 states have social hosting statutes pertaining to minors and according to research conducted by staff, the applicability or acceptance of those laws is overwhelmingly favorable. The two articles mentioned by a resident during the Council meeting expressed concerns of applying social hosting laws and ordinances to adults or minors between the ages of 18 & 21, citing that "courts and legislatures should refuse to extend the rationale of minor cases to permit a cause of action against a private host who serves alcoholic beverages to an adult guest."

According to the research conducted by staff, the following examples are provided as to how they have defined personal property:

Connecticut - Having possession of, or exercising dominion and control over, any dwelling unit or private property.

Florida - A person having control of any residence.

Alaska - Physically in possession and exercising dominion and control over a dwelling.

Arizona - "Occupant" means a person who has legal possession or the legal right to exclude others from the unlicensed premises.

Arkansas - A person who is present and in control of the private property at the time the consumption occurs.

Illinois - His or her residence, or any other private property under his or her control.

Kansas - Person's residence or any land, building, structure or room owned, occupied or procured by such person to be used.

Maine - A place under that person's control.

Michigan - Within that premises, residence, or other real property.

New Hampshire - Person owns or has control of the occupied structure, dwelling, or curtilage, where a drug or underage alcohol house party is held.

New Jersey - A person who makes real property owned, leased or managed by him available to, or leaves that property in the care of, another person with the purpose that alcoholic beverages will be made available.

Oklahoma - A person's residence, any building, structure, or room owned, occupied, leased or otherwise procured by the person or on any land owned, occupied, leased or otherwise procured by the person, to possess or consume any alcoholic beverage.

Oregon - A person who is present and in control of the location at the time the consumption occurs but does not apply to the owner of rental property, or the agent of an owner of rental property, unless the consumption occurs in the individual unit in which the owner or agent resides.

Rhode Island - His or her residence or on his or her real property.

Tennessee - Any owner, occupant or other person having a lawful right to the exclusive use and enjoyment of property to knowingly allow a person to consume alcoholic beverages, wine or beer on the property.

Washington - "Premises" includes real property, houses, buildings, and other structures, and motor vehicles and watercraft.

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Wyoming - The residence or premises by any minor and the person knowingly permitted the residence or premises to be used for that purpose.

At the April 24, 2016 Town Council meeting, Staff was directed to work with attorneys Gordon Foote, Councilmember McNeill, and David Goodhart to address remaining concerns.

Town Staff recommends approval.

Councilmember McNeill stated that this was discussed at length at the last meeting. He appreciates the efforts of Mr. Foote and Mr. Goodhart. The knowledge of reasonably should have known is the final point. This fits the Town and covers all property in the Town, whether it is residential, commercial, retail, or otherwise. It covers trespassing on all properties in this Town that may not always be supervised or monitored. It is missing in the drafts that Councilmember Ranta stated that section 8.1103 (e) should have blood, marriage, adoption, or guardianship regarding the trespassing.

Gordon Foote at 127 N. Paschall, stated he is in favor of supporting the draft that reads "reasonably should have known", removing this puts the Town in a trap of proving what is in another person's head. This is consistent with current Texas Criminal Law.

David Goodhart at 416 Mustang stated he enjoyed working on this. There are a lot of people upset about this. As a compromise, the option to remove "reasonably should have known" as the original impetus was to tag parents that allow this to happen. The Town is either trying to go after parents that know, or are trying to use "reasonably should have known" as a crutch. Most parents do a great job parenting and they are concerned that the Town is throwing the baby out with the bath water with something like this. The very first parent tagged with this offense will be the Town pariah. It would create such embarrassment. The allegation will cost a lot of money to repair a reputation before a trial takes place. In the presumption and defenses section 8.1103 (a) talks about law enforcement response. He wanted to see if , "at such gathering" could be added.

Councilmember McNeil stated he already read it that way.

Town Attorney David Dodd stated that he agreed with Councilmember McNeill. It already reads that way.

David Goodhart wanted to make sure Council has options. He appreciates the opportunity to participate in the process.

Mayor Pro-Tem George stated he understands the issue reasonably should have known, at such gathering, and people have concerns. He asked what David's personal opinion on this issue is.

David Goodhart stated personally he thinks it is a bad road the Town is heading down.

Councilmember Hill stated no one knows who gets other citations, and would not know who got this citation.

David Goodhart stated everyone will know who gets the citation.

In answer to a question by David Goodhart, Councilmember McNeill stated the person controlling the property will receive the citation.

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Doug Williams at 356 Marble Creek Court, stated he was a Government teacher, and he understands some laws and ordinances that were not popular, but were put in place to protect their citizens. This will be put into place to protect the Town's most precious citizens and that is the children.

Councilmember McNeill stated that he appreciates and wishes that there had more citizen input. He thanked Mr. Foote and Mr. Goodhart for their participation in this endeavor. He thought it would be helpful if he walked through the presumption of guilt as he understands it for the benefit of the Council. If on the first occasion DSO shows up and the owner or renter is there, this presumption never comes into play; they get a citation right there. It is intended to deal with the parents that leave their teenage kids here for a weekend and the kids throw a party.

Councilmember McNeill discussed that 3 times in 12 months may be too lenient, but the presumption is there. He said from the beginning that he is not a fan of legislating morals, but he thinks public support is enough for the Town to establish the community involvement. Personally he thinks, "reasonably should have known" is a very well established legal doctrine and is appropriate here.

Councilmember Wade asked to work through the prohibited social gathering definition, based on the presumption is that what triggers the letter from the Town.

Councilmember McNeill stated that the Sheriff would have to have sufficient evidence to issue a Minor In Possession (MIP) to one or more of the children there.

Town Attorney David Dodd stated that possession is care, custody, and control. It is not ownership. It is possible to have a MIP and social hosting citation all at the same time.

Councilmember McNeill did want to address unimproved or unmonitored commercial property on nights and weekends in Town. It is an exemption if it is trespassing and they are not related by blood, marriage, adoption, or guardianship.

Councilmember Ranta stated that she wanted to echo Councilmember McNeill about the appreciation of the community members taking their time to address this issue. She has been hung up on "reasonably should have known." There are other ways to prove "reasonably should have known" even on first offense. She is concerned about placing discretion on someone that does not understand intent. She prefers the "knew" option, but wants feedback and dates from officers.

Councilmember McNeill wanted to address a hypothetical scenario that Councilmember Ranta gave concerning a large piece of property that cannot be seen from a residence and there is no way to know what is happening there. That is why the trespassing provision was added.

Mayor Phaup stated he is concerned that the Town is creating a law without much merit. He has a real concern that the Town is giving 3 chances and a resetting clock. He thinks the committee draft is very generous.

Councilmember McNeill stated he is open to removing the resetting clock.

Councilmember Egan asked about 12 consecutive months.

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Councilmember Ranta stated this is meant to be a deterrent as a multi-faceted approach.

Mayor Phaup stated that Section 8.1103 (e) the modification would be blood, marriage, adoption, or legal guardianship of any person who owns, possesses or controls such property.

Motion was made by McNeill with option "reasonably should have known", and seconded by Councilmember Hill, to approve Ordinance 16-07, with Mayor Phaup, Mayor Pro-Tem George, and Councilmembers Ranta, Egan, and Wade opposing the item failed 2/5.

Mayor Pro-Tem George made a motion to accept and remove "reasonably should have known" and add guardianship, and seconded by Councilmember Ranta, the motion passed 4/3. Opposed were Wade, Hill and McNeill.

Mayor Phaup stated he does not think the Town has accomplished anything. He voted for it because of the work that has been done. He thinks the Town is being a little generous here and he understands the logic behind it.

Mayor Pro-Tem George stated he agreed with Mayor Phaup. Enforcing this could be a challenge. He hopes citizens will stay involved and this will increase awareness.

Councilmember Egan stated he agrees with Mayor Phaup and Mayor Pro-Tem George. He voted for this but the Town could take this out as easy as it was put in. This is intrusive into people's lives. This will not prevent death. He considered a motion stating the Town does not condone social drinking by minors because this is an intrusion into people's lives. At this point he wants to see how this goes.

## **6. DISCUSS AND UPDATE THE STRATEGIC PRIORITIES**

Mayor Pro-Tem George made a motion, seconded by Councilmember Hill to recess into executive session at 9:10 p.m., with all members present voting affirmative, the motion passed 7/0.

Mayor Phaup was given a hard copy of Strategic Planning. Intent is roadmap of priorities over next year.

### **EXECUTIVE SESSION**

Recess into executive session pursuant to Chapter 551, Subchapter D of the Texas Government Code:

#### **EXECUTIVE SESSION AGENDA:**

##### **A. SECTION 551.072 REAL PROPERTY**

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.

##### **PROPERTY LOCATED AT OR ABOUT U.S. HWY 80 AND COLLINS RD.**

##### **B. SECTION 551.087 ECONOMIC DEVELOPMENT**

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To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

Mayor Phaup reconvened into open session at 9:48 p.m. and stated no action would be taken.

**ADJOURN**

Mayor Phaup adjourned the meeting at 21:49.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

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Mayor Jim Phaup

ATTEST:

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Leslie Black, Town Secretary



# Department Monthly Report

## Measuring Performance, Targeting Results



Town of Sunnyvale

127 N. COLLINS ROAD  
SUNNYVALE, TEXAS 75182

Inside This Issue



The Town staff is pleased to present the May 2016 Monthly Reports. Monthly Reports are intended to provide metric-based performance data on our municipal services and programs

for use by the Mayor, Town Council and our citizens. The information contained within each report will be utilized to highlight efficiencies and identify potential inefficiencies for the purpose of improving services, aiding in responsible budgeting and enhancing transparency in our local government. The data is compiled internally by each department on a monthly basis and then organized for presentation. The report will contain previous month's information for all departments.

The Town staff and I will continue to work diligently to improve on the metrics contained and the user friendliness of each report to achieve the goals established by Council.

I am pleased to present to you the May 2016 Monthly Report. Please feel free to contact me with any questions, comments and/or suggestions regarding this report.

Regards,

Sean P. Fox  
Town Manager





**Town Secretary**  
**Leslie Malone**

	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.
Public Info Req.	10	4	6	12	8	7	9	7				
Agenda Items	24	11	16	17	15	29	17	17				
Positions Posted	2	0	0	1	3	1	0	0				
Apps Processed	45	2	4	25								
Positions Filled	2	4	0	1	0	0	3	1	0			

**Municipal Court:**

	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Total
Citations Filed	333	439	219	562	973	425	673	493				4,117
Paid Fine	143	146	139	139	316	234	211	228				1,556
Dismissed	191	163	193	156	297	279	229	294				1,802
Warrants Issued	76	168	306	223	213	279	152	200				1,617
Warrants Cleared	153	112	226	210	167	651	442	201				2,162





Finance Director  
Elizabeth  
Hopkins

## MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING MAY 31, 2016

### OVERVIEW

As of May 31, 2016, General and Utility Fund combined revenues are \$7,754,315. This is 93% of the annual projected amounts.

Combined expenses of \$6,027,258 are 53% of the annual budget. May 31, 2016 marks the end of the eighth month of the FY 2016 Budget Year. Therefore, the year-to-date budget percentage for comparison is 67%.

- Property Taxes are 100% of the YTD projection.
  - Sales Taxes are 71% of the YTD projection.
  - Permits and Licenses are 84% of the YTD projection.
  - Franchise Fees are 71% of the YTD projection.
  - Water Sales are 49% of the YTD projection.
-

# Budget Update - May 31, 2016

67% of  
Year  
Lapsed

## General Fund

	Current Year - 2016			Previous Year - 2015		
	Budget	Year to Date Actual	Percent of Budget	Budget	Year to Date Actual	Percent of Budget
<b>Revenue Summary</b>						
Property Taxes	3,073,844	3,086,414	100%	2,860,129	2,781,081	97%
Permits/Licenses	214,325	179,042	84%	211,100	62,040	29%
Franchise Fees	1,004,752	713,834	71%	1,105,643	789,145	71%
Sales Tax	1,200,000	857,217	71%	1,140,000	810,185	71%
Sales Tax - Roads	300,000	214,304	71%	0	0	0%
Developer Fees	38,976	90,874	233%	38,196	38,196	100%
Court Fines	428,700	289,787	68%	419,000	230,383	55%
Warrant Fees	0	0	0%	0	0	0%
Interest	300	0	0%	500	146	29%
Ambulance Service Fees	44,200	29,867	68%	46,000	17,159	37%
Operating Transfer In	117,000	0	0%	111,000	0	0%
Transfer from Assigned/Misc.	418,539	7,070	2%	36,615	26,100	71%
Grant Revenue	447	447	0%	1,000	848	0%
Gain on Sale of Assets	81,607	81,607	100%	0	0	0%
<b>Total Revenue</b>	<b>6,922,690</b>	<b>5,550,464</b>	<b>80%</b>	<b>5,969,183</b>	<b>4,755,284</b>	<b>80%</b>
<b>Expenditure Summary</b>						
Town Manager	309,592	158,582	51%	466,478	156,512	34%
Town Secretary	150,945	104,034	69%	171,392	103,228	60%
Finance	263,021	161,366	61%	236,765	124,619	53%
Court	210,450	93,964	45%	174,458	90,842	52%
Parks	507,652	299,566	59%	991,623	373,761	38%
Development Services	765,324	396,873	52%	922,590	388,878	42%
Contract Police	1,610,553	1,026,989	64%	1,506,801	885,275	59%
Fire & EMS	895,250	565,014	63%	818,062	417,295	51%
Library	195,000	118,143	61%	150,474	78,832	52%
Non-Departmental	417,261	302,190	72%	695,268	259,162	37%
Road Maintenance	1,618,491	323,967	20%	0	0	0%
Transfer Out	500,000	29,790	6%	0	0	0%
<b>Total Expenditures</b>	<b>7,443,539</b>	<b>3,580,477</b>	<b>48%</b>	<b>6,133,911</b>	<b>2,878,404</b>	<b>47%</b>
Revenues Over/(Under) Expenditures	-520,849	1,969,988		-164,728	1,876,880	
Transfers To Vehicle/Street Light		0			0	
Net Increase to Unassigned Fund Balance		<u>1,969,988</u>			<u>1,876,880</u>	

# Budget Update - May 31, 2016

67% of  
Year  
Lapsed

## General Fund Balance Summary

	History	Budget	Year To	
	2015 Actual	2016 Budget	Date 2016 Actual	% Change
<b>Beginning Fund Balance</b>	<b>4,484,644</b>	<b>5,175,184</b>	<b>5,175,184</b>	<b>0%</b>
<b>Revenues</b>				
Operating Revenue	5,958,557	6,805,690	5,550,464	-18%
Water Transfer In	25,000	25,000	0	-100%
4A Transfer In *	12,000	12,000	0	-100%
4B Transfer In	80,000	80,000	0	-100%
<b>Total Revenues</b>	<b>6,075,557</b>	<b>6,922,690</b>	<b>5,550,464</b>	<b>-20%</b>
<b>Expenditures</b>				
Operating Expenditures	6,123,166	6,943,539	3,550,687	-49%
Transfer Out	0	500,000	29,790	
<b>Total Expenditures</b>	<b>6,123,166</b>	<b>7,443,539</b>	<b>3,580,477</b>	<b>-52%</b>
<b>Ending Fund Balance - Assigned</b>	<b>927,269</b>	<b>759,349</b>	<b>920,680</b>	<b>21%</b>
<b>Ending Fund Balance - Unassigned</b>	<b>3,509,766</b>	<b>3,894,986</b>	<b>6,224,491</b>	<b>60%</b>

<b>Equivalent Operating Days (Total)</b>	<b>209</b>	<b>191</b>	<b>635</b>
<b>Percent of Operating Expenses</b>	<b>57%</b>	<b>52%</b>	<b>174%</b>

**Revenue Over/ (Under) Expenditures                    (47,609)    (520,849)    1,969,988**

Actual YTD Balances	09.30.15	05.31.16
Vehicle Replacement	371,787	389,720
Road Maintenance	151,331	151,331
Promissory Note	40,603	40,603
Stoney Creek Insurance	63,473	38,951
Sunnyvale Property Sidewalks	25,000	25,000
Traffic Light	250,000	250,000
Parks	25,075	25,075
	927,269	920,680

## GENERAL FUND REVENUES

### PROPERTY TAXES

Tax collections of \$3,086,414 year-to-date are 100% of the annual budget and 11% higher than this time last year.

### SALES TAXES

Total revenues of \$1,071,521 represent the budgeted accrual for the first two months and five months' actual of the current year and are projected to be higher than the previous year by \$60,000.

### FRANCHISE FEES

Franchise fees consist of fees assessed on the consumption of electricity, natural gas, cable TV, and telecom services. These fees are received monthly, quarterly or annually. Solid waste collections are monthly, in arrears, and are impacted by the number of service addresses. Total revenues of \$713,834 represent two quarterly payment by Oncor for electricity, six months of solid waste collections the 6 quarters of payments by various telecommunication companies. The Atmos franchise fee was 22% less than the previous year.

### PERMITS AND LICENSES

Revenues of \$179,042 year-to-date are higher than projections at 84% and higher than this time last year. Developer Fees of \$90,874 are related to Stoney Creek 2G and Homestead Phase 6. This revenue is impacted by the expected building activity and is difficult to project due to the nature and timing of projects.

### COURT FINES AND FEES

Total revenues of \$289,787 are in line with projections at 68% and higher than this time last year.

### AMBULANCE SERVICE FEES

Total revenues of \$29,867 are in line with projections at 68% and higher than this time last year. These fees are collected and paid via a third party provider with a 60 day lag time due to processing and collection efforts.

### TRANSFERS

Transfers projected to total \$117,000 consist of a reimbursement from the Utility Fund, 4A Economic Development Corporation and 4B Economic Corporation for the funds' share of G&A expenses and made annually. Transfers from Assigned Fund Balance include Road Maintenance, Stoney Creek Insurance, Vehicle Replacement and the Traffic Light at Beltline and Creekside.

### MISCELLANEOUS REVENUES

Miscellaneous revenues include library fines, Town Hall rental, animal control donations, impound fees, code mowing, interest earned and other non-major revenues. Total revenues year to date total \$7,070 and includes the TCAP refund.

### GRANT REVENUE

Historically these revenues were derived from the Texas A&M Forest Service for cost assistance for Fire Department training and extended catastrophic insurance for volunteers. Year-to-date \$249 has been received from the Inter-Local Library Program and \$447 from Texas A&M.

### GAIN ON SALE OF ASSETS

Total revenues year-to-date total \$81,607 and includes the sale of 537 Long Creek, insurance settlement on ambulance that was struck last year.

## GENERAL FUND EXPENDITURES

### TOWN MANAGER

The Town Manager expenses through May 31, 2016 are \$158,582 or 51% of the department budget.

### TOWN SECRETARY

The Town Secretary expenses through May 31, 2016 are \$104,034 or 69% of the department budget.

### FINANCE

Finance expenses through May 31, 2016 are \$161,366 or 61% of the department budget.

### COURT

Court related expenses through May 31, 2016 are \$93,964 or 45% of the department budget.

### PARKS

Park related expenses through May 31, 2016 are \$299,566 or 59% of the department budget.

