

**Town of Sunnyvale  
Town Council  
Monday, June 25, 2012**

**Joint Executive Session with P&Z  
5:00 p.m.**

**Joint Workshop with P&Z  
6:00 p.m.**

**Regular Meeting  
7:00 p.m.**



**AGENDA  
TOWN OF SUNNYVALE TOWN COUNCIL  
PLANNING AND ZONING COMMISSION  
JOINT SPECIAL MEETING  
JUNE 25, 2012  
5:00 P.M.**

**CALL MEETING TO ORDER**

**CALL TOWN COUNCIL MEETING TO ORDER**

**CALL PLANNING AND ZONING COMMISSION MEETING TO ORDER**

**EXECUTIVE SESSION**

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

**EXECUTIVE SESSION AGENDA:**

**A. SECTION 551.071 – PENDING LITIGATION CONSULTATION WITH ATTORNEY**

**1. ICP VS. TOWN OF SUNNYVALE**

**END OF EXECUTIVE SESSION**

Reconvene into open session and take any action necessary as a result of the Executive Session.

**CONSIDER ANY OFFICIAL ACTION ON THE EXECUTIVE SESSION CLOSED  
MEETING ITEMS:**

**A. SECTION 551.071 – PENDING LITIGATION CONSULTATION WITH ATTORNEY**

**1. ICP VS. TOWN OF SUNNYVALE**

**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 551.086 (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.

THE FOREGOING NOTICE WAS POSTED IN THE FOLLOWING LOCATIONS:

SUNNYVALE ISD 417 E. TRIPP ROAD  
SUNNYVALE LIBRARY AT 402 TOWER PLACE

**I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON JUNE 22, 2012, 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 MALONE, TOWN SECRETARY**



**AGENDA  
TOWN OF SUNNYVALE TOWN COUNCIL  
PLANNING AND ZONING COMMISSION  
JOINT WORKSHOP SESSION  
JUNE 25, 2012  
6:00 P.M.**

**CALL MEETING TO ORDER**

**WORKSHOP DISCUSSION:**

WORKSHOP ITEMS ARE FOR PRESENTATION AND DISCUSSION ONLY AND NO FORMAL ACTION WILL BE TAKEN AT THIS WORKSHOP.

- 1. PRESENTATION AND DISCUSSION REGARDING THE APPLICATION OF VCZ DEVELOPMENT, LLC REGARDING THE APPLICANT'S PROPOSED AMENDMENTS TO A PREVIOUSLY APPROVED CONCEPT PLAN FOR A 96 UNIT QUAD-HOME PROJECT LOCATED AT 201 PLANTERS ROAD.**

**ADJOURN.**

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

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**LESLIE MALONE, TOWN SECRETARY**



**TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
REGULAR MEETING  
MONDAY, JUNE 25, 2012  
7:00 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CALL MEETING TO ORDER**

Mayor calls the Meeting to order, state the date and time. State Councilmember's 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.

**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:

**1. APPLICATION FOR SITE PLAN, PRELIMINARY AND FINAL PLAT**

APPLICANT: TOWN OF SUNNYVALE  
AT OR ABOUT: 502 BARNES BRIDGE  
REQUEST: ELEVATED WATER STORAGE FACILITY

**2. CONSIDER ORDINANCE # 12-11: AN ORDINANCE AMENDING ZONING ORDINANCE NO. 324, DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NOS 324,332,338, 339 AND 460, AND AS FURTHER AMENDED FROM TIME TO TIME; SO AS TO CHANGE THE ZONING CLASSIFICATION, AND THE TOWN'S ZONING MAP, FROM THE GENERAL BUSINESS (GB), HIGHWAY COMMERCIAL (HC) AND INDUSTRIAL (I) ZONING DISTRICTS TO A MASTER PLANNED DEVELOPMENT DISTRICT (MPD-01) ON A CERTAIN PROPERTY IN THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS, GENERALLY LOCATED SOUTH OF U.S. HIGHWAY 80 AND NORTH OF T.C. LUPTON DRIVE, AND ALSO GENERALLY LOCATED WEST OF COLLINS ROAD AND EAST OF THE WESTERN TOWN LIMIT, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: WITH RESPECT TO THE PROPERTY OWNED BY RKS TEXAS INVESTMENTS, LTD., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS WITHIN EXHIBIT 1 ATTACHED HERETO; AND PROVIDING FOR CONFLICTS AND SEVERABILITY**

**3. 2012 ANNUAL CONSUMER CONFIDENCE WATER REPORT**

## **DISCUSSION/ACTION ITEMS**

4. PRESENTATION OF CASH HANDLING AND INTERNAL CONTROLS ASSESSMENT – TOWN STAFF AND WEBB WATCH
5. PRESENTATION/DISCUSSION OF MID-YEAR BUDGET REVIEW
6. DISCUSS STATUS AND TIMELINE OF COMPREHENSIVE PLAN UPDATE – APPOINT RFP REVIEW COMMITTEE
7. DISCUSS/APPOINT AUDIT COMMITTEE
8. DISCUSS BOARD AND COMMISSION APPLICATIONS
9. CALENDARING SESSION - SCHEDULING OF WORKSHOPS REGARDING FY 2013 BUDGET AND HOME RULE EFFORT
10. MAYOR AND COUNCIL REQUESTS FOR FUTURE STAFF UPDATES AND AGENDA ITEMS

## **EXECUTIVE SESSION**

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

### **Sec. 551.074. PERSONNEL MATTERS**

To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:

**Municipal Court Judge**  
**Town Secretary**

## **END OF EXECUTIVE SESSION**

Reconvene into open session and take any action necessary as a result of the Executive Session. Consider any official action on the executive session closed meeting items.

## **ADJOURN**

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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 551.086 (ECONOMIC DEVELOPMENT).

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

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**LESLIE MALONE, TOWN SECRETARY**



## STAFF REPORT

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DATE: June 21, 2012  
TO: Town Council  
FROM: Community Development Department  
SUBJECT: Site Plan, Preliminary Plat & Final Plat  
Polly Road Estates, Block 2, Lot 1  
Proposed Water Tower Site  
File No. 1318  
PAGES: 1

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The Town of Sunnyvale has made application for a site plan, preliminary plat and final plat for the subject project. The proposed project is for a One (1) Million Gallon Elevated Water Storage Tank located on the southwest corner of Barnes Bridge Road and Polly Road. The proposed water tank is part of the Town's water system expansion in order to provide adequate water supply to the citizens of Sunnyvale.

There were seven (7) notices mailed and none returned as of June 21, 2012.

Engineering staff has been working with Town consultant and TxDOT consultant on issues pertaining to the water tank location. Construction plans are continuing to be worked on and are approximately seventy (70%) percent complete. The tank yard is to be enclosed by an ornamental metal fence with landscape screening around the west, north and east sides of the fence. The south side is screened by existing trees. It is the engineering departments intentions to save all existing trees currently on the site. As part of the project, we may need to trim or remove a few trees in order to construct the tank but will keep it to a minimum.

The site plan and plats were recommended for approval by Planning & Zoning Commission on June 18, 2012.

Staff is recommending approval of the of the site plan, preliminary and final plat subject to approval of the final engineering plans.



**TOWN OF SUNNYVALE**  
 127 N Collins Road  
 Sunnyvale, Texas 75182  
 (972) 203-4188

**DEVELOPMENT APPLICATION**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Preliminary Plat   | <input type="checkbox"/> Replat               |
| <input checked="" type="checkbox"/> Final Plat         | <input type="checkbox"/> Amending Plat        |
| <input type="checkbox"/> Preliminary Site/Concept Plan | <input checked="" type="checkbox"/> Site Plan |
| <input type="checkbox"/> Landscape                     | <input type="checkbox"/> Building Elevations  |
| <input type="checkbox"/> Tree survey                   |   |

**PROPERTY INFORMATION**

FILE NO: 1318

Addition Name: Barnes Bridge Elevated Tank		Address/Location: 502 Barnes Bridge	
Lot(s): 1	Block: 1	Current Zoning: SF-2	
# of Acres: 1.627	# of Lots: 1	# of Units:	

**APPLICANT INFORMATION**

Name: Town of Sunnyvale	Company:		
Mailing Address: 127 N. Collins			
City: Sunnyvale	State: TX	Zip: 75182	
Phone: 972-226-7177	Fax: 972-226-1950	Email:	

**OWNER INFORMATION**

Name: Same as Above	Company:		
Mailing Address:			
City:	State:	Zip:	
Phone:	Fax:	Email:	

**SITE PLAN APPLICATION SUBMITTAL REQUIREMENTS**

(Check those that apply)

- |  |                            |
|--|----------------------------|
| <input type="checkbox"/> Preliminary Plat & Checklist              | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Final Plat & Checklist                    | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Amended Plat & Checklist*                 | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Minor Plat & Checklist*                   | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Replat & Checklist*                       | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Preliminary Site/Concept Plan & Checklist | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Site Plan & Checklist                     | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Landscape Plan & Checklist                | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Building Elevations                       | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Photometric/Lighting                      | 24"x36", 2 copies (folded) |
| <input type="checkbox"/> Tree Survey & Checklist                   | 24"x36", 4 copies (folded) |
| <input type="checkbox"/> Civil Engineering Plans                   | 2 Sets (rolled)            |

\*Use final plat checklist

(See Fee Schedule for all Amounts)

- |            |
|------------|
| Fee: _____ |

**OWNER AUTHORIZATION**

Check one of the following:

I will represent the application myself; or

I authorize \_\_\_\_\_ (name of applicant) to represent this application on my behalf. The named applicant shall be the principal person for responding to all requests and to attend all meetings.

I waive the statutory time limit for plat approval in accordance with Section 212.009 of the Local Government Code.

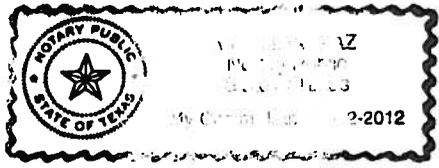
Owner's Signature: [Signature] Date: 5/23/12

STATE OF TEXAS

COUNTY OF: Dallas

BEFORE ME, a Notary Public, on this day personally appeared Scott Campbell the above signed, who, under oath, stated the following: "I hereby certify that I am the owner or authorized corporate representative for the purposes of this application; that all information submitted herein is true and accurate."

Subscribed and sworn to before me this 23<sup>rd</sup> day of May, 2012.

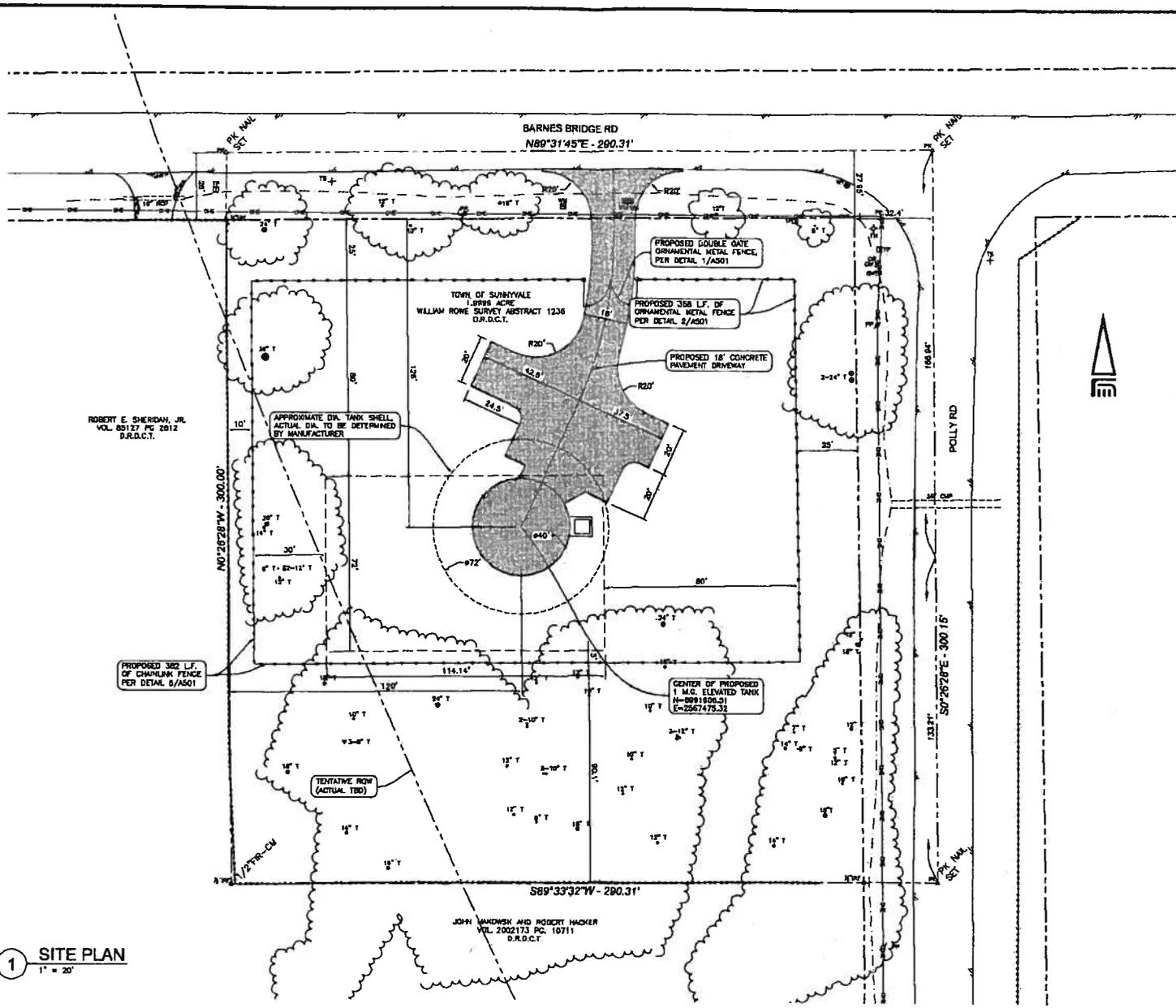


[Signature]  
Notary Public in and for the State of Texas

This application is not considered accepted by the Town until the Town Engineer or Chief Building Official has signed below.

[Signature]  
Town Engineer  
Town Manager

\_\_\_\_\_  
Chief Building Official



ROBERT E. SHERIDAN, JR.  
VOL. 60127 PG. 2012  
D.R.D.C.T.

TOWN OF SUNNYVALE  
1.8998 ACRE  
WILLIAM ROWE SURVEY ABSTRACT 1236  
D.R.D.C.T.

JOHN WANDERSKI AND ROBERT HACKER  
VOL. 2002173 PG. 10711  
D.R.D.C.T.

PROPOSED 382 LF.  
OF CHAINLINK FENCE  
PER DETAIL 6/AS01

APPROXIMATE DIA. TANK SHELL,  
ACTUAL DIA. TO BE DETERMINED  
BY MANUFACTURER

PROPOSED DOUBLE GATE  
ORNAMENTAL METAL FENCE,  
PER DETAIL 1/AS01

PROPOSED 358 LF. OF  
ORNAMENTAL METAL FENCE  
PER DETAIL 2/AS01

PROPOSED 18' CONCRETE  
PAVEMENT DRIVEWAY

CENTER OF PROPOSED  
1 M.G. ELEVATED TANK  
N=8991800.51  
E=2567475.32

TENTATIVE ROW  
(ACTUAL TBD)

1 SITE PLAN  
1" = 20'

REV. NO.	DATE	REVISION	 <b>Freeman Millican, Inc.</b> ENGINEERS - ARCHITECTS - PLANNERS <small>1700 WILSON AVENUE, SUITE 400, SAN JOSE, CA 95128</small>
TOWN OF SUNNYVALE BARNES BRIDGE 1 M.G. ELEVATED TANK SITE PLAN			
PRELIMINARY			
THIS PLAN SHEET IS ISSUED FOR INTERIM REVIEW ONLY AND IS NOT FOR RECORD CONSTRUCTION OR FINANCIAL PURPOSES.			
PREPARED BY: JOE T. MILICAN, P.E. NO. 33154 ON 08-30-2012			
<small>8 SHEET IS IN 11"x17" FORMAT. THIS SHEET IS AT 1/2 OF WATER SCALE.</small>			
PROJECT NO. 11108 DATE: MAY 2012 DESIGNED: SWS DRAWN: DHR CHECKED: JTM			
SHEET			
C-101			
TOTAL SHEETS: XX			







**Notice of Application for Site, Plan preliminary and final plat  
Town of Sunnyvale**

The Town of Sunnyvale has received a request by Town of Sunnyvale for approval of a Site Plan, Preliminary and final plat for an elevated water storage tank. The property being developed is located at 502 Barnes Bridge Rd and is shown on the attached exhibit.