### DEVELOPMENT SERVICES

Development Services expenses through May 31, 2016 are \$396,873 or 52% of the department budget.

### CONTRACT POLICE

Contract Police expenses through May 31, 2016 are \$1,026,989 or 64% of the department budget.

### FIRE & EMS

Fire & EMS expenses through May 31, 2016 are \$565,014 or 63% of the department budget.

### LIBRARY

Library expenses through May 31, 2016 are \$118,143 or 61% of the department budget.

### NON-DEPARTMENTAL

Non-Departmental expenses through May 31, 2016 are \$302,190 or 72% of the department budget and include the annual property and liability insurance payment, encumbered expense from the Stoney Creek Insurance settlement for road repair, and annual payments on contract maintenance and support contracts. The contingency account also absorbed non-payroll Tornado related expenses of \$28,319, the majority was for the delivery and pick up of dumpsters to aid in debris removal.

### ROAD MAINTENANCE

Road Maintenance expenses through May 31, 2016 are \$323,967 or 20% of the department budget. This total includes engineering costs for the Collins Road expansion, the purchase of a sander, road inspections and maintenance.

### TRANSFERS

Transfers include vehicle replacement funding budgeted at \$500,000 and the expenses associated with the Belt Line/Creekside traffic signal. The year-to-date expenses are \$29,790 with \$25,731 being engineering costs on the traffic light.

# Budget Update - May 2016

67% of  
Year  
Lapsed

## Water Revenue Fund Revenue & Expense Report

	Current Year - 2016			Previous Year - 2015		
	Budget	Year to Date Actual	Percent of Budget	Budget	Year to Date Actual	Percent of Budget
<b>Revenue Summary</b>						
Water Revenue	2,250,000	1,108,646	49%	1,980,000	1,092,232	55%
Sewer Revenue	1,100,000	825,271	75%	1,045,000	814,560	78%
Water Meters	32,000	33,775	106%	32,000	6,794	21%
Disconnects	12,000	3,550	30%	15,000	7,350	49%
Penalties	46,000	48,439	105%	50,000	27,041	54%
Trash Service	265,000	177,532	67%	262,904	175,140	67%
Miscellaneous Revenue	6,000	6,638	111%	5,500	14,859	
<b>Total Revenue</b>	<b>3,711,000</b>	<b>2,203,851</b>	<b>59%</b>	<b>3,390,404</b>	<b>2,137,976</b>	<b>63%</b>
<b>Expenditure Summary</b>						
Public Works Administration	482,604	308,697	64%	414,766	278,059	67%
Maintenance, Supplies & Training	344,020	236,914	69%	276,600	118,204	43%
Contractual & Professional Services	2,499,459	1,616,379	65%	2,393,357	1,270,957	53%
Debt Service & Transfers	334,183	275,766	83%	338,099	274,155	81%
Depreciation & Bad Debt	298,000	-230	0%	298,000	0	0%
Capital Equipment & Improvements	35,000	9,255	26%	63,000	58,940	94%
<b>Total Expenditures</b>	<b>3,993,266</b>	<b>2,446,781</b>	<b>61%</b>	<b>3,783,822</b>	<b>2,000,316</b>	<b>53%</b>
<b>Revenues Over/(Under) Expenditures</b>	<b>-282,266</b>	<b>-242,930</b>		<b>-393,418</b>	<b>137,660</b>	

## UTILITY FUND REVENUES

### WATER SALES

The volume of water sold year to date totals 238,551,200 gallons compared to 211,409,500 gallons the previous year, a 13% increase. Water revenue is budgeted to be 12% higher than the previous year.

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	Year
2016	1.04	2.20	2.67	4.60	6.25									2016
2015	3.62	2.96	2.53	5.56	16.96	3.95	0.92	0.46	2.14	9.82	9.86	3.83	62.61	2015
2014	0.33	0.41	1.45	1.74	3.40	3.26	0.98	4.34	0.06	2.09	2.13	1.13	21.32	2014

Source: Nation Weather Service Weather Forecast Office

### SANITARY SEWER CHARGES

Sanitary sewer charges are driven by water consumption and therefore were also higher compared to May 2016.

### TRASH SERVICES

Revenues of \$177,532 year-to-date are in line with projections at 67%.

### FINES AND FEES

Revenues (Penalty Charges for Late Payments) of \$48,439 are more than projected at 105% of the projection. Disconnect fees total \$3,550 or 30% of protections.

### OTHER CHARGES FOR SERVICES

Year-to-date revenues of \$33,775 or 106% is primarily driven by charges for water meter and installation.

## UTILITY FUND EXPENDITURES

### PUBLIC WORKS ADMINISTRATION

Administration expenses through May 31, 2016 are \$308,697 and consist of salaries and benefits at 64% of budget.

### MAINTENANCE, SUPPLIES & TRAINING

Maintenance, supplies & training expenses through May 31, 2016 of \$236,914 are higher than projections at 69%. Year-to-date expenses reflect the budgeted purchase of smart meters for upgrades throughout Town. This category includes water and sewer system maintenance, vehicle and building maintenance, uniforms and continuing education.

### CONTRACTUAL & PROFESSIONAL SERVICES

Contractual and professional services expenses through May 31, 2016 of \$1,616,379 or 65% include water purchases, sewer costs through April and trash collections through May.

### DEBT SERVICE & TRANSFERS

The Utility Fund debt service projected at \$308,683 includes the 2013 Refinancing of water line construction, the 2010 Long Creek water line bond, and 62% of the Water Tower bond. Principal and interest payments are due on February 15<sup>th</sup> of each year and a second interest only payment is due on August 15<sup>th</sup> of each year. The transfer out to the General Fund projected at \$25,000 includes the Utility Funds' share of G&A expenses and made annually.

### DEPRECIATION & BAD DEBT

The cost to acquire, construct, or improve a capital asset in a business activity fund is not an expense when incurred for accounting purposes, but instead depreciated over the estimated useful line of the asset in the form of depreciation expense. The net book value of Utility Fund assets as of September 30, 2015 was approximately \$9,365,000 and is depreciated at the close of each fiscal year. Bad debt is related to unpaid water bills usually upon moving out of the area. Outstanding accounts as of September 30, 2014 were charged off the last day of fiscal 2015.

## CAPITAL EQUIPMENT & IMPROVEMENTS

Capital equipment expenses for the current budget include \$35,000 to the Vehicle Replacement Plan and will be transferred before the end of the year. Year-to-date expenses of \$9,255 are related to the water line projects that are now complete.



## Town of Sunnyvale 4A Monthly Finance Report

May 31, 2016 (Audited)

**Budget:** Net Revenues/Expenses: Budget = (\$ 1,699,590) Actual = (\$ 634,013)

**Highlights:**

Revenues:	MTD = \$ 33,294.17	YTD = \$ 215,768.41
Expenses:	MTD = \$ 15,252.64	YTD = \$ 849,780.96
Net:	MTD = \$ 18,041.53	YTD = (\$ 634,012.55)

Revenues: Sales tax recorded YTD is \$214,304.37 (actual – 6 months, accrual – 2 months). Interest earned YTD is \$1,464.04.

Expenses: The YTD expenses total \$849,780.96. The MTD expenses include routine payroll, CoStar payment, Marketing Alliance (website redesign & reconstruction), Tyler Technologies (Special Assessment accounting software for Incode), McManus & Johnson (Sunnyvale Industrial Park Utility Design), Dallas County Clerks Office (filing fees for Sunnyvale Industrial Park), and misc office supplies.

**Fund Balance (Audited):**

09/30/15 Unassigned Fund Balance	\$1,089,056.18
09/30/15 Assigned Industrial Park Fund Balance	\$1,018,164.63 \$2,107,220.81
05/31/16 Net Revenues/Expenses	(\$ 634,012.55)
05/31/16 Unassigned Fund Balance	\$ 524,868.61
05/31/16 Assigned Industrial Park Fund Balance	\$ 948,339.65 \$1,473,208.26



## Town of Sunnyvale 4B Monthly Finance Report

### May 31, 2016 (Audited)

**Budget:** Net Revenues/Expenses: Budget = (\$ 752,755) Actual = (\$ 479,198)

**Highlights:**

Revenues:	MTD = \$ 66,125.82	YTD = \$1,112,649.98
Expenses:	<u>MTD = \$ 15,916.52</u>	YTD = <u>\$1,591,848.37</u>
Net:	MTD = \$ 50,209.30	YTD = (\$ 479,198.39)

Revenues: Sales tax recorded YTD is \$428,608.75 (actual - 6 months, accrual – 2 months). Interest income recorded YTD is \$171.98. Transfers recorded YTD is \$ 683,869.25 (transfer in from 4A for land purchase @ US 80 and Collins Road).

Expenses: The YTD expenses total \$1,591,848.37 and include 50% of the EDC Director position, 33% of the EDC Assistant position, 1.5 Park Maintenance Technician positions, and the land purchase (13.92 acres at Hwy 80 & Collins Road). MTD expenses include routine payroll, Landscape Maintenance, Marketing Alliance (photography for website), Batting cage at Jobson Park, and misc office supplies.

**Fund Balance:**

**Working Capital:**

09/30/15	Total Fund Balance	\$1,814,149.75 Audited
05/31/16	Net Revenues/Expenses	(\$ 479,198.39)
05/31/16	Total Fund Balance	\$1,334,951.36

**TOWN OF SUNNYVALE  
INVESTMENT REPORT  
May 31, 2016**

INVESTMENT TYPE	DESCRIPTION	MATURITY DATE	RATE	RATE CHANGE	INVESTMENT VALUE	INVESTMENT VALUE	NET
					05/31/2016	04/30/2016	CHANGE
General Fund	Checking Account	N/A	0.00%		5,942,697	6,191,992	-249,294
11 Ledger	Money Market	N/A	0.03%	0.00%	392,662	392,652	10
General Fund - Road Maint/Sales Tax	Checking Account	N/A	0.00%		315,576	282,523	33,052
General Fund Bond - Bridge	TexSTAR -MM	N/A	0.37%	0.00%	873,749	873,477	272
72 Ledger					<b>Fund Total</b>	<b>7,524,684</b>	<b>-215,960</b>
Road Impact Fees	Money Market	N/A	0.03%	0.00%	879,181	867,027	12,154
25 Ledger					<b>Fund Total</b>	<b>879,181</b>	<b>12,154</b>
Debt Service	Money Market	N/A	0.03%	0.00%	242,757	240,469	2,288
24 Ledger					<b>Fund Total</b>	<b>242,757</b>	<b>2,288</b>
<b>General Fund Grand Total \$</b>					<b>8,646,622</b>	<b>8,848,141</b>	<b>-201,518</b>
Debt Service - General Fund							
24 Ledger	2013 Refi			2011 @ 38%		2014	
	Town Hall, Bridge, SC, WL			Water Tower		Public Safety Ctr	
	02/15/2016	460,675		02/15/2016	65,209	02/15/16	125,954
	08/15/2016	<u>41,375</u>		08/15/2016	<u>18,658</u>	08/15/16	<u>4,982</u>
		502,050			83,867		130,935
Water Revenue Fund	Checking Account	N/A	0.00%		1,939,116	1,891,473	47,644
21 Ledger	Money Market	N/A	0.03%	0.00%	120,150	120,147	3
Water Fund Bond - Water Lines	TexSTAR -MM	N/A	0.37%	0.00%	0	0	0
Water Fund Bond - Water Tower	TexSTAR -MM	N/A	0.37%	0.00%	2,827,040	2,826,160	879
73 Ledger					<b>Water Revenue Fund Total</b>	<b>4,886,305</b>	<b>48,526</b>
Debt Service - Water Revenue Fund							
21 Ledger	2010			2011 @ 62%			
	Long Creek Water Line			Water Tower			
	02/15/2016	170,100		02/15/2016	105,666		
	08/15/2016	<u>2,625</u>		08/15/2016	<u>30,292</u>		
		172,725			135,958		
Water Impact Fees:	Money Market	N/A	0.03%	0.00%	1,127,516	1,088,993	38,522
28 Ledger					<b>Water Impact Fund Total</b>	<b>1,127,516</b>	<b>38,522</b>
Debt Service - Water Impact Fund							
28 Ledger	2013 Refi						
	Water Line Improvements						
	02/15/2016	168,963					
	08/15/2016	<u>27,563</u>					
		196,525					
Sewer Impact Fees:	Money Market	N/A	0.03%	0.00%	363,501	353,061	10,440
28 Ledger					<b>Sewer Impact Fund Total</b>	<b>363,501</b>	<b>10,440</b>
<b>Water Fund Grand Total</b>					<b>6,377,322</b>	<b>6,279,834</b>	<b>97,488</b>
<b>OTHER FUNDS:</b>							
Homestead Amenities:	Money Market	N/A	0.02%	0.00%	142,678	142,677	1
93 Ledger					<b>Fund Total</b>	<b>142,678</b>	<b>1</b>
4A - Development:	Checking Acct	N/A	0.00%		224,621	201,849	22,772
91 Ledger	Money Market	N/A	0.03%	0.00%	387,749	387,739	10
	TexSTAR -MM	N/A	0.37%	0.00%	746,733	746,501	232
	Certificate of Deposit	90 Day	0.10%	0.00%	106,605	106,605	0
					<b>Fund Total</b>	<b>1,465,708</b>	<b>23,014</b>
4B - Development:	Checking Acct	N/A	0.00%		467,016	404,558	62,458
92 Ledger	Money Market	N/A	0.03%	0.00%	862,347	862,326	21
					<b>Fund Total</b>	<b>1,329,363</b>	<b>62,479</b>

This report is prepared in accordance with Chapter 2256 of the Public Funds Investment Act (PFIA). Section 2256.023(a) of the PFIA states that "not less than quarterly, the investment officer shall prepare and submit to the governing body of the entity a written report of the investment transactions for all funds covered by this chapter for the preceding reporting period." This report, which covers the month ending May 31, 2016 is signed by the Town of Sunnyvale's Investment Officers and includes information required by the PFIA. These investment transactions were made in compliance with the PFIA and the Town of Sunnyvale's investment Policy and Strategy.

Elizabeth Hopkins  
Elizabeth Hopkins  
Finance Director



**Development**  
**Services**  
**Rashad Jackson**  
**AICP**



## Monthly Highlight

### Planning & Zoning Commission

The Planning & Zoning Commission discussed the following items:

**APPLICANT:** TERESA MYERS – LAND RESOLUTIONS, INC.  
**AT OR ABOUT:** 320 TOWN EAST BLVD. (7.4 ACRES)  
**REQUEST:** FINAL PLAT – HAWKINS ESTATES, LOT 1 BLOCK  
 1

Commissioner Daniel made a motion to approve the request as submitted, seconded by Commissioner King. Co-Chair Okafor called for a vote, and with all members voting to approve, the motion passed unanimously.

**APPLICANT:** JOHN ARNOLD - SKORBURG DEVELOPMENT  
**AT OR ABOUT:** 3134 N BELT LINE RD – 34.27 ACRES NEAR SE  
 QUADRANT OF THE INTERSECTION OF  
 BELTLINE RD AND TOWN EAST BLVD  
**REQUEST:** TO CHANGE THE TOWN'S COMPREHENSIVE  
 PLAN AND LAND USE DIAGRAM FROM RETAIL  
 (R) TO URBAN DENSITY RESIDENTIAL (UDR)  
 AND THE ZONING MAP FROM LOCAL RETAIL  
 (LR) TO ATTACHED HOUSING – PLANNED  
 RESIDENTIAL OVERLAY (AH-PRO) (CYPRESS  
 MANORS)

Commissioner Moss made a motion to deny the zone change request, seconded by Commissioner Okafor. Co-chair Okafor called for a vote, and with all members voting to deny, the motion passed unanimously.

**APPLICANT:** JOHN ARNOLD - SKORBURG DEVELOPMENT  
**AT OR ABOUT:** NE QUADRANT OF THE INTERSECTION OF TRIPP  
 RD AND JOBSON RD (83.06 ACRES)  
**REQUEST:** TO CHANGE THE TOWN'S COMPREHENSIVE  
 PLAN AND LAND USE DIAGRAM FROM ESTATE  
 RESIDENTIAL (ER) TO LOW DENSITY  
 RESIDENTIAL (LDR) AND THE ZONING MAP  
 FROM SINGLE FAMILY 3 (SF-3) & SINGLE FAMILY  
 2 (SF-2) TO SINGLE FAMILY 3 – PLANNED  
 RESIDENTIAL OVERLAY (SF-3-PRO)

Commissioner Moss made a motion to table the request to the next meeting, seconded by Commissioner Vanek. Co-chair Okafor called for a vote, the motion passed 4-2.

### Board of Adjustments

Special meeting held on May 24<sup>th</sup>

**APPLICANT:** TIMOTHY CRAFT  
**AT OR ABOUT:** 323 BARNES BRIDGE ROAD  
**REQUEST:** VARIANCE FROM SECTION 3.7 AREA STANDARDS FOR DETACHED SINGLE-FAMILY DWELLINGS, CHART 3.2 AREA STANDARDS FOR RESIDENTIAL REDUCE THE REQUIRED LOT WIDTH AND REQUIRED SIDE YARD SETBACK

Member Turner made a motion, seconded by Member Noster, to approve the variance request. Chairperson Hoffman called for a vote, the motion passed 4-1.

**APPLICANT:** DEBORAH FRANKLIN  
**AT OR ABOUT:** 622 & 626 PECAN CREEK DRIVE  
**REQUEST:** VARIANCE FROM SECTION 3.7 AREA STANDARDS FOR DETACHED SINGLE-FAMILY DWELLINGS, CHART 3.2 AREA STANDARDS FOR RESIDENTIAL LOTS TO REDUCE THE REQUIRED LOT WIDTH FOR TWO LOTS

Member Noster made a motion, seconded by Member Turner, to approve the variance request. Chairperson Hoffman called for a vote, the motion passed 4-1.

### BUILDING PERMIT ACTIVITY

	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.
New Residential Permits	17	5	3	4	13	6	8	7				
Commercial Permits	1	0	0	0	2	1	3	2				
General Permits	3	2	5	42	36	15	6	7				
Trade Specific	4	3	7	8	7	7	13	11				
CO's	2	0	1	0	1	1	0	0				
Miscellaneous	4	5	4	1	6	3	6	7				
Accessory Bldg.	1	3	1	1	0	0	0	0				
Health Permits	2	0	0	0	0	2	0	7				
Garage Sales	5	4	2	1	2	4	3	4				
Signs	2	1	0	3	0	4	6	1				
Swimming Pools	1	0	1	0	1	4	2	3				
Solicitors Permits	0	0	0	3	1	0	2	1				
Demolitions	0	1	0	0	1	3	1	0				
<b>Total Permits</b>	<b>42</b>	<b>24</b>	<b>24</b>	<b>63</b>	<b>70</b>	<b>50</b>	<b>50</b>	<b>50</b>				
Rental Inspections	2	0	2	1	1	2	2	3				

Total Inspections	84	68	96	115	97	110	122	122				
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### Code Enforcement Activity

High Grass	3	1	0	0	0	3	7	15				
Parking	0	0	0	0	0	0	4	0				
Trash/Junk	2	1	3	0	0	4	1	1				
In-Operable Veh.	0	0	0	0	1	0	0	2				
Limb Overhang	1	29	1	0	0	0	0	1				
Signs	24	19	17	22	35	61	27	20				
Other	3	1	2	2	4	4	6	1				
Building W/O Permit	1	2	0	5	7	3	2	4				
Total Issues Resolved	34	53	23	29	47	75	47	44				

### Animal Control Activity

Incoming Strays	9	7	17	20	11	12	12	17				
Owner Surrender	0	1	0	2	3	2	1	1				
Owner Redeemed	2	2	13	7	4	8	4	9				
Adopted	1	0	0	1	2	5	4	2				
Rescued	2	2	9	3	2	0	3	4				
Died at Shelter	0	0	0	0	1	0	0	0				
Quarantined	0	0	0	2	4	0	1	1				
Euthanized	5	1	4	4	4	2	3	5				
Current Shelter Animals	7	10	1	6	7	7	7	5				
Calls for Service	44	30	57	62	53	63	40	67				
Warnings Issued	1	0	1	0	1	0	0	0				
Citations Issued	0	0	1	1	0	1	0	3				

Other animals: Skunks (2), Opossum (4), Armadillo (0)

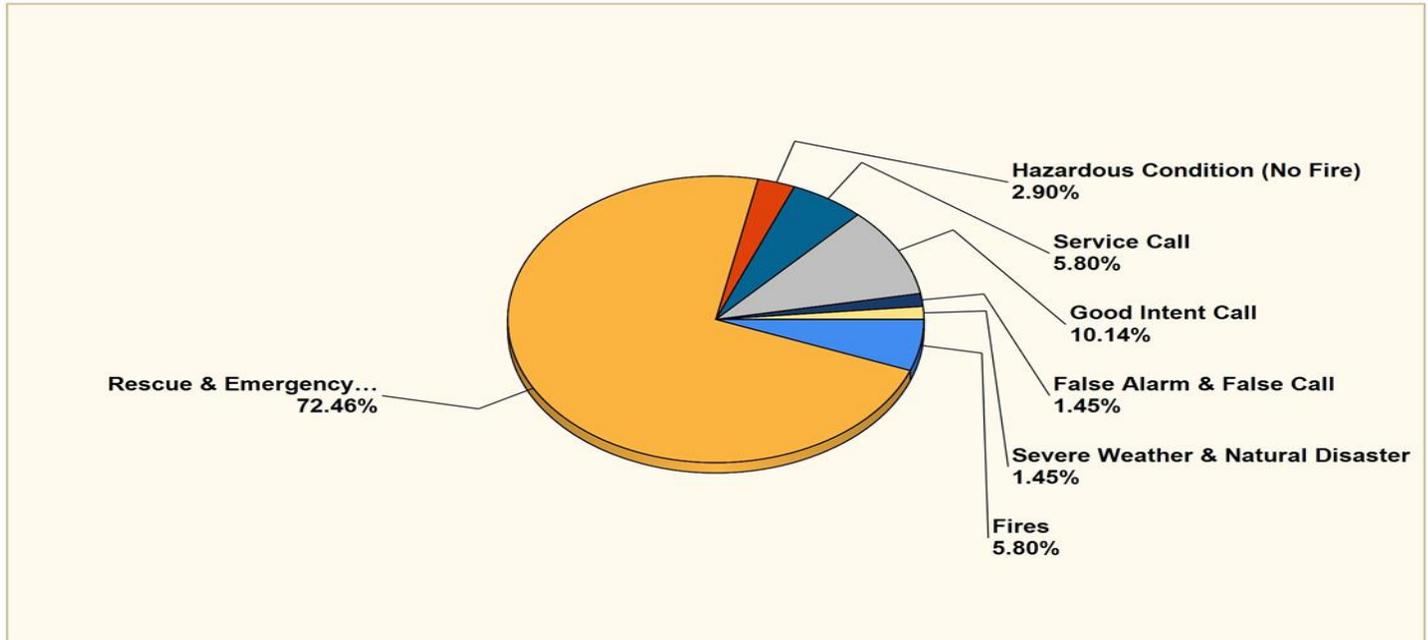
Facebook likes went from 2058 to 2180, viewed 4668 times per week.

Adopt-A-Pet.com viewed 1003 times per week.



# Sunnyvale Fire/Rescue Department

## Monthly Report – May 2016



INCIDENT	# INCIDENTS	% of
131 - Passenger vehicle fire	2	2.90%
142 - Brush or brush-and-grass mixture fire	1	1.45%
143 - Grass fire	1	1.45%
320 - Emergency medical service, other	1	1.45%
321 - EMS call, excluding vehicle accident with injury	31	44.93
322 - Motor vehicle accident with injuries	9	13.04
324 - Motor vehicle accident with no injuries.	9	13.04
412 - Gas leak (natural gas or LPG)	1	1.45%
440 - Electrical wiring/equipment problem, other	1	1.45%
511 - Lock-out	1	1.45%
531 - Smoke or odor removal	1	1.45%
550 - Public service assistance, other	1	1.45%
554 - Assist invalid	1	1.45%
611 - Dispatched & cancelled en route	6	8.70%
622 - No incident found on arrival at dispatch address	1	1.45%
733 - Smoke detector activation due to malfunction	1	1.45%
814 - Lightning strike (no fire)	1	1.45%
<b>TOTAL INCIDENTS:</b>	<b>69</b>	<b>100.0</b>

INCIDENT COUNT	
INCIDENT TYPE	# INCIDENTS
EMS	50
FIRE	19
<b>TOTAL</b>	<b>69</b>

TOTAL TRANSPORTS			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT
<b>TOTAL</b>	24	24	24

MUTUAL AID		
Aid Type	Total	
Aid Given	1	
OVERLAPPING CALLS		
# OVERLAPPING	%	
10	14.49	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)		
Station	EMS	FIRE
Sunnyvale Station 1	0:05:34	0:09:13
AVERAGE FOR ALL CALLS		0:07:28
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Sunnyvale Station 1	0:01:03	0:03:15
AVERAGE FOR ALL CALLS		0:02:15
AGENCY	AVERAGE TIME ON SCENE (MM:SS)	
Sunnyvale Fire Department	23:17	

Fire Prevention / Public Education Activities	May	YTD
<b>FIRE INSPECTIONS</b>		
Fire Inspections – Initial	5	46
Fire Inspections – Re-inspections	34	110
<b>PERMITS</b>		
Burn Permit Issued/Inspected	4	26
<b>PUBLIC EDUCATION ACTIVITIES</b>		
Public Education Activities	6 Hours	21 Hours
Public Safety Standby	7 Hours	15 Hours

## Update on EMS Billing and Collections

Transport Month	Number of transports billed	Charges billed	Medicare/Medicaid Adjustments	Actual Billable charges	Medicare/Medicaid Payments	Insurance Payments	Private Payments	Total Amount Collected	Unresolved Balance	Collection Rate	Change From Previous Report
Jan-15	16	\$6,353.73	(\$286.75)	\$6,066.98	\$1,972.84	\$737.53	0	\$2,710.37	(\$3,356.61)	45.00%	NO
Feb-15	16	\$11,613.07	(\$2,727.72)	\$8,885.35	\$2,694.18	\$1,336.27	\$3.15	\$4,033.60	(\$4,851.75)	45%	NO
Mar-15	19	\$12,343.39	(\$2,106.11)	\$10,237.28	\$1,899.31	\$1,768.28	\$20.00	\$3,687.59	(\$6,546.69)	36%	NO
Apr-15	15	\$10,506.51	(\$2,566.02)	\$7,940.49	\$2,232.31	\$865.60	\$0.00	\$3,097.91	(\$4,842.58)	39%	NO
May - 15	18	\$12,908.31	(\$2,033.76)	\$10,874.55	\$2,466.91	\$2,474.94	\$0.00	\$4,941.85	(\$5,932.70)	45%	NO
June - 15	19	\$15,051.15	(\$2,431.47)	\$12,619.68	\$2,496.16	\$3,678.80	\$1,408.81	\$7,583.77	(\$5,035.91)	60%	NEW



## Public Works Johnny Meeks

	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.
NEW METERS				149				6				
TOTAL CONECTIONS				2,316				2,342				
WATER LEAKS				4				7				
WATER GALLONS SOLD				15,682,770								
SEWER GALLONS - MESQUITE				7,811,650								
SEWER GALLONS - GARLAND				4,959,250				8,363,160				
SEWER REPAIRS				4				2				
STORM DRAINS CLEANED				6				-				
ROAD REPAIRS				2 tons UPM				4 PALLET SACKCRETE 41 TONS FLEXBASE 7 TONS UPM				
STREET SIGNS REPAIRED/REPLACED				26 poles				15				



#### **4A Development Corporation**

The 4A Development Corporation canceled its regular meeting originally scheduled for May 11<sup>th</sup>.

#### **4B Development Corporation**

The 4B Development Corporation held its regular meeting on May 10<sup>th</sup>. The primary agenda item of interest was regarding deliberations in Executive Session about real property and incentive negotiations.

#### **Economic Development**

Staff has accepted the invitation to serve as a member of the Sunnyvale Chamber of Commerce board for 2016 and contributed to the ongoing coordination of these efforts during the month of May.

Staff hosted an out-of-state economic development prospect exploring options to open a new facility in the Dallas-Fort Worth region. For the last 60 days staff has been working with the prospect to identify appropriate real estate solutions for the interim and for the long-term. The prospect is considering three tracts of land within Sunnyvale ranging in size of 10-20 acres. The Town of Sunnyvale was recently selected as a finalist for the long-term project. Staff will continue to work closely with the economic development corporations.

Staff met again with an economic development prospect as they conduct due diligence on a site along US Highway 80. The prospect has not solidified any plans, but is working in reverse to identify what the Sunnyvale market and this part of the region can support first before finalizing a proposed project. The prospect is interested in retail, entertainment, and/or special events.

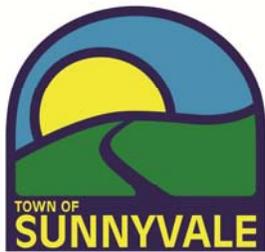
Throughout the month of May, staff continued to coordinate with the stakeholders regarding the Sunnyvale Center Industrial Park project. This ongoing work effort is in accordance with a resolution approved by Town Council declaring the need for improvements at the industrial park exist, stating the general nature of the improvements, and directing staff to obtain more detailed plans, specifications, and cost estimates for the improvements. At its first meeting in March, Town Council approved the 4A Development Corporation's expenditure on the final project, awarded the construction contract, and levied an assessment upon the benefited property owners.

The economic development corporations and staff are continuing to follow the direction received during a February 29<sup>th</sup> joint session with Town Council regarding the 14 acres at the southeast corner of US Hwy 80 and Collins Rd.

Following the vision outlined in the last adopted comprehensive plan, staff has begun to explore opportunities and scenarios to facilitate a future town center. Staff hopes to come before Town Council in the coming months to make a recommendation and seek possible direction.

In addition to the above ongoing work efforts and active economic development prospect, staff met with interested parties and associated stakeholders (e.g. brokers) regarding Sunnyvale. Due to the nature of all discussions, limited information should be shared publicly. If members of Town Council have specific questions, staff is willing to discuss individually or in Executive Session with the entire Town Council.

<b>MONTHLY METRICS</b>							<b>May-16</b>
Number of commercial properties listed for sale on CoStar Property®							27
Average property size (acres)							9.1
Average sale price per square foot							\$ 68.43
Average days on the market							1,327
Number of commercial properties listed for lease on CoStar Property®							14
Total area available (sf)							147,030
Average asking rent per square foot per year							\$ 12.05



# Town of Sunnyvale

June 27, 2016

Prepared By: **Rashad Jackson, AICP**  
**Director of Development Services**

## Summary:

**APPLICANT: BILL FOOSE**  
**AT OR ABOUT: 2718 BELT LINE ROAD APPROX. 11.53 ACRES**  
**REQUEST: SITE PLAN – SALONS ELITE /BELT LINE VENTURE**

## Background:

The subject property is located at or about 2718 Belt Line Road. The applicant requests approval of a proposed site plan for the future development of a Salons Elite establishment. Salons Elite is a beauty salon that is comprised of multiple independent salon owners, with their own private, individual suites to perform hair and spa services. The subject property, located within a Local Retail zoning district is 11.53 acres in size. The individual building site is approximately 2 acres of the overall 11.53 acre property. The proposed use is allowed by right within the Local Retail District.

*Belt Line Road Overlay District:* The proposed building lies within the Belt Line Road Design Overlay District. The primary objectives of the overlay districts are to create and reflect a high level of architectural design appeal throughout the Town. The applicant proposes to construct a 12,435 sq.ft. building on the subject property. The building is subject to regulations noted in the corresponding design overlay district criteria for site design details. The building is also subject to general zoning district regulations for the proposed non residential use.

Plans show a one-story masonry building with an articulated facade and one main entry. The main entry will face Belt Line Road. The entry will be recessed underneath a protruding roof supported by a colonnade. Details of the design are as follows:

- Building height: Single story with hip style roof
- Access: The main entry will face Belt Line Road. Two access points will be provided for along Belt Line Road. The service entrance and trash pickup will be in the rear on the east side of the development.
- Building exterior / façade: The proposed building exterior will be clad primarily in brick and stone. Various masonry styles will be used as accents to create visual appeal on all facades. A metal roof will be located above the main entry to provide variety in roof style.
- Building articulation: The design guidelines require building elevations that face the right of way to have articulation. The applicant has addressed this articulation requirement along the north, south and west elevations as required.
- Sidewalks: Per development requirements, a sidewalk should be located along Belt Line Road right of way. A 6 foot curvilinear sidewalk has been shown along right of way. Paving plans show interior sidewalks throughout the development to accommodate pedestrian activity to and from the building.

- Off-street parking: Required parking shall be 1 space per 200 sq.ft. (62 required spaces). The applicant has submitted plans exceeding this requirement (136 parking spaces proposed). The parking will accommodate the proposed use and additional future uses of the development.
- Lighting: At this time the applicant does not plan to use pole lighting throughout the development. The building itself will be lighted with down lights. If and when pole lights are proposed, the lights will be subject to review by staff for compliance with town standards.
- Parking lot plantings/Perimeter parking lot plantings: Design guidelines require parking areas to be screened. All parking lot screening will be maintained at least thirty six inches (36") in height. Berming, planting screens or low profile walls are allowed per design criteria standards. The applicant has used plant screens and shrubbery.
- Landscape Buffer and Land Use Screening: Proposed details shown meet the standards set forth in the zoning and overlay districts. Shrubs will screen the parking spaces and additional trees will be added throughout the site. Landscape plans show that the site will be heavily landscaped.

### Future Development Details

When developed in the future, the property owner (Belt Line Venture) should be aware of the following regulations for screening and buffering of land uses. In accordance with zoning requirements, landscaping and a masonry wall should screen the non-residential development from abutting residential uses. The Town zoning ordinance stipulates the following for land use buffers and screening.

- Residential buffer for non-residential uses:  
One large tree shall be planted on 40-foot centers or one small tree planted on 30-foot centers. The developer of any commercial property adjacent to any residentially zoned property shall provide a ten (10) foot wide buffer between the residential property and the building or parking areas.
- Industrial and Commercial Screening.  
Where a proposed industrial or commercial use abuts land planned or zoned for residential use, a solid masonry screening wall not less than eight (8) feet in height in I and HC districts and **not less than six (6') feet in height for all other nonresidential districts shall be erected and maintained along or within one (1) foot of the property line that divides the two districts.**
- Masonry Walls  
Masonry walls shall be of the height specified and be constructed from natural stone, cast stone, face brick or pierced brick. Precast or prefabricated panels or cast-in-place concrete shall not be used. All masonry walls and foundations shall be designed by a registered professional engineer and construction plans for the wall shall bear the seal of the design engineer. Match existing masonry screening wall.

### Public Notice

Notice was published within the Town's Official Newspaper on May 25<sup>th</sup>, 2016. Letters were also provided to surrounding properties meeting the distance requirements as provided within the Ordinance. Nineteen (19) letters were sent. As of the writing of this staff memo, no letters had been returned either in favor or in opposition of the request.

**Planning & Zoning Recommendation**

Commissioner Pease made a motion to approve the request, seconded by Commissioner Okafor. Chairman Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

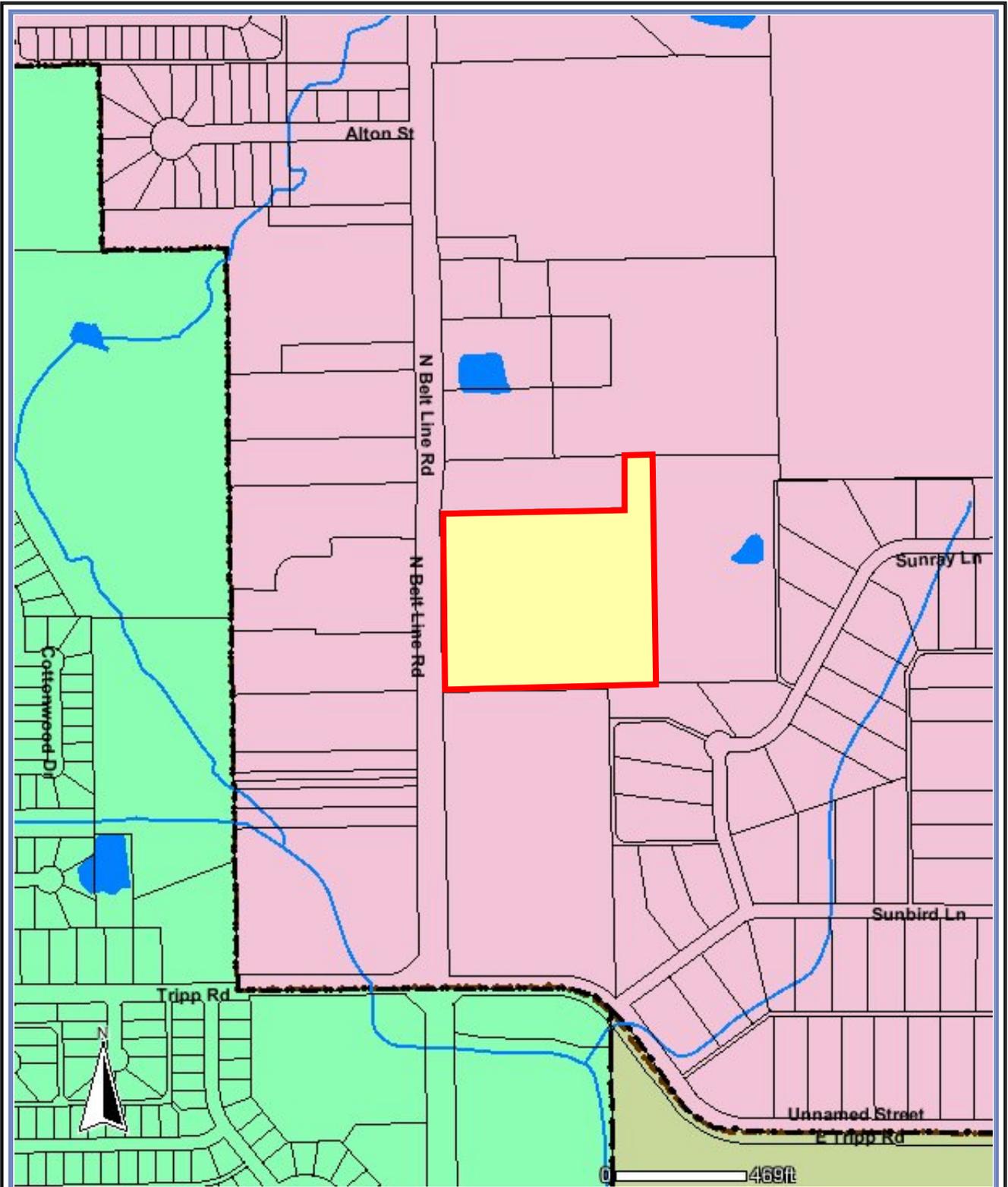
**Staff Recommendation**

Town staff has the following comments/recommendation for consideration:

1. Town staff recommends approval contingent to all Town comments being satisfactorily addressed prior to construction.

**Attachments**

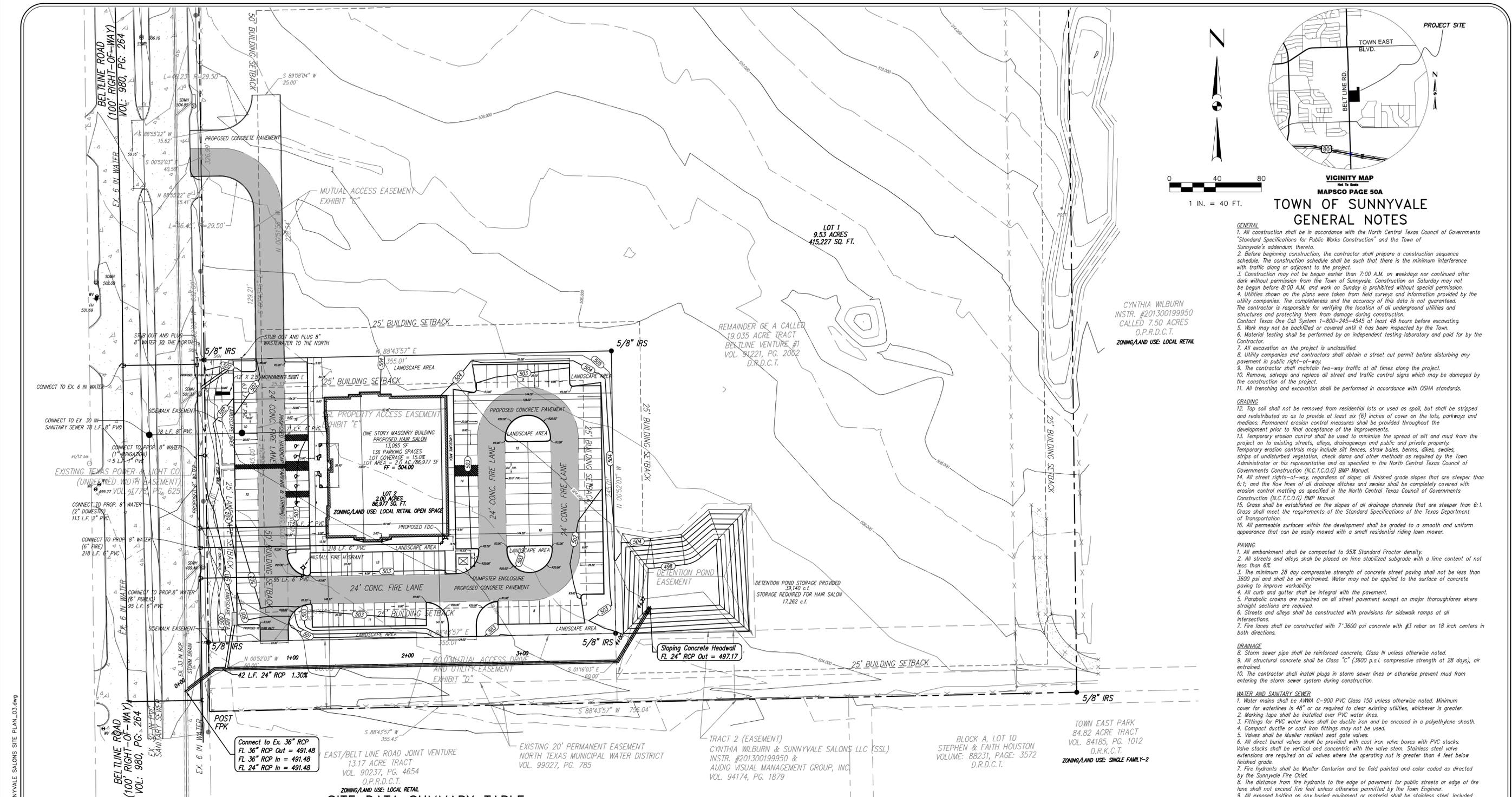
- Location Map
- Proposed Site Plan Exhibits



**Dallas Central  
Appraisal District**  
www.dallascad.org

**DISCLAIMER**

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



**VICINITY MAP**  
**MAPSCO PAGE 50A**  
**TOWN OF SUNNYVALE**  
**GENERAL NOTES**

- GENERAL**
- All construction shall be in accordance with the North Central Texas Council of Governments "Standard Specifications for Public Works Construction" and the Town of Sunnyvale's addendum thereto.
  - Before beginning construction, the contractor shall prepare a construction sequence schedule. The construction schedule shall be such that there is the minimum interference with traffic along or adjacent to the project.
  - Construction may not be begun earlier than 7:00 A.M. on weekdays nor continued after dark without permission from the Town of Sunnyvale. Construction on Saturday may not be begun before 8:00 A.M. and work on Sunday is prohibited without special permission.
  - Utilities shown on the plans were taken from field surveys and information provided by the utility companies. The completeness and the accuracy of this data is not guaranteed. The contractor is responsible for verifying the location of all underground utilities and structures and protecting them from damage during construction.
  - Contact Texas One Call System 1-800-245-4545 at least 48 hours before excavating.
  - Work may not be backfilled or covered until it has been inspected by the Town.
  - Material testing shall be performed by an independent testing laboratory and paid for by the Contractor.
  - All excavation on the project is unclassified.
  - Utility companies and contractors shall obtain a street cut permit before disturbing any pavement in public right-of-way.
  - The contractor shall maintain two-way traffic at all times along the project.
  - Remove, salvage and replace all street and traffic control signs which may be damaged by the construction of the project.
  - All trenching and excavation shall be performed in accordance with OSHA standards.

- GRADING**
- Top soil shall not be removed from residential lots or used as spoil, but shall be stripped and redistributed so as to provide at least six (6) inches of cover on the lots, parkways and medians. Permanent erosion control measures shall be provided throughout the development prior to final acceptance of the improvements.
  - Temporary erosion control shall be used to minimize the spread of silt and mud from the project on to existing streets, alleys, drainages and public and private property. Temporary erosion controls may include silt fences, straw bales, berms, dikes, swales, strips of undisturbed vegetation, check dams and other methods as required by the Town Administrator or his representative and as specified in the North Central Texas Council of Governments Construction (N.C.T.C.O.G.) BMP Manual.
  - All street rights-of-way, regardless of slope, all finished grade slopes that are steeper than 6:1; and the flow lines of all drainage ditches and swales shall be completely covered with erosion control matting as specified in the North Central Texas Council of Governments Construction (N.C.T.C.O.G.) BMP Manual.
  - Grass shall be established on the slopes of all drainage channels that are steeper than 6:1. Grass shall meet the requirements of the Standard Specifications of the Texas Department of Transportation.
  - All permeable surfaces within the development shall be graded to a smooth and uniform appearance that can be easily mowed with a small residential riding lawn mower.

- PAVING**
- All embankment shall be compacted to 95% Standard Proctor density.
  - All streets and alleys shall be placed on lime stabilized subgrade with a lime content of not less than 6%.
  - The minimum 28 day compressive strength of concrete street paving shall not be less than 3600 psi and shall be air entrained. Water may not be applied to the surface of concrete paving to improve workability.
  - All curb and gutter shall be integral with the pavement.
  - Parabolic crowns are required on all street pavement except on major thoroughfares where straight sections are required.
  - Streets and alleys shall be constructed with provisions for sidewalk ramps at all intersections.
  - Fire lanes shall be constructed with 7" 3600 psi concrete with #3 rebar on 18 inch centers in both directions.

- DRAINAGE**
- Storm sewer pipe shall be reinforced concrete, Class III unless otherwise noted.
  - All structural concrete shall be Class "C" (3600 p.s.i. compressive strength at 28 days), air entrained.
  - The contractor shall install plugs in storm sewer lines or otherwise prevent mud from entering the storm sewer system during construction.

- WATER AND SANITARY SEWER**
- Water mains shall be AWWA C-900 PVC Class 150 unless otherwise noted. Minimum cover for waterlines is 48" or as required to clear existing utilities, whichever is greater.
  - Marking tape shall be installed over PVC water lines.
  - Fittings for PVC water lines shall be ductile iron and be encased in a polyethylene sheath.
  - Compact ductile or cast iron fittings may not be used.
  - Valves shall be Mueller resilient seat gate valves.
  - All direct burial valves shall be provided with cast iron valve boxes with PVC stacks. Valve stacks shall be vertical and concentric with the valve stem. Stainless steel valve extensions are required on all valves where the operating nut is greater than 4 feet below finished grade.
  - Fire hydrants shall be Mueller Centurion and be field painted and color coded as directed by the Sunnyvale Fire Chief.
  - The distance from fire hydrants to the edge of pavement for public streets or edge of fire lane shall not exceed five feet unless otherwise permitted by the Town Engineer.
  - All sanitary sewer lines and manholes shall be leak tested before the project is accepted. Deflection testing of PVC sewer lines is required.

- WARRANTY**
- The Contractor shall maintain the required public improvements for a period of two (2) years following acceptance by the Town and shall provide a maintenance bond in the amount of 100% of the costs of the improvements.
  - Thirty days prior to the expiration of the warranty, the Contractor shall notify the Town of the approaching end of the two-year warranty. In the event the Contractor fails to notify the Town of the end of warranty, the warranty and bond shall automatically be extended to end thirty days after notice of end-of-warranty is filed with the Town.

CYNTHIA WILBURN  
 INSTR. #201300199950  
 CALLED 7.50 ACRES  
 O.P.R.D.C.T.  
 ZONING/LAND USE: LOCAL RETAIL

REMAINDER OF A CALLED  
 19.035 ACRE TRACT  
 BELTLINE VENTURE #1  
 VOL. 94221, PG. 2002  
 D.R.D.C.T.

TRACT 2 (EASEMENT)  
 CYNTHIA WILBURN & SUNNYVALE SALONS LLC (SSL)  
 INSTR. #201300199950 &  
 AUDIO VISUAL MANAGEMENT GROUP, INC.  
 VOL. 94174, PG. 1879

BLOCK A, LOT 10  
 STEPHEN & FAITH HOUSTON  
 VOLUME: 88231, PAGE: 3572  
 D.R.D.C.T.

TOWN EAST PARK  
 84.82 ACRE TRACT  
 VOL. 84185, PG. 1012  
 D.R.K.C.T.  
 ZONING/LAND USE: SINGLE FAMILY-2

Connect to Ex. 36" RCP  
 FL 36" RCP Out = 491.48  
 FL 36" RCP In = 491.48  
 FL 24" RCP In = 491.48

**SITE DATA SUMMARY TABLE**

GENERAL SITE DATA		IMPERVIOUS AREA		PARKING		LANDSCAPE AREAS (INCLUDING TURF AREAS)	
ZONING	LR- LOCAL RETAIL	BUILDING AREA FOOTPRINT	13,085 SQ. FT.	PARKING RATIO		LANDSCAPE BUFFER AREA PROVIDED	
LAND USE	OPEN SPACE	AREA OF SIDEWALKS, PAVEMENT & OTHER IMPERVIOUS FLATWORKS	51,369 SQ. FT.	TOTAL REQUIRED PARKING	63 SPACES	WEST SIDE, 25 FT. WIDE	6,125 SQ. FT.
LOT AREA	2.00 ACRES	TOTAL IMPERVIOUS AREA	64,454 SQ. FT.	1 SPACE/200 SF OF BUILDING		NORTH SIDE, 10 FT. WIDE	3,550 SQ. FT.
BUILDING FOOTPRINT	13,085 SQ. FT.			PROVIDED PARKING	136 SPACES	EAST SIDE	2,450 SQ. FT.
SALON				ACCESSIBLE PARKING REQUIRED	5 SPACES	SOUTH SIDE	3,550 SQ. FT.
TOTAL BUILDING AREA	13,085 SQ. FT.			ACCESSIBLE PARKING PROVIDED	5 SPACES	PARKING LOT AREA	47,895 SQ. FT.
BUILDING HEIGHT	1 STORY					PARKING LOT LANDSCAPE AREA	4,789 SQ. FT.
BUILDING HEIGHT	39'-3"					REQUIRED (% OF PARKING LOT AREA)	10%
LOT COVERAGE	15.0%					PARKING LOT LANDSCAPE PROVIDED	4,805 SQ. FT.
FLOOR AREA RATIO	.15:1					OTHER LANDSCAPE AREAS PROVIDED	6,350 SQ. FT.
						AROUND BUILDING	
						TOTAL LANDSCAPE AREA	26,830 SQ. FT.

**FLOOD STATEMENT:** According to Community Panel No. 48113C0390K, dated July 7, 2014 of the Federal Emergency Management Agency, National Flood Insurance Program map, this property is within Flood Zone "X", which is not a special flood hazard area.

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

**BELTLINE VENTURE ADDITION**  
**LOTS 1 & 2, BLOCK A**  
**502,204 SQ. FT. OR 11.53 AC.**

PART OF  
 A CALLED 19.035 ACRE TRACT OF LAND OUT OF  
 HENRY J WEBB SURVEY, ABSTRACT NO. 1588  
 IN THE  
 TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS

**OWNER**  
 BELTLINE VENTURE NO 1  
 C/O HOUSEMAN PROPERTIES  
 3838 OAK LAWN STE 1720  
 DALLAS, TEXAS 75219  
 214-336-9303

**SALCEDO GROUP, INC.**  
 REGISTRATION NO. F-5482  
 CONCEPTUAL - FOR INTERIM REVIEW ONLY  
 THESE DOCUMENTS ARE FOR INTERIM REVIEW AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THEY WERE PREPARED BY, OR UNDER THE SUPERVISION OF:  
 LUIS M. SALCEDO - PE #44267 DATE

Texas P.E. F-5482 ; Texas TBPLS Firm License 10070800

**SUNNYVALE SALONS**  
**TOWN OF SUNNYVALE, TEXAS**  
**SITE PLAN**

DATE: 06.10.2016  
 REVISION DATE: 06.10.2016  
 DRAWN BY: SGI  
 CHECKED BY: LMS

**Salcedo Group, Incorporated**  
**Civil Engineers - Surveyors**  
 400 South Zang Boulevard, Suite No. 1420 - Dallas, Texas 75208  
 Phone: (214) 941-8610, Fax: (214) 941-2331 www.salcedogroupinc.com

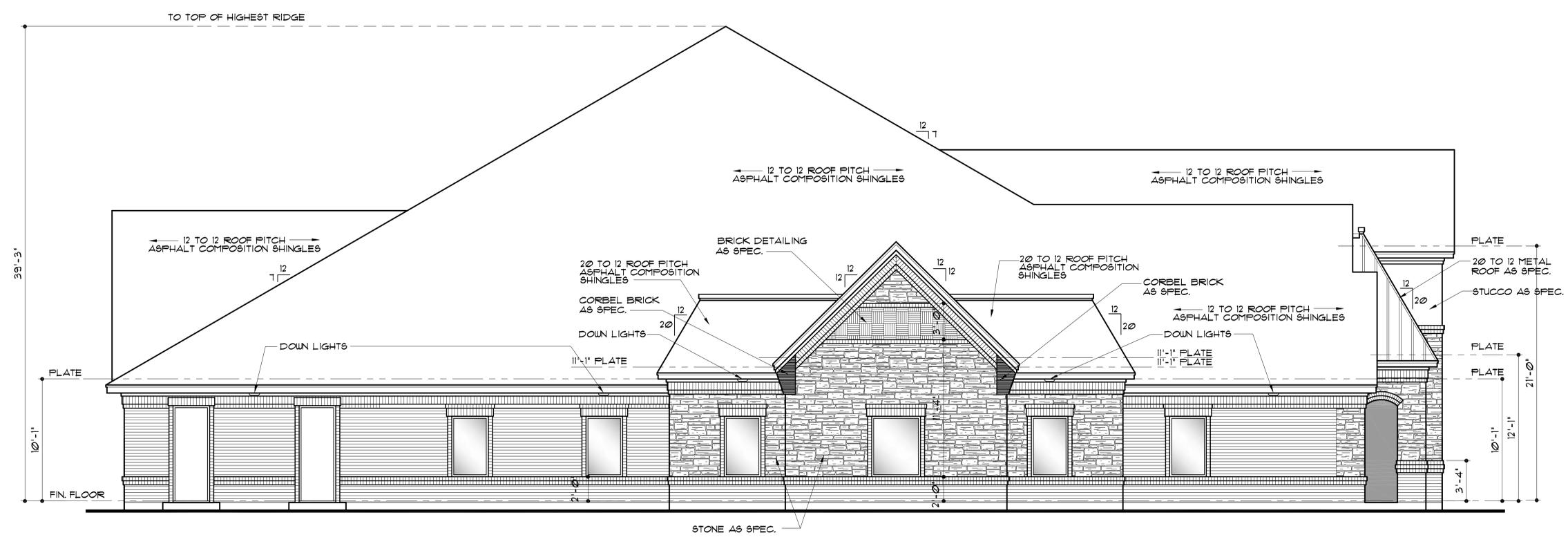


**C1**



REVISIONS	BY

**SALONS ELITE**  
 Beltline Road  
 Sunnyvale, Texas



**2**  
 SCALE: 1/4" = 1'-0"  
 LEFT SIDE (NORTH) ELEVATION

2201 oakley firm phy,  
 suite 105  
 fort worth, tx 76104  
 info@woodstovall.com  
 817/352-1111