**TOWN OF SUNNYVALE BARNES BRIDGE 1 MG ELEVATED TANK – WILLIAM ROWE  
ABSTRACT 1236 PG 390, TRACK31.1, 1.627 ACRES**

The Planning and Zoning Commission will hear this application on June 18, 2012 and the Town Council will consider the application on June 25, or July 9, 2012. 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 Site Plan application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact the development department at 972-203-4188.

If you wish to submit a written response, please fill out and return this notice as soon as possible.

I am in favor of the Site Plan

I am opposed to the Site Plan

Explanation:

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Signature:

Printed Name:

Address:

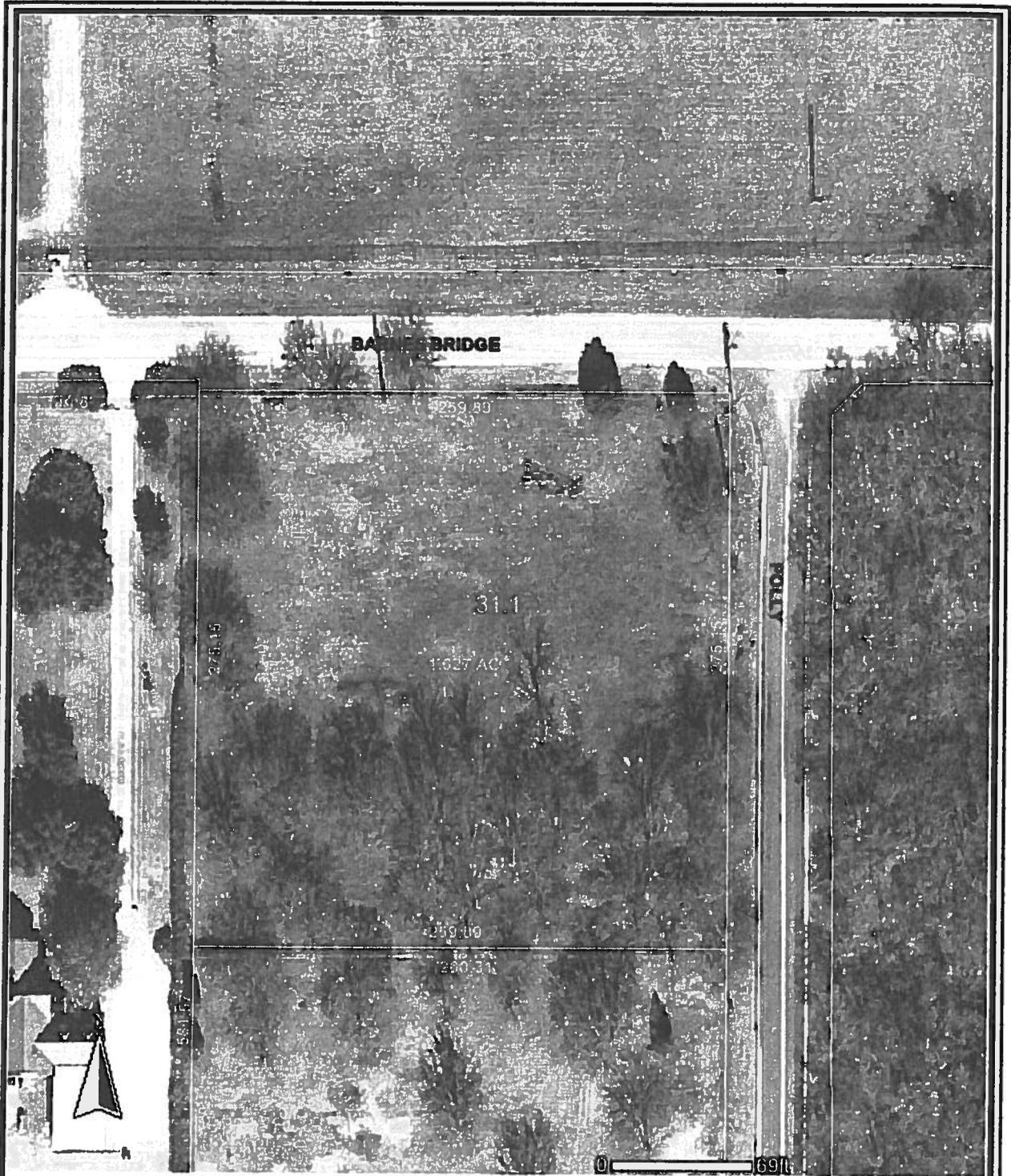
Date:

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**Dallas Central  
Appraisal District**  
[www.dallascad.org](http://www.dallascad.org)

*502 Barnes Bridge*

**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.

## **MEMORANDUM**

**The Town Planner, LLC**

**To:** Scott Campbell, Town Manager  
Town Council Members

**From:** Sherry Sefko, Planning Consultant

**Subject:** Sunnyvale Centre – Master Planned Development (MPD) zoning request

**Date:** June 22, 2012

At the Town's request, we have reviewed the above-mentioned project for conformance with the Town's procedures governing the formation of a Master Planned Development (MPD) zoning district, and also with respect to the Town's long-range planning objectives as set forth in its adopted Comprehensive Plan and Land Use Diagram. We and Town staff have met with the applicant on several occasions in order to gain a full understanding of the proposed development, and the following comments are based upon the applicant's latest MPD submittal which was received by the Town on Friday June 22, 2012.

The Planning & Zoning Commission reviewed this rezoning request at their June 18, 2012 regular meeting, and has forwarded their recommendation for approval to the Town Council for its consideration on June 25, 2012. The Commission's recommendation for approval was subject to a series of modifications to the MPD development standards (cited as Exhibit 1 in the MPD adopting ordinance), and we believe all of such modifications have been made pursuant to the Commission's motion and affirmative vote on the 18<sup>th</sup>.

### **Conformance with the Comprehensive Plan and Land Use Diagram**

The proposed MPD is styled in such a way that essentially retains the base zoning of the various land parcels included in it. The base zoning districts reflect, and are in conformance with, the Town's adopted Land Use Diagram. Since the MPD retains these base districts for each land parcel, all land uses that are allowed in the base zoning district for each parcel (by right or by CUP) are also retained in the MPD, and some additional uses are cited in the MPD development standards (Exhibit 1 in the adopting ordinance) as allowed by right in any location within the MPD (Section IV.B).

Most of the uses allowed in the respective base zoning districts (by right or by CUP) seem to be, in our opinion, appropriate for the respective land parcels. However, there are a few exceptions which have now been excluded from the entire MPD (consistent with the Planning & Zoning Commission's recommendation), as cited in Section IV.D of the development standards (Exhibit 1).

## **Conformance with the MPD Zoning Procedures**

In general, the procedural aspects of the proposed MPD district are in compliance with Section 17A of the Zoning Ordinance. However, the Concept Plan associated with the MPD zoning request is not exactly to the level of detail normally required by the Town's MPD criteria in Section 17A (which can be acceptable if the Town Council agrees that it is detailed enough to satisfy the "purpose and intent" of the MPD district), and this is largely, and understandably, because the applicant does not yet know for certain the exact tenants/users of each component of the development. It is our understanding that the applicant will, as the next step in further designing and developing the MPD, submit an MPD Development Plan that will show the required higher level of detail regarding individual site layouts, building orientations, etc. In accordance with Section 17A, the process for approving that more detailed Development Plan will entail another zoning process similar to that being used currently in establishing the MPD (i.e., public notification, public hearing, etc. to amend the MPD zoning district) in order to amend and enhance the original MPD's approved Concept Plan (Exhibit A). It is also understood that the applicant may, due to the phased nature of this large-scale development, submit a more detailed MPD Development Plan(s) for segments of the overall MPD as those become more known with regard to anticipated final users/tenants in specific areas, and that there may be more than one detailed MPD Development Plan submitted as amendments to the overall MPD for each major development area (e.g., for the HC tract, for the Industrial tract, for the major anchor(s) retail area, etc.). Subsequent to approval of an MPD Development Plan for each portion of the overall MPD, the applicant will then, as the last/third step in the MPD development process (and in accordance with Section 17A), submit a final Site Plan along with associated construction/engineering plans for final review and approval of each individual development site within the overall complex, in accordance with the Town's normal site plan/engineering review process.