**wood-stovall**  
 architects / designers

NOT FOR PERMIT  
 REGULATORY  
 APPROVAL OR  
 CONSTRUCTION  
 17 MAY 16

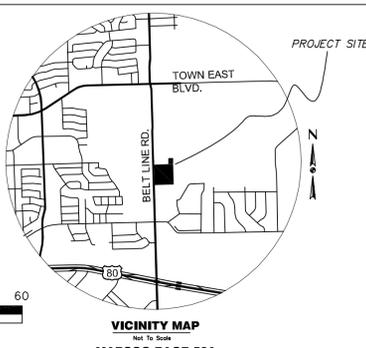
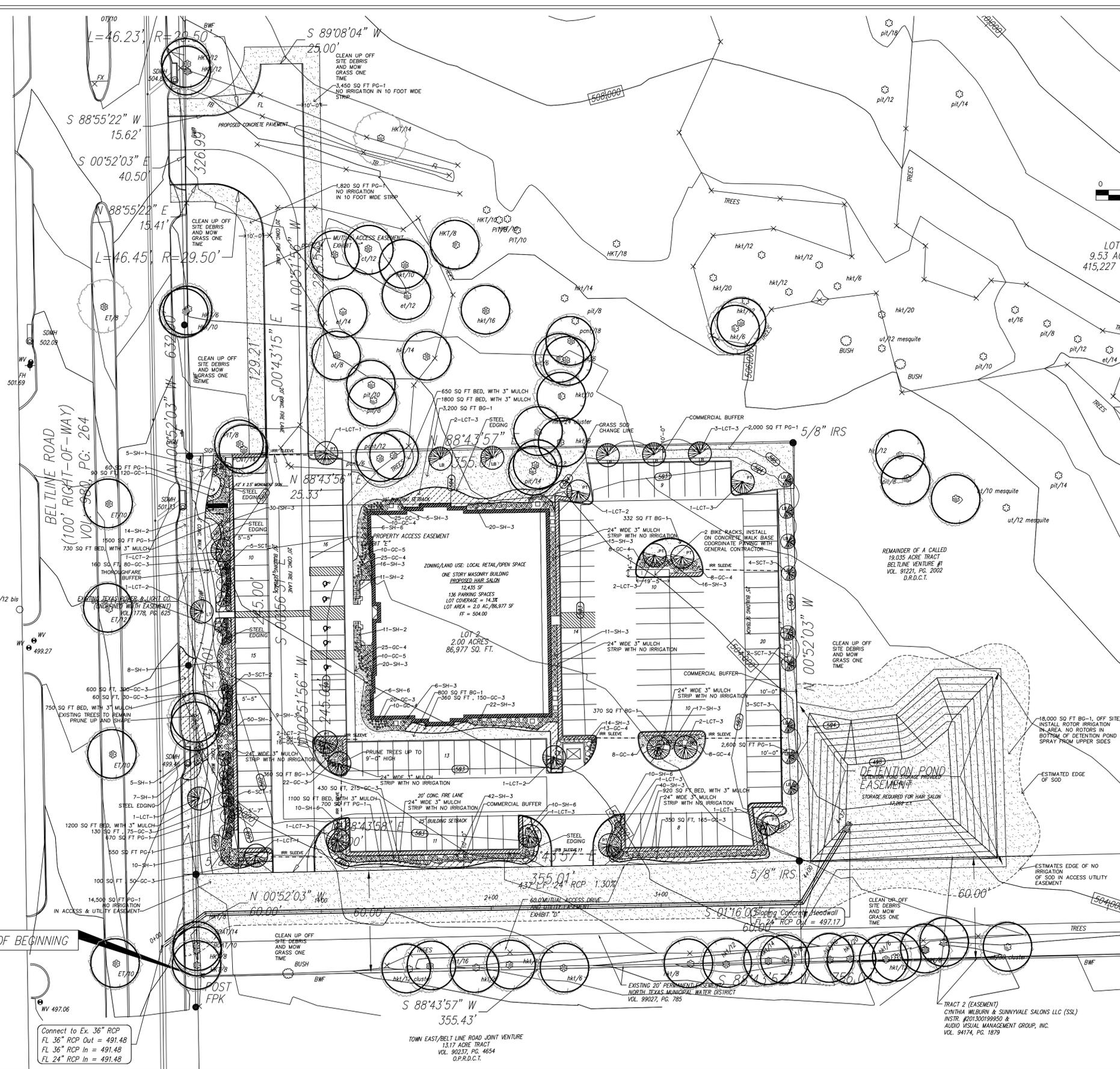
Date: 5-17-16  
 Drawn:  
 Job:  
 Sheet  
**A103**  
 Of Sheets



**Salons  
Elite**

860





**T.H. Pritchett / Associates**  
 LANDSCAPE ARCHITECTS  
 1218 CAMINO LAGO  
 IRVING, TEXAS 75039  
 214-697-2580  
 tom@landdesignplan.com

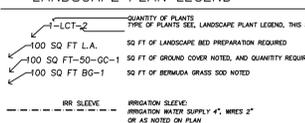
**BELTLINE VENTURE ADDITION**  
 LOTS 1 & 2, BLOCK A  
 502,204 SQ. FT. OR 11.53 AC.  
 PART OF  
 A CALLED 19.035 ACRE TRACT OF LAND OUT OF  
 HENRY J WEBB SURVEY, ABSTRACT NO. 1588  
 IN THE  
 CITY OF SUNNYVALE, DALLAS COUNTY, TEXAS

**OWNER**  
 BELTLINE VENTURE NO 1  
 C/O HOUSEMAN PROPERTIES  
 3838 OAK LAWN STE 1720  
 DALLAS, TEXAS 75219

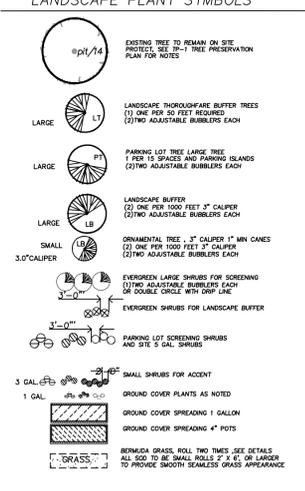
**TOWN OF SUNNYVALE, LANDSCAPE STANDARDS**

REQUIRED	PROPOSED
ARTICLE 34 - LANDSCAPE REGULATIONS	
A. TOTAL GROSS AREA OF LOT	2.00 ACRES 86,977 SQ FT
STREET, HYDROGRAPHIC AND ALLEY BUFFER	25 FEET
BELTLINE REQUIRED: HYDROGRAPHIC BUFFER	25 FEET
1. REQUIRED TREES 3" CALIPER, SPACED AT (30) FEET ON CENTER FOR SMALL TREES AND FIFTY FEET (50) ON CENTER FOR LARGE TREES (25) FEET OF FRONTAGE REQUIRED	(5) LARGE TREES (3) NEW LARGE TREES (2) EXISTING LARGE TREES
COMMERCIAL BUFFERS	
1. ONE (1) LARGE TREE SHALL BE PLANTED ON (40) FEET CENTERS OR ONE (1) SMALL TREE PLANTED ON (20) FOOT CENTERS	(9) LARGE TREES (4) EXISTING TREES
NORTH BUFFER 305 LF	(9) SMALL TREES
EAST LANDSCAPE BUFFER 245 LF	(12) SMALL TREES
SOUTH LANDSCAPE BUFFER 305 LF	(12) SMALL TREES
LANDSCAPE BUFFER	
1. PROVIDE ONE (1) TWO THIRDS (2/3) CALIPER TREE AND ONE (1) 5-GALLON SHRUB FOR EVERY 100 SQ FT OF BUFFER AREA EQUALS 100 SQ FT	(14) 3" TREES (14) 3" SHRUBS (35) 5 GAL SHRUBS (35) 5 GAL SHRUBS
PERMETER PARKING LOT LANDSCAPING	
1. ALL PARKING ADJACENT TO PUBLIC OR PRIVATE ROADWAYS SHALL BE SCREENED MAINTAINED 30" IN HEIGHT, INSTALLED WITH (1) ONE LARGE TREE PER 40 LINEAR FEET (1) ONE GAL. SHRUB PER FIVE LINEAR FT.	YES YES
INTERIOR PARKING LOT LANDSCAPING	
1. LANDSCAPE ISLANDS ARE REQUIRED AT THE TERMINUS OF EACH PARKING BAY WITH EACH ISLAND 10' (10) FEET WIDE	YES YES
2. A TEN (10) FOOT LANDSCAPE MEDIUM IS REQUIRED AT EACH PARKING BAY	NOT ON SITE PLAN NOT REQUIRED
BICYCLE PARKING	
10' BE LOCATED ON SITE, 2 BIKE PARKING LOCATIONS, TO BE INSTALLED MANUFACTURED BY: (1) STANLEY CYCLE SERVICE COLLECTION (2) ONE STANLEY CYCLE SERVICE COLLECTION (2) ONE STANLEY CYCLE SERVICE COLLECTION	YES YES

**LANDSCAPE PLAN LEGEND**



**LANDSCAPE PLANT SYMBOLS**



**SOIL AMENDMENT NOTES**

SOIL AMENDMENT 'A' FOR SHRUB AND GROUND COVER BEDS (GENERAL)  
 1. PRIOR TO SOIL AMENDING, THE SUB-GRADES SHALL BE 8" BELOW FINISH GRADE TO ALLOW FOR THE FOLLOWING AMENDMENTS AND FERTILIZER. THE LAYER OF SOIL AMENDMENTS SHALL BE 4" DEEP WITH A LAYER OF MULCH 3" DEEP AS SPECIFIED, LEAVING A FINISH GRADE OF 2" BELOW THE ADJACENT PAVED AREA. EXCAVATION AND/OR FILL MAY BE REQUIRED TO ACHIEVE THESE GRADES.  
 APPLICATION RATES FOR SOIL AMENDMENTS:  
 A) ORGANIC SOIL CONDITIONER - 2" LAYER  
 B) TOPSOIL - 2" LAYER  
 C) FERTILIZER - OZMODOCITE PLUS 15-9-12, 10 LBS./1,000 SQ. FT. OF BED AREA  
 2. AMENDMENTS SHALL BE UNIFORMLY SPREAD AND THOROUGHLY CULTIVATED IN A LIGHT AND FRABLE CONSISTENCY BY MEANS OF A MECHANICAL ROT TILLER INTO THE TOP 2" OF SUB-GRADE WHICH WILL MAKE A BED OF APPROXIMATELY 6 INCHES TOTAL DEPTH OF AMENDED SOIL.  
 SOIL AMENDMENT 'C' PREPARED BACK FILL FOR TREES AND LARGE SHRUBS (3 GALLON AND LARGER)  
 1. BACK FILL MIX. PRIOR TO BACK FILL PROVIDE TREE DRAIN AND GRAVEL.  
 A) TOPSOIL - 3 PARTS  
 B) COMPOST - 2 PARTS  
 C) SHARP SAND - 1 PART  
 SOIL AMENDMENT 'E' SOIL PREPARATION FOR LAWN AND GRASS AREAS  
 1. PRE-PLANT WEED CONTROL: ROUND-UP TO BE APPLIED UNIFORMLY TO TREAT FOR WEEDS. FLOW ALL MANUFACTURERS DIRECTIONS.  
 2. SOIL AMENDMENTS FOR LAWN AND GRASS AREAS:  
 A) FOR HYDRO-SEEDING PREPARATION AND SOIL SOD OPERATIONS, AMENDMENTS SHALL BE UNIFORMLY SPREAD AND THOROUGHLY CULTIVATED TO ALLOW FOR THE FOLLOWING AMENDMENTS AND FERTILIZER. THE LAYER OF SOIL AMENDMENTS SHALL BE 4" DEEP LEAVING A FINISH GRADE 1" BELOW THE ADJACENT PAVED AREA. EXCAVATION AND/OR FILL MAY BE REQUIRED TO ACHIEVE THESE GRADES.  
 APPLICATION RATES FOR SOIL AMENDMENTS:  
 A) TOP SOIL - 1 1/2" LAYER ON BASE OF CUT SOD  
 B) FERTILIZER OZMODOCITE PLUS 15-9-12, 10 LBS./1,000 SQ. FT. OF BED AREA  
 AMENDMENTS SHALL BE UNIFORMLY SPREAD AND THOROUGHLY CULTIVATED TO LIGHT AND FRABLE CONSISTENCY BY MEANS OF A MECHANICAL ROT TILLER INTO THE TOP 3" OF SUB-GRADE, WHICH WILL MAKE A BED OF APPROXIMATELY 4" DEPTH OF AMENDED SOIL.

**LANDSCAPE NOTES**

1. CONTRACTOR SHALL BE RESPONSIBLE FOR BEING FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES, AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SUCH UTILITIES.  
 2. CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT UNKNOWN OBSTRUCTIONS, AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT AT (972)869-3535. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.  
 3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH GENERAL CONTRACTOR AND SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH PLANTING OPERATIONS.  
 4. IF CONFLICTS ARISE BETWEEN SIZE OF AREAS AND PLANS, CONTRACTOR IS TO CONTACT LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE THE MATERIALS.  
 5. ALL PLANT MATERIAL SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION.  
 6. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT THE APPROVAL OF THE LANDSCAPE ARCHITECT AND OWNER.

**LANDSCAPE PLANTING PLAN**  
**Salcedo Group, Incorporated**  
 Civil Engineers - Surveyors  
 400 South Zang Boulevard, Suite No. 1420 - Dallas, Texas 75208  
 Phone: (214) 941-8610, Fax: (214) 941-2331 www.salcedogroup.com

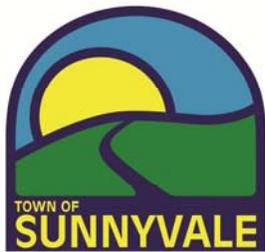
DATE: 5.18.2016  
 REVISION DATE: 5.18.2016  
 DRAWN BY: JMK  
 CHECKED BY: JMS

**HAIR SALON SITE PLAN**  
**BELTLINE VENTURE 11 AC.**

**SGI**  
 Landscape Group, Inc.

**LP1**

SGI Project No. 09XXX



# Town of Sunnyvale

June 27, 2016

Prepared By: **Rashad Jackson, AICP**  
**Director of Development Services**

## Summary:

**APPLICANT: BILL FOOSE**  
**AT OR ABOUT: 2718 BELT LINE ROAD APPROX. 11.53 ACRES**  
**REQUEST: PRELIMINARY PLAT – BELT LINE VENTURE**  
**ADDITION, LOTS 1 & 2, BLOCK A**

## Background:

The subject property is located at or about 2718 Belt Line Road. The applicant requests approval for a proposed preliminary plat creating 2 new lots. Lot 1 will remain vacant and Lot 2 will be used for the future development of a Salons Elite establishment. The individual building site is 2 acres in size. The overall subject property, located within a Local Retail zoning district is 11.53 acres in size. The proposed use is allowed by right within the Local Retail District.

The plat contains 3 easements that will be recorded by separate instrument.

- A 60' mutual access easement along the southern property line
- A 24' fire lane/mutual access easement throughout the interior portions of the property
- A detention pond easement as required by Town development standards

All other details of the proposed plat meet the requirements of the Sunnyvale zoning ordinance and subdivision ordinance.

## Public Notice

Notice was published within the Town's Official Newspaper on May 25<sup>th</sup>, 2016. Letters were also provided to surrounding properties meeting the distance requirements as provided within the Ordinance. Nineteen (19) letters were sent. As of the writing of this staff memo, no letters had been returned either in favor or in opposition of the request.

## Planning & Zoning Recommendation

Commissioner Daniel made a motion to approve the request, seconded by Commissioner Pease. Chairman Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

## Staff Recommendation

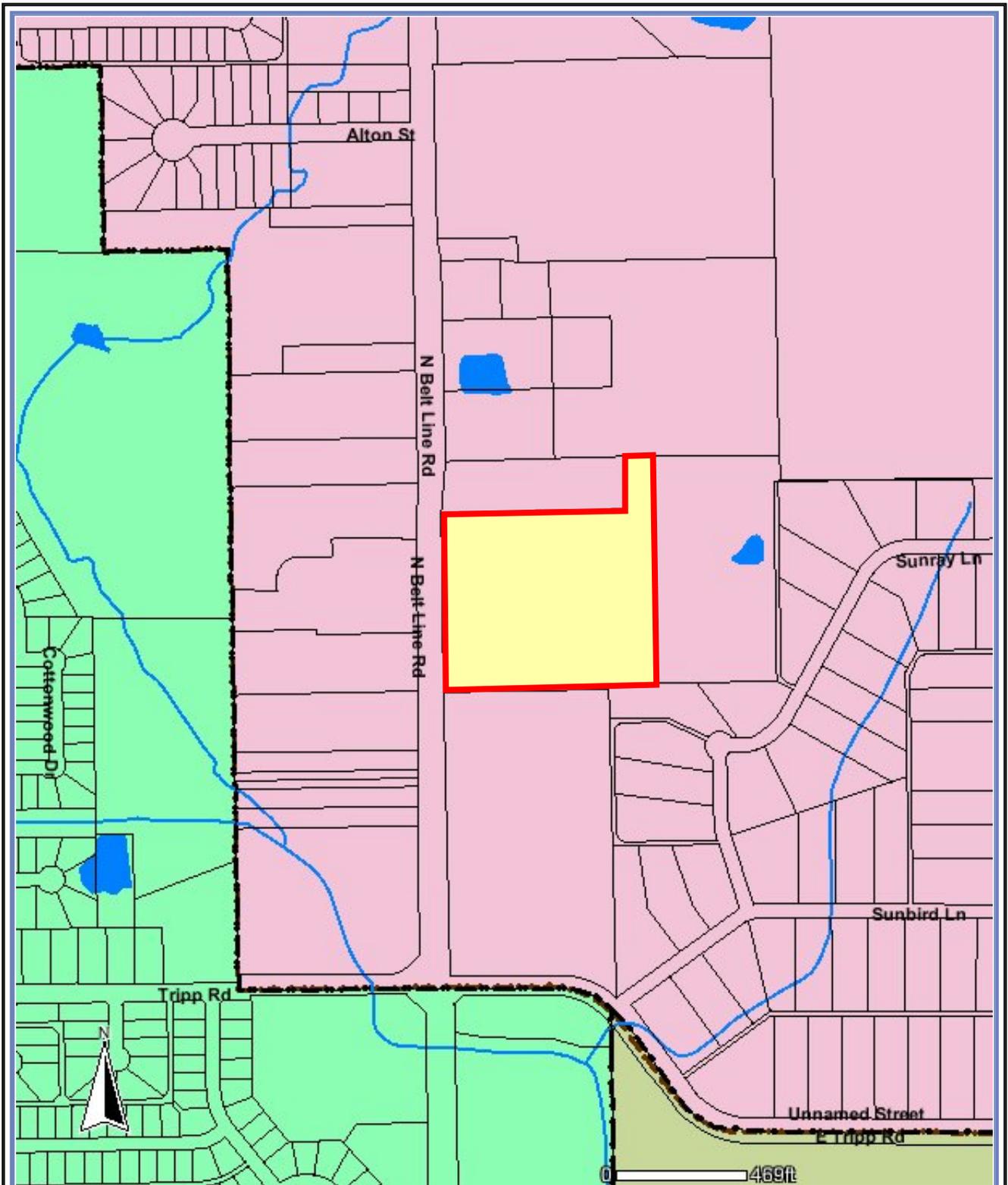
Town staff has the following comments/recommendation for consideration:

1. Town staff recommends approval contingent to all Town comments being satisfactorily addressed prior to construction.

2. In the future, Town engineering does not recommend accepting the proposed 60' southern access drive as a public right of way. In the future it should continue to be noted and used as a mutual access drive for the development.

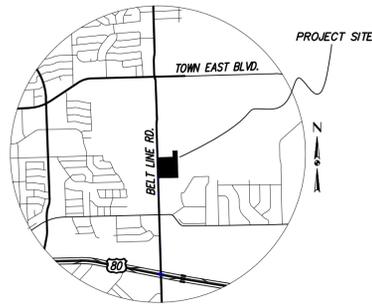
**Attachments**

- Location Map
- Proposed Preliminary Plat



**Dallas Central  
Appraisal District**  
www.dallascad.org

**DISCLAIMER**  
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



VICINITY MAP  
MAPSCO PAGE 50A

GENERAL NOTES:

- 1. BASIS OF BEARING: NAD 1983 STATE PLANE COORDINATES, TEXAS NORTH CENTRAL (4202). GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON 9/10/15. SOLUTIONS HAVE BEEN CALCULATED BY THE NATIONAL GEODETIC SURVEY, OPUS WEBSITE.
2. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF TOWN SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING UTILITIES AND BUILDING CERTIFICATES.
3. NO LOT TO LOT DRAINAGE WITHOUT ENGINEERING APPROVAL.
4. BENCHMARKS:
4.1. STORM DRAIN CURB INLET LID, APPROXIMATELY 105' SOUTH OF THE NORTHWEST PROPERTY CORNER OF THE SUBJECT TRACT, ON THE EAST SIDE OF BELTLINE ROAD, ELEVATION 504.85
4.2. STORM DRAIN CURB INLET LID, APPROXIMATELY 356' SOUTH OF THE NORTHWEST PROPERTY CORNER OF THE SUBJECT TRACT, ON THE EAST SIDE OF BELTLINE ROAD, ELEVATION 501.33
5. THE PURPOSE OF THIS PLAT IS TO CREATE 2 LOTS.
6. "SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF TOWN SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES."
7. "THE DETENTION POND WILL BE MAINTAINED BY THE PROPERTY OWNERS."

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT BELTLINE VENTURE NO. 1, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS "BELTLINE VENTURE ADDITION," AN ADDITION TO THE CITY OF SUNNYVALE, DALLAS COUNTY, TEXAS AND DO HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY STREETS, ALLEYS, AND FLOODWAY MANAGEMENT AREAS SHOWN THEREON, THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE GENERAL PUBLIC, FIRE AND POLICE UNITS, AND GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OF GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED OR PLACED UPON, OVER AND ACROSS THE EASEMENT AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE THE SAME. ALL AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM AND UPON THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS, WITHOUT THE NECESSITY, AT ANY TIME, OF PROCURING THE PERMISSION OF ANYONE, AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND MAINTENANCE AND SERVICE REQUIRED OR ORDINARILY PERFORMED BY THE UTILITY.

THIS PLAT IS APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF SUNNYVALE, TEXAS.

WITNESS MY HAND AT DALLAS, TEXAS, THIS THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

AGENT FOR BELTLINE VENTURE NO. 1

STATE OF TEXAS:

COUNTY OF DALLAS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR DALLAS COUNTY, TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN. GIVEN UNDER MY HAND AND SEAL OF THIS OFFICE THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

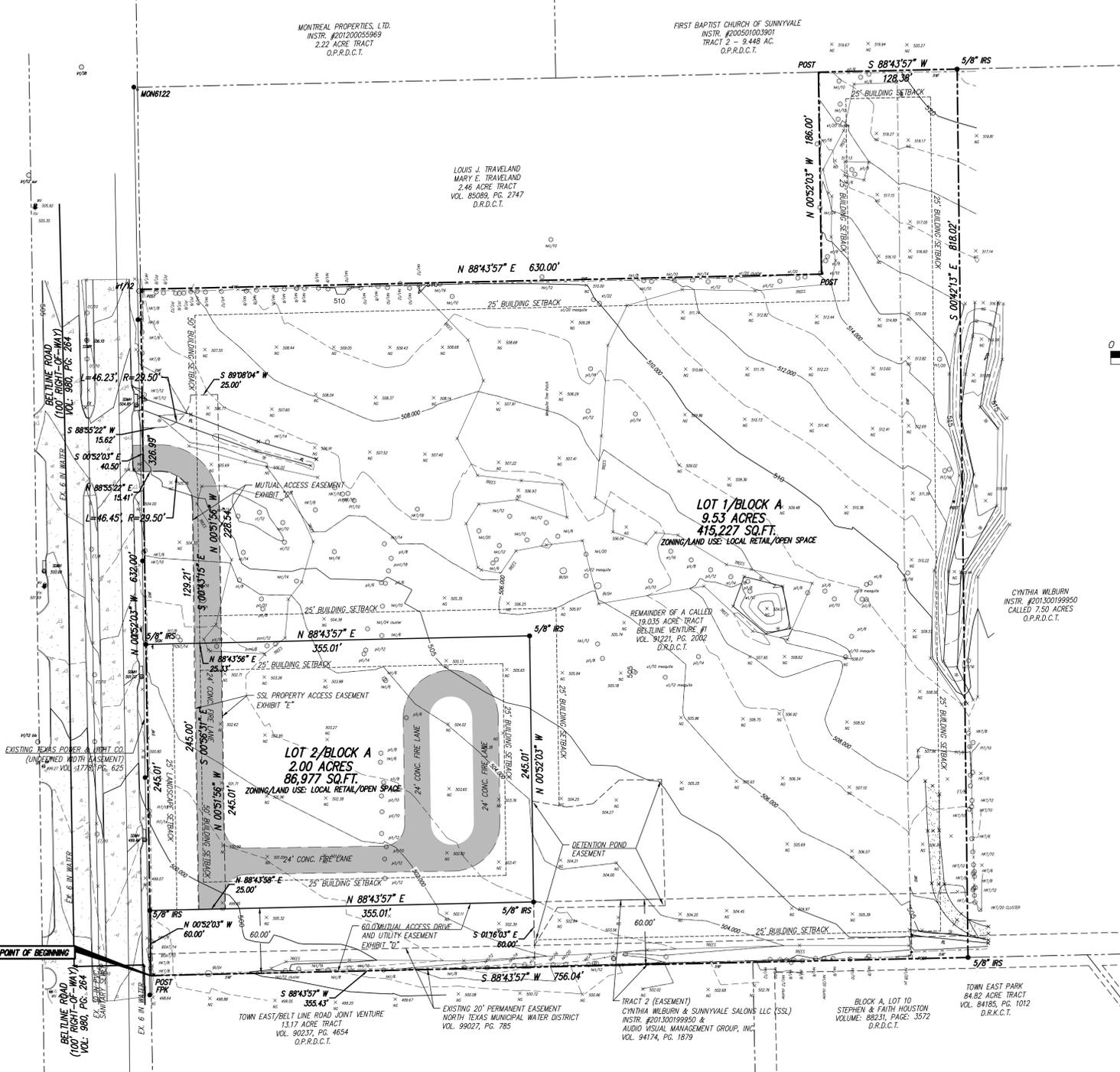
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.

SURVEYOR'S CERTIFICATE

I, LOUIS SALCEDO, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM RECORDED DOCUMENTATION, EVIDENCE COLLECTED ON THE GROUND DURING FIELD OPERATIONS AND OTHER RELIABLE DOCUMENTATION; AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212. I FURTHER AFFIRM THAT MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH THE CITY OF SUNNYVALE DEVELOPMENT CODE; AND THAT THE DIGITAL DRAWING FILE ACCOMPANYING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SIGNED FINAL PLAT.

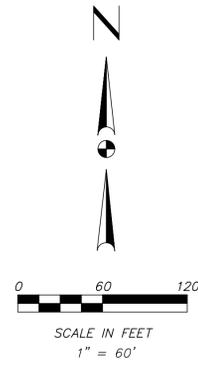
PRELIMINARY - THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. LOUIS M. SALCEDO REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3664

DATE



Legend of Symbols & Abbreviations

Table with 3 columns listing symbols and abbreviations for various features: Natural Ground, Chain Link Fence, Top of Concrete, Wood Fence, Control Point, etc.



Owner's Certificate  
Town of Sunnyvale  
State of Texas  
County of Dallas

BELTLINE VENTURE NO. 1 is the Owner of an 11.53 acre tract of land situated in the HENRY J. WEBB Survey, Abstract No. 1588, and being part of a called 19.035 acre tract conveyed to BELTLINE VENTURE No. 1, by deed recorded in Vol. 91221, PG. 2002 D.R.D.C.T., and being in the Town of Sunnyvale, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the southwest corner of said 19.035 acre tract, from which a post with pk nail found, bears N 70°47'36" E a distance of 2.70 feet, and being the northwest corner of a tract of land conveyed to TOWN EAST/BELT LINE ROAD JOINT VENTURE, by deed recorded in VOL. 90237, PG. 4654 D.R.D.C.T., and being in the east line of Belt line Road (100 foot right-of-way):

THENCE along the east line of Belt line Road, same being the west line of said 19.035 acre tract, N 0°52'03" W a distance of 632.00 feet to the northwest corner of said 19.035 acre tract, from which a 1/2" iron rod found, bears S 46°00'12" W a distance of 2.32 feet, and being the southwest corner of a tract of land conveyed to Louis J. & Mary E. Traveland by deed recorded in Volume 85089, Page 2747 of the Deed Records of Dallas County, Texas;

THENCE along the north line of said 19.035 acre tract and the common south line of said Traveland tract, N 88°43'57" E a distance of 630.00 feet to an interior corner of said 19.035 acre tract, and being the southeast corner of said Traveland tract, from which a fence post bears N 52°00'38" E a distance of 1.01 feet;

THENCE along the west line of said 19.035 acre tract and the common east line of said Traveland tract, N 0°52'03" W a distance of 186.00 feet, to the northwest corner of said 19.035 acre tract, from which a fence post bears S 58°24'34" E a distance of 0.87 feet, and being the northeast corner of said Traveland tract, and being in the south line of a tract of land conveyed to First Baptist Church of Sunnyvale by deed recorded in Instrument Number 200501003901 of the Official Public Records of Dallas County, Texas;

THENCE along the north line of said 19.035 acre tract, S 88°43'57" W a distance of 128.38 feet to a 5/8" iron rod set with yellow plastic cap stamped "SGI 3664", and being the northeast corner of said 11.53 acre subject tract, and being the northwest corner of a tract of land conveyed to Cynthia Wilburn by deed recorded in Instrument Number 201300199950 of the Official Public Records of Dallas County, Texas;

THENCE along the east line of said 11.53 acre subject tract and the common west line of said Wilburn tract, S 0°42'13" W a distance of 818.02 feet to a 5/8" iron rod with plastic cap stamped "SGI 3664" set for the southeast corner of said 11.53 acre subject tract, and being the southwest corner of said Wilburn tract, and being in the north line of the Town East Park subdivision, recorded in Volume 84185, Page 1012 of the Map Records of Dallas County, Texas;

THENCE along the north line of the Town East Park subdivision and said Town East/Belt Line Road tract, same being the south line of said 19.035 acre tract, S 88°43'57" E a distance of 756.04 feet to the POINT OF BEGINNING, and containing 502,204 square feet or 11.53 acres of land, more or less.

PRELIMINARY PLAT  
BELTLINE VENTURE ADDITION  
LOTS 1 & 2, BLOCK A  
502,204 SQ. FT. OR 11.53 AC.

PART OF  
A CALLED 19.035 ACRE TRACT OF LAND OUT OF  
HENRY J WEBB SURVEY, ABSTRACT NO. 1588  
IN THE  
TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS

OWNER  
BELTLINE VENTURE NO 1  
C/O HOUSEMAN PROPERTIES  
3838 OAK LAWN STE 1720  
DALLAS, TEXAS 75219  
214-336-9303  
SURVEYOR  
SALCEDO GROUP, INC.  
400 S. ZANG BLVD., SUITE 1420  
DALLAS, TEXAS 75208  
(214) 941-8610

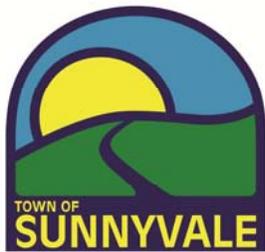
SGI SALCEDO GROUP, INC.  
400 S. ZANG BLVD., SUITE 1420  
DALLAS, TX 75208  
PHONE: (214)-941-8610

Texas P.E. F-5482 : Texas TPBLS Firm License 10070800

FLOOD STATEMENT: According to Community Panel No. 48113C0390K, dated July 7, 2014 of the Federal Emergency Management Agency, National Flood Insurance Program map, this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

STATE OF TEXAS:  
COUNTY OF DALLAS:  
BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR DALLAS COUNTY, TEXAS, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN. GIVEN UNDER MY HAND AND SEAL OF THIS OFFICE THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.



# Town of Sunnyvale

June 27, 2016

Prepared By: **Rashad Jackson, AICP**  
**Director of Development Services**

## Summary:

**APPLICANT: BILLY DUCKWORTH**  
**AT OR ABOUT: 323 BARNES BRIDGE ROAD**  
**REQUEST: PRELIMINARY PLAT – SNEED ADDITION, LOT 1, BLOCK A**

## Background:

The applicant is the representative for a residential property located at 323 Barnes Bridge Road. The applicant proposes to subdivide and create a single 5 acre lot (The Sneed Addition) out of an existing 10 acre parcel. The preliminary plat will create a 5 acre lot with a lot width of approximately 185'. The applicant proposes to subdivide the property for the development of a proposed residence. Prior to submission of this plat application, the property received a lot width variance from the Board of Adjustment. The variance, received on May 24<sup>th</sup>, allows for a lot width of 184 feet for the subject property.

The proposed preliminary plat has been submitted in accordance with the Board of Adjustment variance approval and all other Town zoning and subdivision ordinance requirements.

## Public Notice

Notice was published within the Town's Official Newspaper on Wednesday, May 25<sup>th</sup>, 2016. Letters were also provided to surrounding properties meeting the distance requirements as provided within the Ordinance. Eight (8) letters were sent out. As of the writing of this staff memo, no letters had been returned either in favor or in opposition of the request.

## Board of Adjustment – 05/24/2016

Variance from Section 3.7 Area Standards for Detached Single Family Dwellings, Chart 3.2 Area Standards for Residential Lots to reduce the lot width requirement from 250' to 184' for two (2) proposed residential lots located at or about 323 Barnes Bridge Road.

Chairman Hoffman called for a motion. Member Turner made a motion to approve the request. Member Noster seconded. Chairperson Hoffman called for a vote, and with all members voting affirmative, the motion passed unanimously 5-0.

## Planning & Zoning Recommendation

Commissioner Daniel made a motion to approve the request, seconded by Commissioner Noster. Chairman Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

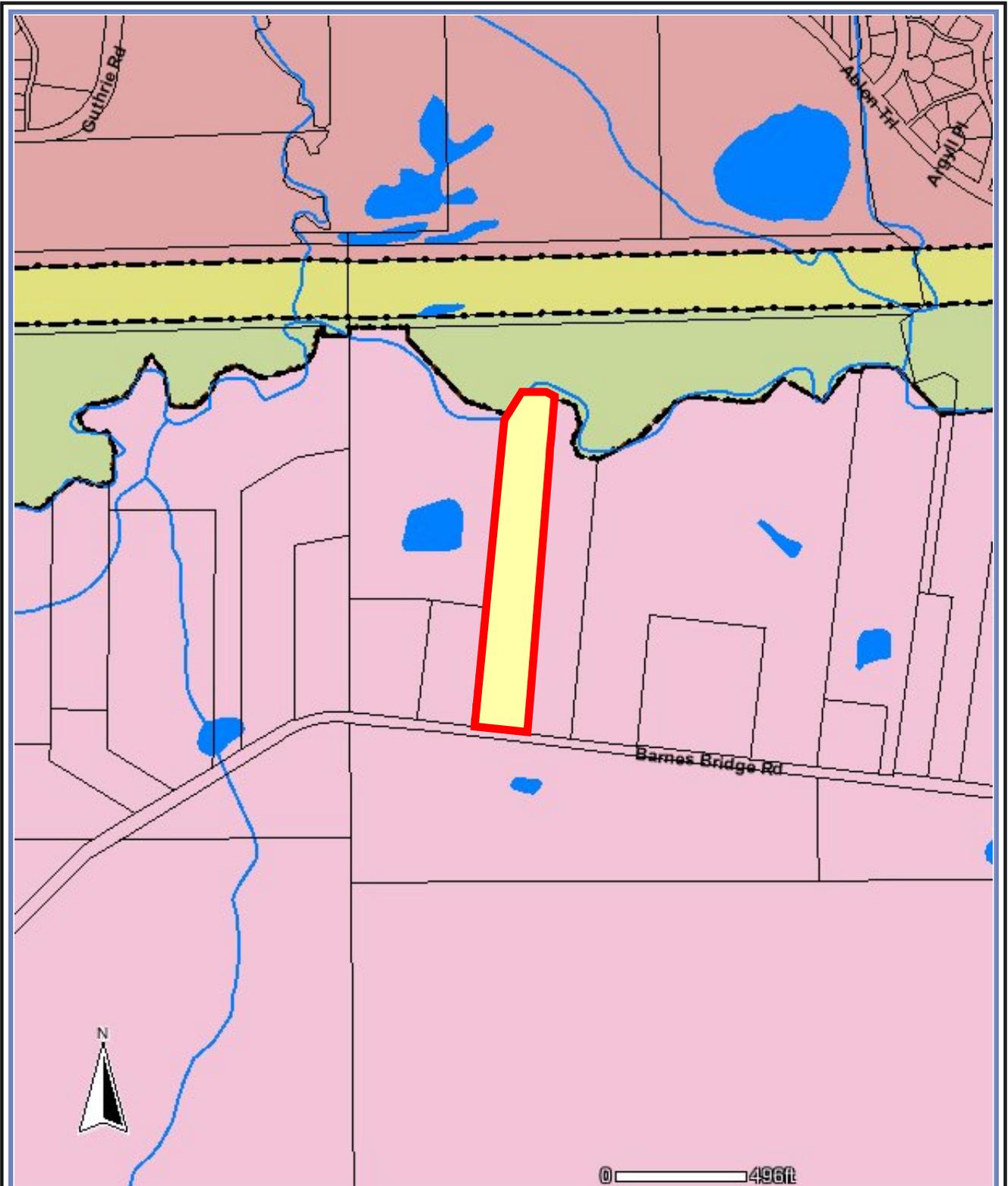
**Staff Recommendation**

Town staff has the following comments/recommendation for consideration:

1. Town staff recommends approval contingent to all Town comments being satisfactorily addressed prior to construction.

**Attachments**

- Location Map
- Chart 3.2 Area Standards for Residential Lots from the Zoning Ordinance
- Proposed preliminary plat



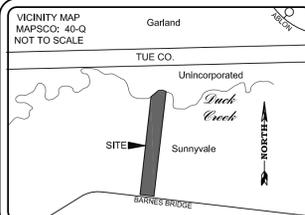
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Appraisal District**  
www.dallascad.org