**TOWN OF SUNNYVALE, TEXAS**  
**ORDINANCE NO. 12-11**

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 324, DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NOS 324,332,338, 339 AND 460, AND AS FURTHER AMENDED FROM TIME TO TIME; SO AS TO CHANGE THE ZONING CLASSIFICATION, AND THE TOWN'S ZONING MAP, FROM THE GENERAL BUSINESS (GB), HIGHWAY COMMERCIAL (HC) AND INDUSTRIAL (I) ZONING DISTRICTS TO A MASTER PLANNED DEVELOPMENT DISTRICT (MPD-01) ON A CERTAIN PROPERTY IN THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS, GENERALLY LOCATED SOUTH OF U.S. HIGHWAY 80 AND NORTH OF T.C. LUPTON DRIVE, AND ALSO GENERALLY LOCATED WEST OF COLLINS ROAD AND EAST OF THE WESTERN TOWN LIMIT, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

WITH RESPECT TO THE PROPERTY OWNED BY RKS TEXAS INVESTMENTS, LTD., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS WITHIN EXHIBIT 1 ATTACHED HERETO; AND PROVIDING FOR CONFLICTS AND SEVERABILITY.

WHEREAS, an application for a change in zoning classification from General Business (GB), Highway Commercial (HC), and Industrial (I) to a Master Planned Development district (MPD-01) on the tracts described within Exhibit 1 attached hereto and incorporated as if fully set forth herein, owned by RKS Texas Investments, Ltd., has heretofore been submitted; and

WHEREAS, the Town Council finds that the proper notices as required by law have been given to all adjoining property owners, and to the general public of the Town of Sunnyvale; and

WHEREAS, the Planning and Zoning Commission of the Town of Sunnyvale has reviewed the application at a public hearing held on June 18, 2012, and has recommended approval by the Town Council of a change to the property's zoning classification, and to the Town's Zoning Map, from the General Business (GB), Highway Commercial (HC) and Industrial (I) zoning districts to a Master Planned Development district (MPD-01) for the property described within Exhibit 1 attached hereto; and

WHEREAS, the Town Council has received the Planning and Zoning Commission's recommendation regarding the zoning change request, and has itself reviewed the zoning change request, taking into regard recommendations made by the Planning and Zoning Commission and by Town staff, and also taking into regard comments and testimony received from the public in a public hearing held on June 25, 2012; and

WHEREAS, the Town Council finds and determines that changing the zoning to a Master Planned

Development district (MPD-01) will make such requested change consistent with the Town's adopted Comprehensive Plan and Land Use Diagram, and with the purposes of the Town's zoning regulations; and

WHEREAS, the Town Council hereby approves the zoning change request for the subject property, as described within Exhibit 1 attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS;

SECTION 1. That the above recitals are found to be true and correct and are incorporated herein for all purposes.

SECTION 2. The Town Council hereby approves the request to change the zoning classification from General Business (GB), Highway Commercial (HC) and Industrial (I) to the new Master Planned Development zoning classification MPD-01 for the property described within Exhibit 1 attached hereto and located in the Town of Sunnyvale, Dallas County, Texas (the "Property"), and, hereby amends the Zoning Map of the Town of Sunnyvale, Texas accordingly.

SECTION 3. All ordinances and provisions of ordinances of the Town of Sunnyvale, Texas, that are in conflict with this Ordinance shall be and the same are hereby repealed to the extent in conflict, and all ordinances and provisions of ordinances of said Town not so expressly repealed are hereby retained in full force and effect.

SECTION 4. It is the intent of the Town Council that each paragraph, sentence, subdivision, clause, phrase and section of this Ordinance be deemed severable, and should any such paragraph, sentence, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the ordinance left standing, nor the validity of any code or ordinance as a whole.

SECTION 5. This Ordinance shall be effective immediately upon passage, publication and approval by the Town Council, and it is so ordained.

DULY PASSED AND ADOPTED by the Town Council of the Town of Sunnyvale, Texas, on this the \_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Jim Phaup, Mayor, Town of Sunnyvale, Texas

ATTEST:

\_\_\_\_\_

Leslie Malone, Secretary, Town of Sunnyvale, Texas



## STAFF REPORT

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DATE: June 21, 2012  
TO: Town Council  
FROM: Community Development Department  
SUBJECT: MPD Ordinance  
Sunnyvale Centre  
File No. 1318  
PAGES: 5

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B.J. Anderson Company made application on behalf of RKS Sunnyvale, LLC for the rezoning of Sunnyvale Centre project. The proposed rezoning area is generally bounded by US Hwy 80, Collins Rd and TC Jupton. The total area of the project is approximately 123 acres. There are two tracts involved in the rezoning. One tract being 108 acres which is bounded by the above mentioned streets and a 15 acre tract at the southeast corner of US Hwy 80 and Planters Road. The current zoning on the properties is a mixed use of General Business, Highway Commercial and Industrial.

The applicant has requested and submitted for a Master Planned Development District under the MPD Ordinance 525. Town staff has worked with the applicant to get to the point of the attached MPD District Regulations document.

There were eighteen (18) notices mailed and two (2) returned in favor as of June 19, 2012.

The following are comments that are supported by staff , acknowledged by the owner and was recommended for approval by Planning & Zoning Commission on June 18, 2012. These comments are broken down by sections in accordance with the MPD document. The MPD document that is attached for your review reflects the recommended changes listed below:

### Regulations

Please label the overall document as **"EXHIBIT 1"**.

#### Sec I

A.7 - Remove "(a) for residential...." up (b) since there are no residential uses allowed within MPD area. Change paragraph to state that building materials will be in accordance with Sec 20.8 of the Zoning Ordinance..

A.9 - **Remove Paragraph.**

#### Sec III

A - Change the word "submittal" to "procedural".

E - Need to add language that states if site construction starts on any approved site plan and stops for a period of 8 months, the Town Staff shall have the right to review the site plan for current compliance prior to restart of construction activities.

#### Sec IV

A. Edit first sentence as follows: "Permitted uses shall be those allowed within the applicable base zoning district, except as provided in subsections B, C and D below."

B.5 - Revised to read "Medical Laboratories".

B.8 - Remove the word "with". No kennels will be allowed.

B.14 - Revised to read as follows "Restaurants with or without outdoor patios and a maximum of seven (7) restaurants with drive through lanes." Drive through pharmacies, banks and cleaners will be not affected by this requirement.

Need to add a subsection D as follows:

D. The following uses shall be prohibited within all portions of the MPD:

1. Airport or heliport
2. Animal feed processing and storage
3. Any use authorized in Section 14.2 or in this section that requires service by private track
4. Bulk materials sales and storage
5. Boat sales or storage
6. Bus, recreational vehicle, truck or trailer storage
7. Distribution center, large
8. Establishment or expansion of a permitted use with outside storage exceeding 20 percent of lot area
9. Industrial or manufacturing, heavy
10. Landscape Nursery or Tree Farm
11. Leather and allied products manufacturing
12. Manufactured home sales
13. Motor freight terminal
14. Recycling or reclamation plant or salvage yard
15. Rock quarries, sand, gravel and earth excavations
16. Trailer sales or leasing – trailers, all lengths
17. Truck sales or leasing – semi-trucks and heavy load trucks
18. Water distillation or wholesale water bottling

#### Sec V

A.1 - Maximum height should be fifty-eight (58) feet.

A.2 - Building height for Parcel A, which is adjacent to residential, should be changed to thirty-nine (39) feet for any use.

B.1 - Front yard setbacks shall be forty (40) feet along Collins Rd and Hwy 80, twenty-five (25) feet along T.C. Lupton and Riverstone Drive, all others shall be in accordance with current zoning ordinance.

B.2 - Paragraph revised to remove notation to residential uses other than existing. Side and rear yard setback adjacent to existing residential shall be in accordance with the zoning ordinance. No minimum side yard will be required as long as the following requirements are met: 1) No more than

two adjacent pad sites shall abut each other; 2) any landscape buffer displaced due to zero lot line shall be relocated to other parts of the site; 3) all building and fire codes shall be adhered to.

**B.3 - Paragraph removed** since the language will not apply.

**D - Paragraph removed** since density shall be in accordance to zoning ordinance.

E.2 - Paragraph revised to read "Parking space requirements shall be in accordance to zoning ordinance". The following is an example of the parking count requested. Restaurant use - 3000 sf building, which most are this size or larger, parking required would be 14 spaces for an occupancy load of 45 and above customers. The numbers do not work and would create major parking issues within the development.

#### Sec VII

A - Remove the third sentence starting with "For the purposes of.....". Any open space areas provided shall not be included in the required buffer or interior parking area calculations. Open space shall be provided in addition to other required landscape areas. Tree mitigation shall be calculated for each lot based on the proportional area for each lot to the total development. Using this method will spread the tree mitigation over the entire site and not just within small pockets on the site and easier to track..

E - In the last sentence, remove the words "development plan" due to landscape plan will be reviewed and approved at site plan stage.

#### Sec VIII

A - remove all notation to "residential".

#### Sec IX

A.1 - Change all notations of "solid screening" to "solid masonry screening".

A.5 - **Remove paragraph.** Town Council has the right to grant any variances therefore the statement is not needed.

### **Exhibit D - Design Standards**

#### Sec I

A - Remove the remaining part of the sentence after the word "Property".

B.1 - Add to the end of the sentence ".... Exhibit D only as it pertains to Trade Dress or areas not visible from public view".

F.2 - Revised to read "Refer to Section V.A".

F.3.a - After "Wall planes" change word "should" to "shall".

#### Sec H

2.a. - Revise the paragraph to read as follows: "Internal streets (loop road) shall be separated from parking lots by a green space with a minimum width of ten (10) feet. Sidewalk a maximum of five (5) feet wide can be included within the ten (10) foot green space."

#### Sec J

4. - Remove the words "islands or landscaped".

**Sec L**

f.i - **Remove paragraph** since no residential uses are allowed.

g - **Remove paragraph** - Town Council has the authority to grant variances to any item.

**Sec N**

1.a - Change five (5) foot side buffer to seven and one half (7.5) feet. Also change the notation to a total buffer width of ten (10) feet to fifteen (15) feet. This buffer reduces the current buffer requirement by twenty-five (25) percent. Also a note needs to be added that a ten (10) foot buffer is required between Loop Road and parking lots.

**Sec O**

2 - In the third sentence, change "Two (2)" to Three (3) ornamental".

**Sec P**

1 - In the second sentence, add the word "large" after "one (1)".

3 - Add this sentence at the end: "The interior landscape area shall not include any buffer or other required landscape areas."

**Sec R**

3.c - Need to add language that states where the railing options can be found, i.e. "Design Criteria Manual".

**Sec T**

3 - Provide us with a photo of all typical light standards for the project for review and to be included as an exhibit to the MPD

4 - Change the maximum pole height in the last sentence to thirty (30) feet and add statement "except for areas along the Loop Road and the internal area bounded by the Loop Road and T.C. Lupton

**Sec V - Remove section** it is redundant.

**Sec W**

1.b - **Remove paragraph as stated.** It does not apply.

2.b - In the first sentence, change "four (4) shrubs" to "eight (8) shrubs".

**Sec X - Remove paragraph.**

**Exhibit E - Sign Regulations**

**Sec A**

3.i - Add to the definitions that limits non-commercial messages to be community, school, Town or national events only.

3.k - At the end of the sentence the words "within the legal description area of the MPD."

**Sec I**

4 - Monument signs to be revised as follows:

Along US Hwy 80 - Ten (10) feet in height and total of sixty-five (65) square feet. Along Collins Road eight (8) feet in height and fifty-six (56) square feet and along TC Lupton - Six (6) feet in height and

total of forty eight (48) square feet. Also add to the paragraph that no signs will be allowed within public easements.

5 - In the last sentence, change the distance of twenty (20) feet to ten (10) feet.

Sec J - Development signs shall be limited to one sign each to a lot/block. Should the lot have frontage on one or more streets, then one set of signs can be placed per street frontage.

With regards to the proposed signs for the project, staff has the following comments:

Refer to Exhibit N - Sign indicated by "B" should be moved to within the limits of the MPD areas. .

Refer to Exhibit O-3 - The proposed height indicated on view 01 and C shall be reduced to thirty (30) feet for an overall height.

Refer to Exhibit O-4 - Sign E reduced to ten (10) feet tall for US Hwy 80 frontage, eight (8) feet for Collins and six (6) feet for all other streets.

Refer to Exhibit R - Buffer for side yard should be 7.5 feet and 10 feet along Loop Road which is shown at the top of the page. Also the 10 foot buffer along the Loop Road shall have a minimum of two (2) trees and 10 shrubs or other landscaping per lot.



**TOWN OF SUNNYVALE**  
 127 N Collins Road  
 Sunnyvale, Texas 75182  
 (972) 203-4188

## ZONING APPLICATION

- Standard Zoning or Rezoning
- Conditional Use Permit
- Planned Development

FILE NO: 1316

### PROPERTY INFORMATION

Addition Name:	Sunnyvale MPD	Address/Location:	S.W. Corner of Hwy. 80 & Collins Ave.
Lot(s):	Block:	Current Zoning:	HC, GB, I
# of Acres:	# of Lots:		# of Units:
Tract 1 - 108.1B AE, Tract 2-15 ac.			

### APPLICANT INFORMATION

Name: Mike Anderson	Company: B.J. Anderson Company	
Mailing Address: 3819 Towne Crossing, Suite 200		
City: Mesquite	State: TX	Zip: 75150
Phone: (972) 285-0141	Fax: (972) 698-9238	Email: mike@bjanderson.net

### OWNER INFORMATION

Name: Rick Sheldon	Company: RKS Sunnyvale, LLC	
Mailing Address: 601 Sonterra		
City: San Antonio	State: Texas	Zip: 78258
Phone:	Fax:	Email: mike@bjanderson.net

### ZONING APPLICATION SUBMITTAL REQUIREMENTS

(Check those that apply)

- Concept Plan 24"x36", 5 copies (folded)
- Checklist
- Legal Description
- Letter stating reason for request

(See Fee Schedule for all Amounts)

Fee: \$1713.80 *pd 5/2012*

**OWNER AUTHORIZATION**

Check one of the following:

- I will represent the application myself; or
- I authorize Mike Anderson (name of applicant) to represent this application on my behalf. The named applicant shall be the principal person for responding to all requests and to attend all meetings.

Owner's Signature: [Signature] Date: 4-26-12

STATE OF TEXAS

COUNTY OF: Bexar

BEFORE ME, a Notary Public, on this day personally appeared Rick Sheldon the above signed, who, under oath, stated the following: "I hereby certify that I am the owner or authorized corporate representative for the purposes of this application; that all information submitted herein is true and accurate."

Subscribed and sworn to before me this 26<sup>th</sup> day of April, ~~2009~~ 2012



[Signature]  
Notary Public in and for the State of Texas

**This application is not considered accepted by the Town until the Town Engineer or Chief Building Official has signed below.**

[Signature]  
Town Engineer

\_\_\_\_\_  
Chief Building Official





Notice of Application for Zoning Change  
Town of Sunnyvale

The Town of Sunnyvale has received a request by Mike Anderson for a change of zoning for their property located at S.W. corner highway 80 and S. Collins (400 highway 80, 332 Highway 80 & 200 planters, shown on the attached exhibit.

The applicant is requesting a master planned development (MPD) which is a change of zoning from highway commercial (HC), Industrial (I), and General Business (GB).