**DISCLAIMER**  
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

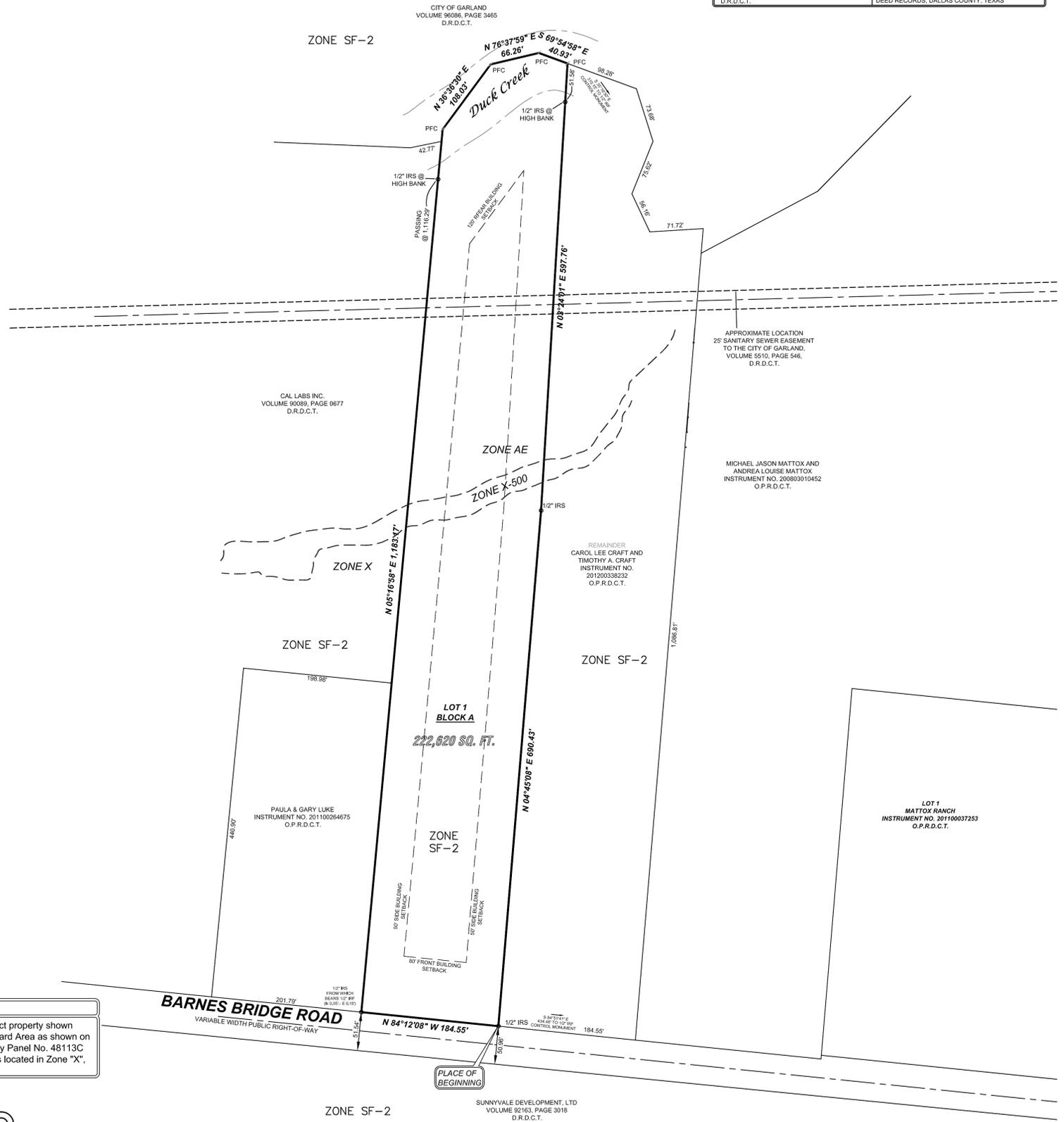
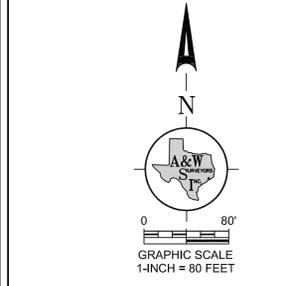
**Chart 3.2**  
**Area Standards for Residential Lots**

Lot Size	Width <sup>1</sup>	Front Yard Setback	Side Yard Setback <sup>2</sup>	Rear Yard Setback
2 acres and over	250 feet	80 Feet	50 feet	120 feet
1.5 to 1.99 acres	200 feet	80 feet	40 feet	100 feet
1 acre-1.49 acres	170 feet	70 feet	30 feet	80 feet
35,000-43,559 square feet	150 feet	60 feet	30 feet	60 feet
20,000-34,999 square feet	120 feet	60 feet	20 feet	40 feet
14,000-19,999 square feet	100 feet	50 feet	20 feet	30 feet
12,000-13,999 square feet	100 feet	40 feet	15 feet	30 feet
10,000-11,999 square feet	100 feet	30 feet	15 feet	20 feet
7,000-9,999 square feet	70 feet	25 feet	10 feet	20 feet
4,500-6,999 square feet	50 feet	25 feet	5 feet	20 feet

1. For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line.
2. When adjacent to a side street, the side yard setback of a corner lot shall not be less than the following, whichever is greater: (a) 150 % of the side yard setback shown; or (b) the front yard set back of any adjacent lot located within 20 feet of the rear lot line of the corner lot, where the front yard of the adjacent lot faces in the same general direction as the side yard of the corner lot.



LEGEND	
1/2" IRS	1/2" IRON ROD SET
PFC	POINT FOR CORNER
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS



**FLOOD**

This is to certify that a portion of the subject property shown hereon lies within the 100 Year Flood Hazard Area as shown on the Flood Insurance Rate Map, Community Panel No. 48113C 0380L, dated 07-07-2014. The property is located in Zone "X", Zone "X-500", Zone "A-E".

**SURVEYOR'S NOTES**

- 1) BASIS OF BEARING DETERMINED BY PLAT RECORDED IN INSTRUMENT NO. 201100037253, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS.
- 2) "NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES."
- 3) ALL DISTANCES ARE SURFACE DISTANCES.
- 4) THE PURPOSE OF THIS PLAT IS TO CREATE ONE BUILDABLE LOT.

5-24-2016 TOWN OF SUNNYVALE BOARD OF ADJUSTMENT GRANTS VARIANCE FOR MINIMUM FRONTAGE FROM 250' TO 184.55' FOR TWO PROPERTIES LOCATED AT 323 BARNES BRIDGE ROAD.

**OWNER'S CERTIFICATE**

WHEREAS Carol Lee Craft and Timothy A. Craft are the sole owners of a tract of land located in the JAMES WEST SURVEY, Abstract 1581, Town of Sunnyvale, Dallas County, Texas, and being a part of the same tract of land described in Warranty Deed to Carol Lee Craft and Timothy A. Craft, recorded in Instrument No. 201200338232, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner in the North line of Barnes Bridge Road, a variable width public right-of-way, said point being North 84°51'41" West, a distance of 434.48 feet from the Southwest corner of Lot 1 of Mattox Ranch, an addition to the Town of Sunnyvale, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 201100037253, Official Public Records, Dallas County, Texas;

Thence North 84°12'08" West, along said North line, a distance of 184.55' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the Southeast corner of a tract of land described in deed to Paula Luke and Gary Luke, recorded in Instrument No. 201100264675, Official Public Records, Dallas County, Texas;

Thence North 05°16'58" East, along the East line of said Luke tract, passing at 1,116.29' a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for reference in the high bank of Duck Creek, and continuing a total distance of 1,183.17' to a point for corner in said creek;

Thence North 36°36'30" East, along said creek, a distance of 108.03' to a point for corner;

Thence North 76°37'59" East, along said creek, a distance of 66.26' to a point for corner;

Thence South 69°54'58" East, along said creek, a distance of 40.93' to a point for corner;

Thence South 03°24'01" West, passing at a distance of 51.58' a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for reference at the high bank of said creek, and continuing a total distance of 597.76' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 04°45'08" West, a distance of 690.43' to the PLACE OF BEGINNING and containing 222,620 square feet or 5.111 acres of land.

**SURVEYOR'S CERTIFICATE**

STATE OF TEXAS  
COUNTY OF DALLAS

THAT I, John S. Turner, do hereby certify that I prepared this plat from an actual survey on the land and that the corner monuments shown thereon were found and/or properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the Planning and Zoning Commission of the City of Sunnyvale, Texas.

Witness my hand at Mesquite, Texas,  
This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

PRELIMINARY, RELEASED 5-24-2016 FOR VIEWING PURPOSES ONLY.  
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

John S. Turner  
Registered Professional Land Surveyor #5310

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office,  
This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas

**OWNER'S DEDICATION**

STATE OF TEXAS  
COUNTY OF DALLAS

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Carol Lee Craft and Timothy A. Craft, do hereby adopt this plat, designating the herein above described property as **SNEED ADDITION**, an addition to the Town of Sunnyvale, Dallas County, Texas, and does hereby dedicate and convey, in fee simple, to public use forever, the streets and alleys as shown hereon. The easements shown thereon are hereby reserved for the purposes indicated. The easements and fire lanes shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility easements and fire lanes is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements, obstructions, or growths shall be constructed, reconstructed or placed upon, over or across the easements and fire lanes as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. The Town of Sunnyvale shall have the right to remove and keep removed from fire lanes, all or parts of any building, fences, trees, shrubs, or other improvements, obstructions, or growths which in any way may endanger or interfere with access of fire units to fire protection facilities or equipment. All and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility). Water main and wastewater easement shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the Town of Sunnyvale, Texas.

WITNESS, my hand at Dallas, Texas, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
Carol Lee Craft

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, Carol Lee Craft, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,  
this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for The State of Texas

WITNESS, my hand at Dallas, Texas, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
Timothy A. Craft

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared, Timothy A. Craft, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,  
this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for The State of Texas

**CERTIFICATE OF APPROVAL**

RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING COMMISSION OF SUNNYVALE, TEXAS, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

Signature of City Secretary \_\_\_\_\_ Date \_\_\_\_\_

Signature of Chairman \_\_\_\_\_ Date \_\_\_\_\_

APPROVED BY THE TOWN COUNCIL OF SUNNYVALE, TEXAS, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Mayor \_\_\_\_\_ Date \_\_\_\_\_

**A&W SURVEYORS, INC.**  
Professional Land Surveyors  
TEXAS REGISTRATION NO. 100174-00  
P.O. BOX 870029, MESQUITE, TX, 75187  
PHONE: (972) 681-4975 FAX: (972) 681-4954  
WWW.AWSURVEY.COM

~ PROPERTY ADDRESS: 323 Barnes Bridge Road ~  
Owner: Carol Lee Craft and Timothy A. Craft  
~ 323 Barnes Bridge Road, Sunnyvale, TX 75182 ~  
~ 214-202-3212 ~

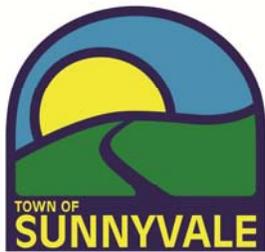
Job No: 16-0247 | Drawn by: 543 | Date: 05-24-2016 | Revised: 6-9-16  
"A professional company operating in your best interest"

**PRELIMINARY PLAT**

**SNEED ADDITION**  
**LOT 1, BLOCK A**

BEING 5.111 ACRES OF LAND OUT OF THE JAMES WEST SURVEY, ABSTRACT 1581 TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS

DEVELOPING ONE (1) LOT TO SF-2 STANDARDS  
DATE OF PREPARATION: 5-24-2016



# Town of Sunnyvale

June 27, 2016

Prepared By: **Rashad Jackson, AICP**  
**Director of Development Services**

## Summary:

**APPLICANT: DALE HOELTING – DEH CONSULTING, LTD.**  
**AT OR ABOUT: 182 S. COLLINS ROAD APPROX 4.11 ACRES**  
**REQUEST: REPLAT – SUNNYVALE COLLINS RETAIL, LOTS 1R,  
 2R & 3R, BLOCK A**

## Background:

The subject property is located within the Collins Corner (Sunnyvale Collins Retail) development. The zoning district designation for the property is General Business. The applicant has submitted a replat for the subject property with the intentions to create three lots. The property was originally platted as one single lot. The applicant plans to subdivide the property so that individual lots may be sold. The subject property is already developed as a shopping center consisting of two existing buildings and two concrete foundations. The site plan for the property shall remain as approved unless a new site plan proposal is submitted at a later date.

Access will be provided to all lots via a mutual access easement shown on the plat. The easement will serve as a 24' fire lane, access and utility easement. Staff requests a cross access/mutual access agreement be drafted and recorded as a separate instrument to allow for continued development and access to the northern and southern abutting properties. As a shopping center area, continued access should be allowed to foster development of the shopping district. The northern entrance will likely be used by multiple properties in the future. A mutual/cross access agreement will guarantee access and foster the development of the abutting properties.

Staff has not found any other revisions related to this request. Town engineering staff has reviewed the proposed change and has no comments.

## Public Notice

Public notice was provided to the Town's Official Newspaper for publication on May 25<sup>th</sup>, 2016. Letters were also sent to property owners' within 400' on June 8<sup>th</sup>, 2016. The total number of letters sent was thirty-two (32). As of the release of the staff memo, one (1) response had been received in favor.

## Planning & Zoning Commission Recommendation

Commissioner Okafor made a motion to approve the request, seconded by Commissioner Pease. Chairman Demko called for a vote, and with all members voting to approve, the motion passed unanimously.

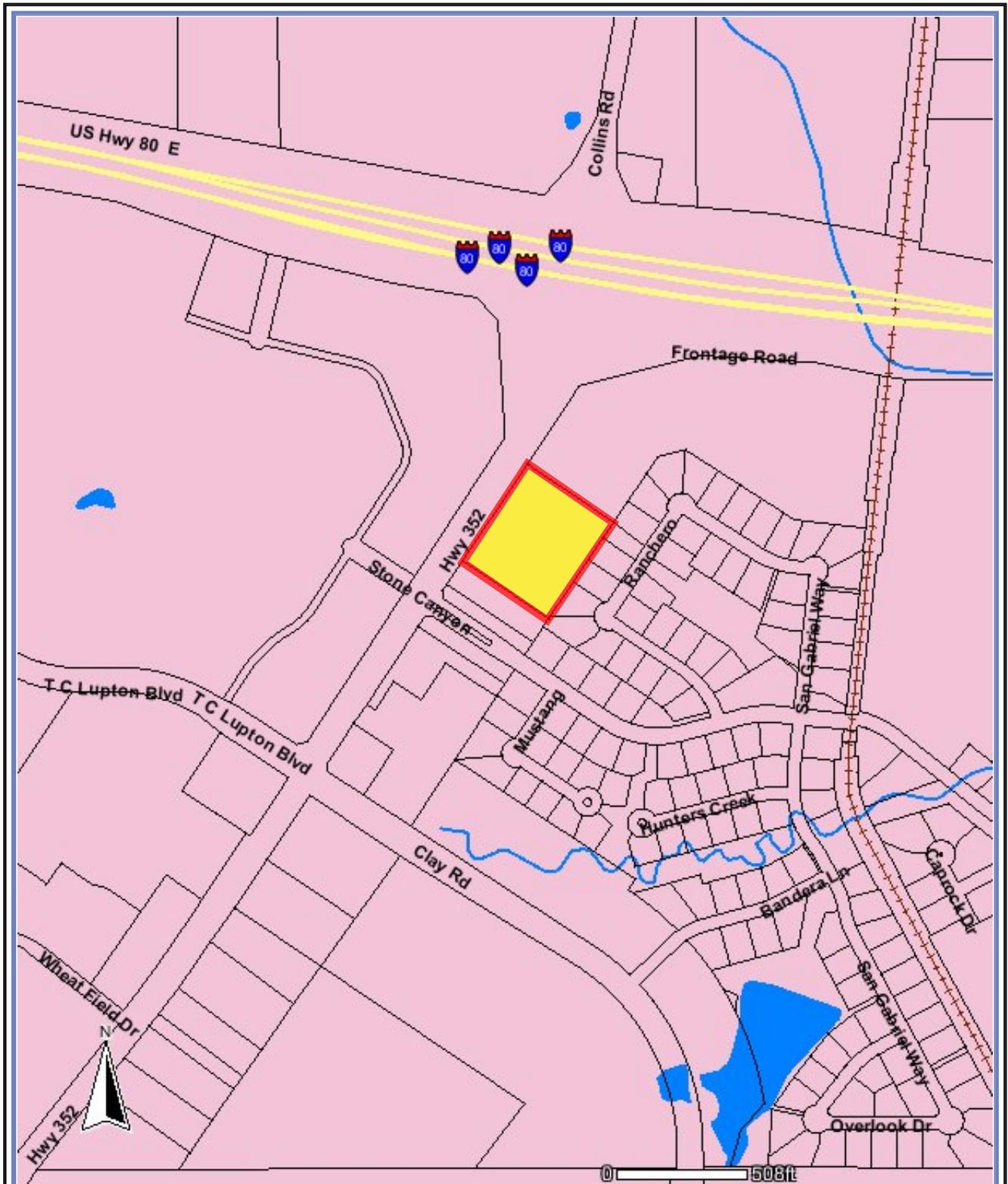
**Staff Recommendation**

Staff recommends approval contingent to the following conditions below. The request does not appear to have any detrimental effects to the development. Town staff has found that the request meets the requirements of the Subdivision Ordinance as well as the regulations.

1. Staff requests a cross access/mutual access agreement be drafted and recorded as a separate instrument to allow for continued development and access to the northern and southern abutting properties.
2. For the subject property, staff has requested a shared parking agreement be drafted to assure mutual parking access amongst the properties. Parking between the lots should not be an issue but to assure no future problems an agreement should be drafted.