The Planning and Zoning Commission will hear this application on June 18, 2012, 2006 and the Town Council will consider the application on June 25 or July 9 2012, 2006. 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 Zoning Change application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact the development department at 972-203-4188.

If you wish to submit a written response, please fill out and return this notice as soon as possible.

- I am in favor of the zoning change
- I am opposed to the zoning change

Explanation: WE BELIEVE THIS WILL BE A  
FAVORABLE ZONING CHANGE FOR THE AREA  
 \_\_\_\_\_  
 \_\_\_\_\_

Signature:   
 Printed Name: ROBERT BRUNTON, Authorized Agent, CP Sunnyvale Real Estate  
 Address: 2855 E. Cottonwood Parkway, Sturtevant, VT 89121  
 Date: 6/18/12



Notice of Application for Zoning Change  
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- I am in favor of the zoning change
- I am opposed to the zoning change

Explanation:

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Signature:

*Paul E. Crist*

Printed Name:

PAUL E. CRIST

Address:

347 TRIPP RD / 190 SE. COLLINS RD

Date:

4/11/12



Notice of Application for Zoning Change  
Town of Sunnyvale

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The applicant is requesting a master planned development (MPD) which is a change of zoning from highway commercial (HC), Industrial (I), and General Business (GB).

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The Zoning Change application and supporting documents are on file at Town Hall and may be examined at no charge. For further information contact the development department at 972-203-4188.

If you wish to submit a written response, please fill out and return this notice as soon as possible.

- I am in favor of the zoning change
- I am opposed to the zoning change

Explanation:

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Signature:

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Printed Name:

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Address:

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Date:

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## EXHIBIT 1

### MASTER PLANNED DEVELOPMENT DISTRICT REGULATIONS

#### I. DEFINITIONS

- A. Definitions. Words that are not defined in this MPD Ordinance shall be defined as provided in the Zoning Ordinance. If no definition is provided in the Zoning Ordinance, words shall have their ordinary and customary meanings according to Webster's dictionary. The defined terms listed below shall have the following definitions:
1. Base zoning district means the following zoning districts, as they apply to the Property on the date of the adoption of this MPD Ordinance: GB, HC, and I, as illustrated on the Concept Plan.
  2. Concept Plan means the Concept Plan attached as Exhibit A, as amended from time to time.
  3. Design Criteria Manual means the Town of Sunnyvale Design Criteria Manual dated March 2009 prepared by SEC Planning, LLC.
  4. Development plan means the development plan(s) contemplated by Chapter 17A of the Zoning Ordinance.
  5. Front property line means any property line adjacent to a public or private street.
  6. Loading area means a built-in dock area, raised above the surrounding grade, for the purpose of loading/unloading delivery trucks or vehicles.
  7. Masonry is as defined in 20.8, A(1)(a)1-6 of the Zoning Ordinance, brick, stone, tilt-up concrete with aggregate exposed, or texture coated or textured and colored surface, poured or cast in place concrete with a design exterior approved through the development plan or site plan approval process, decorative haydite, concrete blocks, tile, glass curtain walls, glass blocks, hardi-board, or stucco.
  8. Open space and useable open space means privately maintained surface areas, whether publicly or privately owned, that are not covered with an enclosed building or a vehicular surface such as a parking space or driveway. This definition shall apply for purposes of all open space requirements in this MPD Ordinance, the Design Criteria Manual, and the Zoning Ordinance, regardless of any definitions or provisions in the Design Criteria or Zoning Ordinance to the contrary.
  9. Property means the property described on Exhibit B and depicted on Exhibit C.

10. Public area means an area used as a public or private street or drive, a pedestrian walkway, or a pedestrian plaza, or an area occupied by parking spaces.
11. Service area means a designated area for service to the occupant including loading/unloading, maintenance and deliverables, where no built-in dock is present.
12. Side property line means any property line that is not adjacent to a public or private street.
13. Site plan means the site plan(s) contemplated by Chapter 17A of the Zoning Ordinance.
14. Trade Dress means architectural features that contain a tenant's or owner's unique or distinct colors, materials, elements, shapes, designs, or other similar features that are trademarked, service marked, or copyrighted designs that identify a regional or national business that presents to the public a recognizable brand or business concept. Trade Dress may apply to buildings, signs, and other structures.
15. Zoning Ordinance means the Town of Sunnyvale Zoning Ordinance dated October 22, 2007 and in effect on \_\_\_\_, 2012.

## **II. APPLICABLE REGULATIONS**

- A. Development and use of the Property shall comply with the provisions of this MPD Ordinance, the Zoning Ordinance, and the Design Criteria Manual. For purposes of the Zoning Ordinance, the provisions applicable to the base zoning district shall apply, except as otherwise modified by this MPD Ordinance. Amendments to the Zoning Ordinance and Design Criteria Manual adopted subsequent to the adoption of this MPD Ordinance shall not apply to the Property. In the event of a conflict between the Zoning Ordinance and this MPD Ordinance, this MPD Ordinance shall control. In the event of a conflict between the Design Criteria Manual and this MPD Ordinance, this MPD Ordinance shall control.
- B. Notwithstanding anything to the contrary, no overlay district regulations shall apply to the Property, including, but not limited to, the regulations for the U.S. 80 overlay district, the TC Lupton overlay district, or the Town Center overlay district.

## **III. CONCEPT PLAN AND PROCEDURAL REQUIREMENTS**

- A. The provisions of this MPD Ordinance shall supersede Chapter 17A of the Zoning Ordinance, except for the submittal requirements. Procedural requirements shall be per Chapter 17A.
- B. Development and use of the Property shall be generally consistent with preliminary development concept illustrated on the Concept Plan attached as Exhibit A. The Concept Plan is merely illustrative of development concepts, and is not intended to be an exact or final representation of the specific development.

- C. The initial Concept Plan attached as Exhibit A is deemed to meet the minimum requirements of Chapter 17A of the Zoning Ordinance.
- D. The Town Administrator may approve a minor amendment to approved architectural elevations and design standards applicable to the Property if the amendment is necessary to accommodate standard floor plans, site designs, or architectural requirements of a commercial user or a specific user's Trade Dress. Such amendments shall not promote a design aesthetic that is fundamentally inconsistent with the overall site design aesthetic, except as otherwise allowed Trade Dress.
- E. Any approved development plan or site plan shall be valid for twenty-four (24) months from the date of its approval. If construction begins pursuant to a building permit within the twenty-four (24) months, the development and/or site plan shall not expire and shall be valid. The Planning and Zoning Commission may, prior to expiration of the development plan or site plan, extend for up to twelve (12) months the time for which the plan is valid. If site construction starts on any approved site plan and stops for a period of 8 months, the Town Staff shall have the right to review the site plan for current compliance prior to restart of construction activities.

**IV. GENERAL USE STANDARDS**

- A. Permitted uses shall be those allowed within the applicable base zoning district. For example, if the base zoning district allows a use by right, such use shall be permitted by right within the area of the Property governed by that base zoning district, and if the base zoning district allows a use by CUP, such use shall be permitted by CUP within the area of the Property governed by that base zoning district.
- B. The additional uses listed below are permitted by right at any location within the Property. Such uses shall have their ordinary and customary meanings, except as otherwise noted.
  - 1. Convention facilities.
  - 2. Fitness and health centers.
  - 3. Gasoline sales. Maximum ten (10) dispensing units per site or location. Maximum two (2) units per island or five (5) islands per site or location. Note: A pump is one dispensing unit, whether it has two (2) hoses or not, it may have one (1) each side.
  - 4. Hotel or motel, as defined in the Zoning Ordinance.
  - 5. Medical Laboratories.
  - 6. Libraries.
  - 7. Museums.
  - 8. Veterinarian clinics without outside kennels.

9. Candy and tobacco stores.
  10. Convenience store.
  11. Drug store or pharmacy.
  12. Retail, general, which shall be defined as any retail shop or store, regardless of size or products sold.
  13. Grocery or food store.
  14. Restaurants with or without outdoor patios. A maximum of seven (7) restaurants with drive through lanes will be allowed throughout the property within the MPD.
  15. Cafeterias.
  16. Cafe.
- C. Private clubs are permitted by CUP and shall comply with Section 19.9 of the Zoning Ordinance.
- D. The following uses shall be prohibited within all portions of the MPD:
1. Airport or heliport.
  2. Animal feed processing and storage.
  3. Any use authorized in Section 14.2 or in this section that requires service by private track.
  4. Bulk materials, sales, and storage.
  5. Boat sales and storage.
  6. Bus, recreational vehicle, truck or trailer storage.
  7. Distribution center, large.
  8. Establishment or expansion of a permitted use with outside storage exceeding twenty percent (20%) of lot area.
  9. Industrial or manufacturing, heavy.
  10. Landscape nursery or tree farm.
  11. Leather and allied products manufacturing.
  12. Manufactured home sales.
  13. Motor freight terminal.
  14. Recycling or reclamation plant or salvage yard.
  15. Rock quarries, sand, gravel and earth excavations.

16. Trailer sales or leasing – trailers, all lengths.
17. Truck sales or leasing – semi-trucks and heavy load trucks.
18. Water distillation or wholesale water bottling.

**V. DEVELOPMENT STANDARDS**

**A. Building Height.**

1. Except as otherwise provided in this paragraph, the maximum building height shall be fifty-eight feet (58'), measured from grade at the building.
2. Maximum building height in Parcel A as noted on the Concept Plan is thirty-nine feet (39').
3. The maximum building height may be increased up to ten (10) additional feet if additional setbacks from residential zoning of two feet (2') are provided for every additional one foot (1') in height above the allowed height.
4. Notwithstanding the foregoing, the Town Administrator may approve towers and other similar vertical elements at a maximum height of seven feet (7') above maximum height (noted in V., A., 1, 2, and 3, above) upon a determination that such increase in height will not adversely affect neighboring properties or to accommodate Trade Dress. There is no maximum number of stories.

**B. Building Setbacks.**

1. The minimum setback from a front property line shall be forty feet (40') along Collins Road and Hwy. 80, twenty-five feet (25') along T.C. Lupton and E. Riverstone Drive and all others shall be in accordance with the Zoning Ordinance.
2. Except as otherwise provided in this paragraph, no minimum setback from a side property line shall be required.
  - a. Side and rear setback adjacent to existing residential shall be in accordance with the Zoning Ordinance.
  - b. No minimum side yard setback will be required at the pad sites along Hwy. 80 and Collins Road as long as the following requirements are met: 1) No more than two adjacent pad sites shall abut each other; 2) any landscape buffer displaced due to zero lot line shall be relocated to other parts of the site; and 3) all building and fire codes shall be adhered to. Otherwise, minimum setback from a side property line at those pad sites shall be twenty-five feet (25').

**C. Lot Width. The minimum lot width shall be 150 feet (150').**

D. Parking Standards.

1. Typical parking spaces shall be twenty feet (20') in depth by nine feet (9') in width. However, the space can be reduced to eighteen feet (18') depth if a two foot (2') overhang is provided. The two foot (2') overhang cannot be over a required buffer area. Typical two-way drive aisles serving 90° parking shall be a minimum of twenty-four feet (24') in width. Two-way drive aisles serving 60° parking to be a minimum of twenty-two feet (22') in width. Two-way drive aisles serving 45° to 30° parking shall be a minimum of twenty feet (20') in width.

**VI. DESIGN STANDARDS**

- A. Development of the Property shall comply with the Design Criteria Manual, as modified by this MPD Ordinance, including Exhibit D.

**VII. LANDSCAPING AND TREE PRESERVATION**

- A. Development shall comply with the minimum landscaping requirements for the base zoning district, except as otherwise provided in this Section VII or on Exhibit D. Tree mitigation calculation shall be calculated on the basis of the entire Property, rather than on a lot by lot basis. Endeavor to distribute the tree mitigation throughout the property in the MPD in lieu of placing them in a single location. Each development plan and site plan submittal shall be accompanied by a tabulation demonstrating compliance with the tree mitigation requirements on a Property-wide basis.
- B. Trees that are planted to mitigate for the removal of protected trees may be planted at any location within the Property, and are not required to be planted on the same lot from which trees were removed.
- C. All trees that are of six inch (6") caliper or more, measured forty-eight inches (48") above grade are "Protected Trees," except the following species: Hackberry/Hercules Club, Bois D'Arc, Chinaberry, Willow, Mulberry, Cottonwood, Mimosa, Mesquite, and Honey Locust.
- D. Pedestrian walks are required to be a minimum of five feet (5') in width.
- E. Landscaped beds shall be no less than one hundred (100) square feet in area, excluding landscaped beds within a parking lot, unless smaller landscaped beds are authorized as part of the site plan approval process.
- F. Landscape materials shall be grouped in tree clusters and plant bed masses to create a more naturalistic appearance. Tree spacing may be adjusted as long as the total tree count complies with applicable requirements.

**VIII. SIGNAGE**

- A. The sign regulations set forth on Exhibit E shall be the exclusive sign regulations applicable to the Property.

**IX. MISCELLANEOUS**

**A. Screening**

1. All references to screening in this MPD Ordinance that do not specify the type or height of required screening shall mean one of the following methods of screening: (1) a landscaped berm that is a minimum of five feet in width topped with a solid masonry screening wall that, in combination with the berm, achieves a minimum of six feet in height; (2) a solid masonry screening wall that is a minimum of six feet in height; (3) a row of evergreen shrubs capable of providing a continuous screen at least six feet in height at maturity; or (4) any combination of the first three screening methods. Screening wall adjacent to residential is to be of masonry construction.
2. Notwithstanding Section IX.A.1, the minimum height of screening around loading areas shall be one foot (1') above the equipment or trucks located in the loading area, up to a maximum height of fourteen feet (14') above the loading area pavement. No screening is required except where a loading area faces or can be seen from a public area.
3. Notwithstanding Section IX.A.1, the minimum height of screening around utility equipment shall be one foot (1') above the top of the equipment. Utility equipment screening shall be modified if necessary to meet utility company requirements.
4. Landscaping used as screening must be a minimum of four feet (4') in height at the time of planting, and shall be a minimum of seventy-five percent (75%) opaque.
5. Exhibit F illustrates screening requirements for loading areas and service areas.

B. The Property may be developed in phases, and infrastructure may be constructed on a phased basis.

C. Notwithstanding anything to the contrary, this MPD Ordinance, the Zoning Ordinance, and the Design Criteria Manual shall not be applied to prohibit designs protected by Trade Dress.

**X. EXHIBITS**

The following exhibits are attached hereto and incorporated herein for all purposes:

Exhibit A	Concept Plan
Exhibit B	Metes and Bounds Description of the Property
Exhibit C	Depiction of the Property
Exhibit D	Design Standards
Exhibit E	Sign Regulations
Exhibit F	Screening of Loading Areas and Service Areas
Exhibit G-1	Examples of Building Design Elements
Exhibit G-2	Examples of Building Design Elements

Exhibit H	Landscaping in Landscaped Islands and Medians
Exhibit I	Awning Design Examples
Exhibit J-1	Screening of Parking Areas
Exhibit J-2	Screening of Parking Areas
Exhibit K	Examples of Identity Elements
Exhibit L-1	Examples of Banners, Blade Signs, Directional Signs, & Identity Elements
Exhibit L-2	Examples of Kiosks and Projecting Signs
Exhibit M-1	Wall Signs
Exhibit M-2	Wall Signs
Exhibit N	Master Sign Plan
Exhibit O-1	Permitted Site Sign Designs
Exhibit O-2	Permitted Site Sign Designs
Exhibit O-3	Permitted Site Sign Designs
Exhibit O-4	Permitted Site Sign Designs
Exhibit P	Development and Sale Signs
Exhibit Q	Landscaping/Buffering Between Pad Sites
Exhibit R	Buffers