**Attachments**

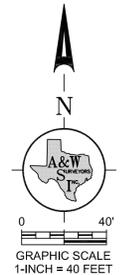
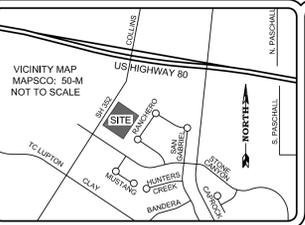
- Location Map
- Proposed Replat
- 400' Response Letter



**Dallas Central  
Appraisal District**  
www.dallascad.org

**DISCLAIMER**

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



EASEMENT CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH. BEAR.	CHORD
C1	90°00'00"	30.00'	47.12'	N78°50'00"E	42.43'
C2	85°35'19"	30.00'	44.81'	N08°57'40"W	40.76'
C3	4°24'41"	30.00'	2.31'	N53°57'40"W	2.31'
C4	30°07'58"	20.00'	10.52'	N11°33'59"W	10.40'
C5	30°07'58"	54.00'	28.40'	S71°46'02"E	28.07'
C6	90°00'00"	25.00'	39.27'	N78°50'00"E	35.36'
C7	90°00'00"	30.00'	47.12'	S11°10'00"E	42.43'
C8	4°24'41"	54.00'	4.16'	N53°57'39"W	4.16'
C9	94°24'41"	30.00'	49.43'	S81°02'20"W	44.03'
C10	90°00'00"	15.00'	23.56'	S11°10'00"E	21.21'
C11	24°54'16"	30.00'	13.04'	N64°12'27"W	12.94'
C12	48°03'13"	30.00'	24.11'	S80°19'05"W	23.47'
C13	54°18'53"	30.00'	28.44'	S83°19'26"E	27.39'

EASEMENT LINE TABLE		
LINE	LENGTH	BEARING
L1	15.51'	N51°45'19"W
L2	48.04'	N56°10'00"W
L3	56.88'	N56°10'00"W
L4	25.00'	N66°10'00"W
L5	0.77'	S33°50'00"W
L6	5.77'	S33°50'00"W
L7	36.04'	S56°10'00"E
L8	24.00'	S38°14'41"W
L9	12.00'	S33°50'00"W
L10	8.50'	S33°50'00"W
L11	15.00'	S56°10'00"E
L12	8.50'	N33°50'00"E
L13	9.09'	S33°50'00"W
L14	15.00'	S56°10'00"E
L15	7.59'	N33°50'00"E
L16	39.81'	S33°50'00"W
L17	40.97'	S33°50'00"W
L18	16.16'	S33°50'00"W
L19	17.02'	N56°10'00"W
L20	7.72'	S56°10'00"E
L21	15.00'	N33°50'00"E
L22	7.72'	S56°10'00"E
L23	8.50'	S56°10'00"E
L24	15.00'	N33°50'00"E
L25	8.50'	S56°10'00"E
L26	7.72'	S56°10'00"E
L27	15.00'	N33°50'00"E
L28	7.72'	S56°10'00"E

OWNER'S CERTIFICATE

WHEREAS Real Estate Holdings, LLC, an Oklahoma series limited liability company is the sole owner of a tract of land located in the J.P. LAWRENCE SURVEY, Abstract No. 807, Sunnyvale, Dallas County, Texas, and being Lot 1, Block A, of SUNNYVALE COLLINS RETAIL ADDITION, an Addition to the City of Sunnyvale, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 20080105546, Deed Records, Dallas County, Texas, and being a part of the tract of land described in deed to Real Estate Holdings, LLC, recorded in Instrument No. 201500085672, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

Beginning at a cross-cut found for corner in the Southeast line of Collins Road (S.H. 352), a 100' wide public right-of-way, at the North corner of a tract of land described in deed to Stone Canyon Investments, LP, recorded in Instrument No. 200600230696, Official Public Records, Dallas County, Texas;

Thence North 33°50'00" East, along said Southeast line, a distance of 447.77' to a 1/2" iron rod found at the West corner of as tract of land described in deed to Sunnyvale 4B Development Corp., recorded in Instrument No. 201600022276, Official Public Records, Dallas County, Texas;

Thence South 56°10'00" East, a distance of 400.00' to a 1/2" iron rod found for corner in the Northwest line of Stone Canyon, Phase 3, an addition to the City of Sunnyvale, Dallas County, Texas, according to the plat thereof recorded in Volume 2004238, Page 5, Deed Records, Dallas County, Texas;

Thence South 33°50'00" West, along said Northwest line, a distance of 447.77' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set at the East corner of said Stone Canyon Investments tract;

Thence North 56°10'00" West, a distance of 400.00' to the PLACE OF BEGINNING and containing 179,108 square feet or 4.112 acres of land.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS COUNTY OF DALLAS THAT I, John S. Turner, do hereby certify that I prepared this plat from an actual survey on the land and that the corner monuments shown thereon were found and/or properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the Planning and Zoning Commission of the City of Sunnyvale, Texas.

Witness my hand at Mesquite, Texas, This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

John S. Turner Registered Professional Land Surveyor #5310

STATE OF TEXAS COUNTY OF DALLAS BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared John S. Turner, R.P.L.S. NO. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office, This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for the State of Texas

OWNER'S DEDICATION

STATE OF TEXAS COUNTY OF DALLAS NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Real Estate Holdings, LLC, acting by and through its authorized agent \_\_\_\_\_, does hereby adopt this plat, designating the herein above described property as REPLAT, SUNNYVALE COLLINS RETAIL, an addition to the Town of Sunnyvale, Dallas County, Texas, and does hereby dedicate and convey, in fee simple, to public use forever, the streets and alleys as shown hereon. The easements shown thereon are hereby reserved for the purposes indicated. The easements and fire lanes shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility easements and fire lanes is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements, obstructions, or growths shall be constructed, reconstructed or placed upon, over or across the easements and fire lanes as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. The Town of Sunnyvale shall have the right to remove and keep removed from fire lanes, all or parts of any building, fences, trees, shrubs, or other improvements, obstructions, or growths which in any way may endanger or interfere with access of fire units to fire protection facilities or equipment. All and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility). Water main and wastewater easement shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the Town of Sunnyvale, Texas.

WITNESS, my hand at Dallas, Texas, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_ Authorized Agent

STATE OF TEXAS COUNTY OF DALLAS BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public in and for The State of Texas

CERTIFICATE OF APPROVAL

RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING COMMISSION OF SUNNYVALE, TEXAS, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST: Signature of City Secretary \_\_\_\_\_ Date \_\_\_\_\_

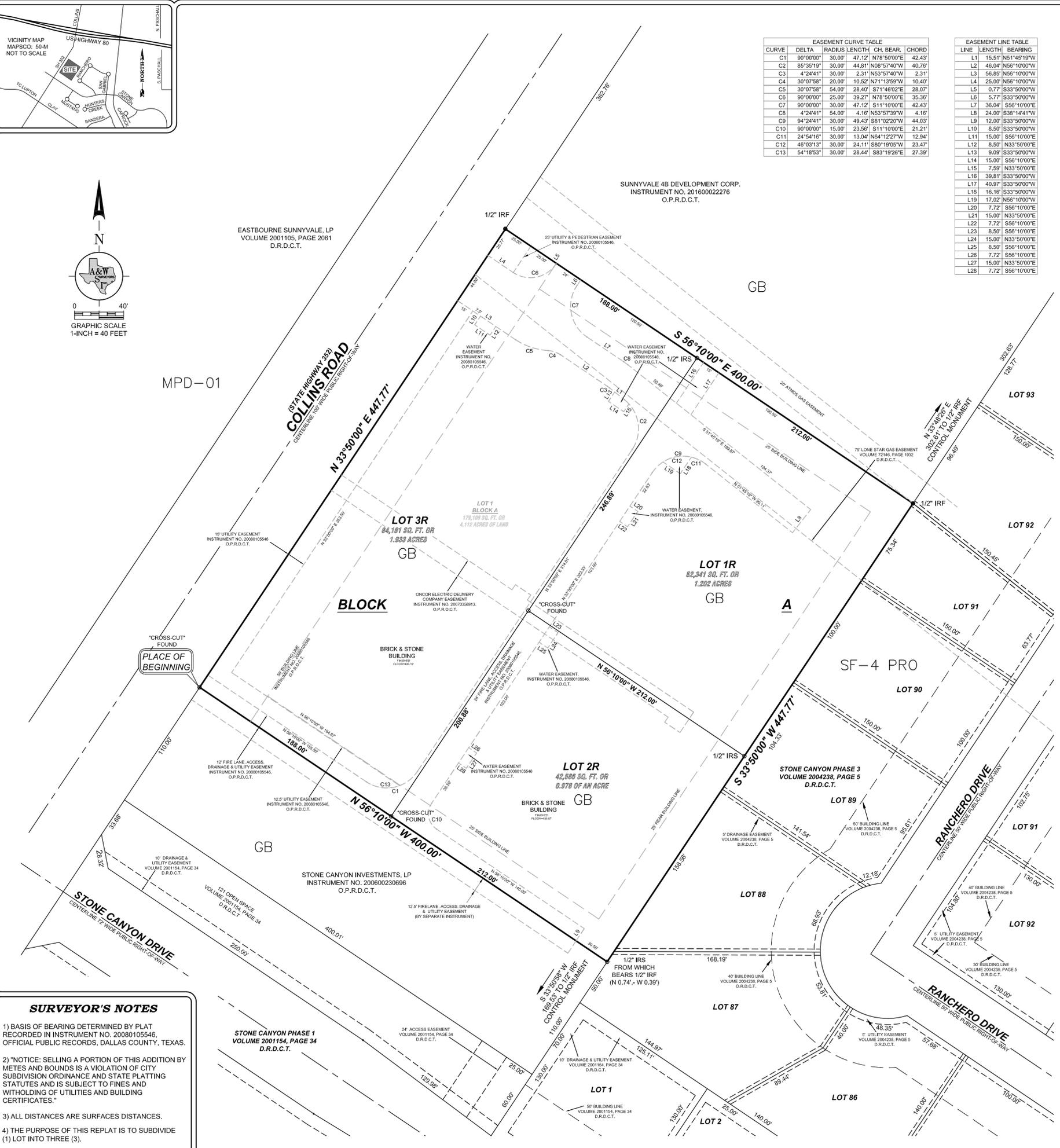
Signature of Chairman \_\_\_\_\_ Date \_\_\_\_\_

APPROVED BY THE TOWN COUNCIL OF SUNNYVALE, TEXAS, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Mayor \_\_\_\_\_ Date \_\_\_\_\_

SURVEYOR'S NOTES

- 1) BASIS OF BEARING DETERMINED BY PLAT RECORDED IN INSTRUMENT NO. 20080105546, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS.
- 2) "NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES."
- 3) ALL DISTANCES ARE SURFACES DISTANCES.
- 4) THE PURPOSE OF THIS REPLAT IS TO SUBDIVIDE (1) LOT INTO THREE (3).



**A&W SURVEYORS, INC.**  
Professional Land Surveyors  
TEXAS REGISTRATION NO. 100174-00  
P.O. BOX 870029, MESQUITE, TX, 75187  
PHONE: (972) 681-4975 FAX: (972) 681-4954  
WWW.AWSURVEY.COM

~ PROPERTY ADDRESS: 184 S. Collins Road ~  
Owner: Real Estate Holdings, LLC  
~ 5307 E. Mockingbird Lane, Ste. 350, Dallas, TX 75206 ~  
~ 214-584-2416 ~

Job No. 16-0661 | Drawn by: 543 | Date: 05-19-16 | Revised: \_\_\_\_\_  
"A professional company operating in your best interest"

**REPLAT**  
**SUNNYVALE COLLINS RETAIL**  
**LOTS 1R, 2R & 3R, BLOCK A**

BEING A REPLAT OF SUNNYVALE COLLINS RETAIL ADDITION LOT 1, BLOCK A  
RECORDED IN INSTRUMENT NO. 20080105546  
OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS  
AN ADDITION TO THE CITY OF SUNNYVALE,  
DALLAS COUNTY, TEXAS  
179,108 SQUARE FEET OR 4.112 ACRES OF LAND  
J.P. LAWRENCE SURVEY, ABSTRACT 807  
CITY PLAN FILE NO. \_\_\_\_\_



**Notice of Application for replat  
Town of Sunnyvale  
Planning & Zoning Commission**

The Town of Sunnyvale has received a request from Dale Hoelting for a replat approval of the Sunnyvale Collins Retail Addition. The location of the property, 128 S. Collins Road., is shown on the attached exhibit. The proposed request will subdivide the property into 3 lots.

The Planning and Zoning Commission will hear this application on Monday, June 20, 2016 and the Town Council will consider the application on either Monday, June 27, 2016 or Monday, July 11, 2016. The hearings will be conducted in open session at Town Hall, 127 Collins Road at 7:00 P.M. If you have comments on this application, you may present them in person at these meetings or may submit written comments at any time on or before date of the hearings.

The replat application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact Rashad Jackson, Director of Development Services at (972) 203-4103 or [rashad.jackson@townofsunnyvale.org](mailto:rashad.jackson@townofsunnyvale.org).

- I am in favor of the replat
- I am opposed to the replat

Explanation:

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Signature:

Printed Name:

Address:

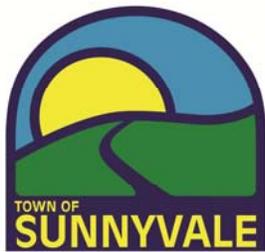
Date:

*[Handwritten Signature]*

*RKB Sunnyvale II, Inc*

*By: Rick Sheldon, 601 Soorterra Blvd,*

*6/13/16 SAN Antonio TX 78216*



# Town of Sunnyvale

**Item: 9 Finance June 27, 2016**

Prepared By: Elizabeth Hopkins

Consent  Public Hearing  Discussion  Action

## Summary:

**DISCUSS AND CONSIDER ENGAGING THE SERVICES OF CONWAY COMPANY CPA'S, P.C. FOR THE AUDIT OF THE ANNUAL FINANCIAL STATEMENT FOR THE YEAR ENDING SEPTEMBER 30, 2016.**

## Background:

In accordance with the Town Charter Section 6.12 Audit of Town Books and Accounts the Town Conway Company CPA's, P.C. were engaged in May 12, 2014 to audit the Town of Sunnyvale's financial statements for the fiscal year ending September 30, 2014, with the option of auditing its financial statement for each of the four subsequent fiscal years.

## Analysis:

Conway Company CPA's, P.C has presented an Engagement Letter to perform the 2015-2016 audit.

## Fiscal Impact:

The fee for 2015-2016 Audit = \$27,400 which is an increase from the previous year of \$4,400 broken down as follows:

	<u>2014-2015</u>	<u>2015-2016</u>
Town:	\$19,000	\$20,155 = 6%
4A & 4B:	\$ 4,000	\$ 4,245 = 7%
CAFR-GFOA:	<u>\$ 000</u>	<u>\$ 3,000</u> = 100%
Total:	\$23,000	\$27,400

The GFOA Certificate of Achievement for Excellence in Financial Reporting Program (CAFR) encourages governments to go beyond the minimum requirements in financial reporting.

The GFOA Distinguished Budget Presentation Awards Program encourages governments to prepare budget documents of the very highest quality. Staff desires to apply for these programs.

## Staff Recommendation:

Staff recommends engaging Conway Company CPA's, P.C. to perform the audit of Town books and accounts for the year ending September 30, 2016.



Michael Conway, CPA  
Neil Conway, CPA

Toll Free (800) 594-7951  
Metro (903) 450-1200

**CONWAY COMPANY CPAs PC**  
**ACCOUNTANTS & ADVISORS**

[www.conwaycpas.com](http://www.conwaycpas.com)

PO Box 8234  
Greenville, Texas 75404-8234

**Member**  
American Institute of CPAs  
Texas Society of CPAs

June 14, 2016

**Town of Sunnyvale**

Mayor and Town Council  
127 N Collins Rd  
Sunnyvale, TX 75182

We are pleased to confirm our understanding of the services we are to provide for the Town of Sunnyvale for the year ending September 30, 2016. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the Town of Sunnyvale as of and for the fiscal year ending September 30, 2016. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the Town of Sunnyvale's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Town of Sunnyvale's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist principally of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. General Fund Budgetary Comparison Schedule
3. Schedule of Pension Trust – TMRS
4. Schedule of Changes in Net Pension Liability - TMRS

1021 Park Street  
Commerce, Texas 75428  
Office (903) 886-2123  
Fax (903) 886-6580

8910 Wesley Street  
Greenville, Texas 75402  
Office (903) 455-9898  
Fax (903) 454-3181

603 South Goliad Street  
Rockwall, Texas 75087  
Office (972) 771-1065  
Fax (972) 771-1022

We have also been engaged to report on supplementary information other than RSI that accompanies the Town of Sunnyvale's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the basic financial statements:

1. Non-major Combining Fund Statements
2. Component Unit Fund Statements
3. Statistical Section

### **Audit Objective**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements taken as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinion. We will issue a written report upon completion of our audit of the Town of Sunnyvale's financial statements. Our report will be addressed to the Mayor and Town Council of the Town of Sunnyvale. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or may withdraw from this engagement.

### **Audit Procedures - General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatements, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the government.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditor is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We may request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of the audit, we will require certain written representations from you about the financial statements and related matters.

#### **Audit Procedures – Internal Control**

Our audit will include obtaining an understanding of the entity and its environment, including internal control sufficient to assess the risks of material misstatements of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

#### **Audit Procedures - Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town of Sunnyvale's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

#### **Other Services**

We will also assist in preparing the financial statements and related notes of the Town of Sunnyvale's in conformity with U.S. generally accepted accounting principles based on information provided by you. We will perform the services in accordance with applicable professional standards. Our audit of the financial statements does not relieve you or management of your responsibilities.

#### **Management Responsibilities**

Management is responsible for establishing and maintaining internal controls, including evaluating and monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibility includes adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

Management is responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing our firm about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal controls, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for the presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period; and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

You agree to assume all management responsibilities relating to the financial statement preparation services and related notes and any other nonaudit services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience, evaluate the adequacy and results of the services; and accept responsibility for them.

#### **Engagement Administration, Fees, and Other**

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will assist with the preparation of cash or other confirmations we may request and will locate any documents selected by our firm for testing.

We will provide copies of our reports to the Town of Sunnyvale, Texas; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulations, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Conway Company CPAs, P.C. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Conway Company CPAs, P.C. personnel.

Audit documentation for this engagement will be retained for a minimum of five years after the report release date.

We expect to begin preliminary procedures in August or September 2016, audit fieldwork in December 2016 and issue our report in March 2017. Susie Erickson is the engagement partner and is responsible for supervising the engagement and is responsible for supervising the engagement.

Our fees for these services will be at the amounts below. Our invoices for these fees will be rendered as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes thirty (30) days or more overdue and may not be resumed until your account is paid in full. Should the organization expend \$750,000 or more in federal awards or state funds, the fee for a Single Audit should be approximately \$2,500. The estimated fee for the regular audit without the addition of the single audit requirement should be:

Town	\$20,155
Component Units	4,245
CAFR-GFOA	3,000
Total	<u>\$27,400</u>

This regular audit fee includes twenty (20) bound financial statements. A PDF of the reports will also be provided. For each additional requested bound copy of the financial statement, there will be an additional \$20 cost for each.

The contemplated fees discussed in this engagement letter are for the audit and the basic reports only. The fees presented include an appropriate time allowance for certain reclassification adjustments, debt reclassifications, depreciation entries plus certain summary adjustments required under GASB or FASB pronouncements.

The contemplated fees do not include the time and costs of curing deficiencies in the accounting records or for bringing incomplete accounting records up-to-date. Management is responsible for the accounting records being reasonably complete and accurate and auditable without major deficiencies.

Management will be advised of any significant deficiencies encountered. Such deficiencies that cannot be addressed by client staff may be resolved by Conway CPAs at our regular rates. If the deficiencies are major (requiring over 20 staff hours), and we are concerned that our independence may be compromised due to the excessive time required, then management will be asked to engage independent third parties to perform the work so that the audit can proceed.

Significant assistance from client staff is an absolute requirement in locating documents, securing copies, finding files, and in general, providing information. Time required by the audit staff to find documents or to pull files without assistance will be billed to the client as an additional cost to the audit. A spirit of cooperation and assistance by client staff is essential. Client personnel are instrumental in conducting an efficient and economical audit.

We request we be allowed to read all printed materials given to outside parties which also include our report.

This information is intended solely for the use of the management of the Town of Sunnyvale and is not intended to be and should not be used by anyone other than these specified parties.

We appreciate the opportunity to be of service to the Town of Sunnyvale and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign below and return it to us.

Respectfully,  
CONWAY COMPANY CPAs PC

*Conway Company CPAs, P.C.*

**RESPONSE:**

This letter correctly sets forth the understanding of Town of Sunnyvale.

Signature: \_\_\_\_\_

Print Name & Title: \_\_\_\_\_

Date: \_\_\_\_\_