**EXHIBIT B**  
**METES AND BOUNDS DESCRIPTION OF THE PROPERTY**

***TRACT 1***  
***108.1896 ACRE PARCEL***

BEING all that certain lot, tract or parcel of land situated in the City of Sunnyvale, Dallas County, Texas, out of the T. Colwell Survey, Abstract No. 335 and the J.P. Lawrence Survey, Abstract No. 807, the T. D. Coats Survey, Abstract No. 331 and being the 17.071 acre tract of land conveyed to RKS Texas Investments, L.P, as recorded in Instrument No. 20070073831 of the Deed Records of Dallas County, Texas, the 61.415 acre tract of land called Tract 4 as conveyed to RKS Texas Investments, L.P, as recorded in Instrument No. 200600385571 of the Deed Records of Dallas County, Texas, the 9.22 acre tract of land called Tract 3 as conveyed to RKS Texas Investments, L.P as recorded in Instrument No. 200600385571 of the Deed Records of Dallas County, Texas, a portion of the 36.72 acre property called Tract 6 as conveyed to RKS Texas Investments, L.P, as recorded in Instrument No. 200600385571 of the Deed Records of Dallas County, Texas, and a portion of the right of ways as conveyed on the Street and Easement Dedication Plat known as T.C. Lupton Boulevard (formerly called Clay Road), Colwell Street and East Riverstone Drive as shown on the plat recorded in Volume 87034 at Page 959 of the Deed Records of Dallas County, Texas, and being more particularly described in composite by metes and bounds as follows:

BEGINNING at a point for the intersection of the Southerly right-of- way of U.S. Highway No. 80 (variable width right of way) and the East right-of-way line of T. C. Lupton Boulevard (formerly called Clay Road) (100 foot right of way at this point) as recorded in Volume 87034, Page 959 of the Map Records of Dallas County, Texas;

THENCE South 79° 27' 02" East and following along the South right-of- way line of U.S. Highway No. 80 for a distance of 630.03 feet to a point for corner;

THENCE South 70° 15' 46" East and continuing along the South right-of- way line of U.S. Highway No. 80 for a distance of 607.00 feet to a point for corner;

THENCE South 75° 52' 19" East and continuing along the South right-of- way line of U.S. Highway No. 80 for a distance of 501.40 feet to a point for corner;

THENCE South 79° 39' 19" East and continuing along the South right-of- way line of said U.S. Highway No. 80 for a distance of 325.00 feet to a point for corner at the Northwest end of a corner clip at the intersection of said South right-of- way line of Interstate Highway No. 20 and the West right-of-way line of State Highway No. 352 – Collins Road;

THENCE South  $42^{\circ} 31' 25''$  East and following along the said corner clip, for a distance of 120.19 feet to a point for the Southeast end of said corner clip, same being on the West right-of-way line of State Highway No. 352 – Collins Road;

THENCE South  $02^{\circ} 42' 03''$  East and following along said West right-of-way line of State Highway No. 352 – Collins Road, (100 foot wide right-of-way) for a distance of 483.53 feet to a point for corner;

THENCE South  $33^{\circ} 43' 13''$  West and continuing along said West right-of-way line of State Highway No. 352 – Collins Road and passing the intersection of the West right-of-way line of State Highway No. 352 – Collins Road and the Northerly line of T. C. Boulevard (100 foot wide right-of-way at this point) at a distance of 1400.00 feet and continuing along for a distance of 1480.00 feet to a point along the South right of way of T.C. Lupton Boulevard and continuing further for a distance of 1769.00 feet to the Northeast corner of Lot 1 of the Texas Regional Medical Center Addition, an addition to the Town of Sunnyvale, Texas, according to the plat thereof as recorded under County Clerks File Number 200900267460 of the Map Records of Dallas County, Texas;

THENCE North  $56^{\circ} 16' 47''$  West and following along the line of said Lot 1 of the Texas Regional Medical Center Addition for a distance of 315.00 feet to a point for corner;

THENCE North  $33^{\circ} 43' 13''$  East and continuing along the line of said Lot 1 of Texas Regional Medical Center Addition and passing the corner of said Lot 1, same being the South right of way line of the aforesaid T. C. Lupton Boulevard for a distance of 319.01 feet to a point in the center of said T. C. Lupton Boulevard;

THENCE North  $56^{\circ} 16' 55''$  West along the center of T. C. Lupton Boulevard for a distance of 83.47 feet to a point for the beginning of a curve to the left having a radius of 670.00 feet with a central angle of  $34^{\circ} 12' 23''$ , and a chord bearing North  $73^{\circ} 20' 35''$  West at a distance of 394.08 feet;

THENCE Northwesterly along said curve to the left and continuing along the center of said T. C. Lupton Boulevard for an arc distance of 400.00 feet to a point for corner;

THENCE South  $89^{\circ} 33' 38''$  West and continuing along the center of said T. C. Lupton Boulevard for a distance of 113.93 feet to the beginning of a curve to the right having a radius of 600.00 feet with a central angle of  $28^{\circ} 32' 18''$  and a chord bearing North  $76^{\circ} 10' 12''$  West at a distance of 295.77 feet;

THENCE Northwesterly along said curve to the right and continuing along the center of said T. C. Lupton Boulevard, for an arc distance of 298.85 feet to a point for corner;

THENCE South 25° 02' 13" West and departing the centerline of said T. C. Lupton Boulevard for a distance of 382.59 feet to a point for corner, said point being a corner of Lot 4 of the Texas Regional Medical Center Addition, an addition to the City of Sunnyvale, Texas, according to the plat thereof as recorded in Volume 20080035538 of the Deed Records of Dallas County, Texas, Texas, said point also being a corner of Samuel Park Farms East, an addition to the City of Mesquite, Texas, according to the plat thereof as recorded in Volume 83213 at Page 3417 of the Deed Records of Dallas County, Texas;

THENCE South 89° 33' 38" West and following along the North line of a 15 foot alley as shown on said plat of Samuel Park Farms East, and being common to the aforementioned 36.72 acre tract of land conveyed to RKS Investments, L.P. as recorded in Volume 200600385571 of the Deed Records of Dallas County, Texas for a distance of 710.73 feet to the Southwest corner of said 36.72 acre tract and also being in the East line of the aforementioned 100 foot right of way conveyed to Texas Power and Light Company;

THENCE North 00° 12' 10" East and following along the East line of said 100 foot Texas Power and Light Company right of way tract for a distance of 849.55 feet to a point for corner in the center of East Riverstone Drive (60 foot right of way);

THENCE North 89° 27' 40" East and following along the centerline of said East Riverstone Drive for a distance of 552.13 feet to a point in the center of the aforesaid T. C. Lupton Boulevard (80 foot right of way);

THENCE North 00° 12' 10" East and following along the center of said T. C. Lupton Boulevard for a distance of 570.68 feet to a point for corner;

THENCE South 89° 27' 40" West and following the center of Cowell Street (60 foot right of way) for a distance of 552.13 feet to a point for corner at its intersection with the said East line of said 100 foot Texas Power and Light Company right of way tract;

THENCE North 00° 12' 10" East and following along the East line of said 100 foot Texas Power and Light Company right of way tract for a distance of 289.11 feet to a point for corner;

THENCE North 89° 42' 11" East for a distance of 77.90 feet to a point for the Southeast corner of a tract of land conveyed to the State of Texas as recorded in Volume 3627 at Page 351 of the Deed Records of Dallas County, Texas;

THENCE North 00° 34' 35" West and following along the East line of said State of Texas tract for a distance of 579.68 feet to a point for corner;

THENCE North 49° 33' 26" East and continuing along the East line of said State of Texas tract for a distance of 64.27 feet to the Northeast corner of said State of

Texas tract and being in the South right of way line of the aforesaid U.S. Highway No. 80;

THENCE South 79° 27' 02" East and continuing along the South right of way line of said U. S. Highway No. 80 for a distance of 569.57 feet to the POINT OF BEGINNING and CONTAINING 108.1896 ACRES OF LAND, more or less,

***TRACT 2***  
***15.000 ACRE PARCEL***

BEING all that certain lot, tract or parcel of land situated in the City of Sunnyvale, Dallas County, Texas, out of the T. Colwell Survey, and being a portion of the 36.61 acre property called Tract 2 as conveyed to RKS Texas Investments, L.P, as recorded in Instrument No. 200600385571 of the Deed Records of Dallas County, Texas a portion of Planters Road right of way as conveyed by the Street and Easement Dedication Plat as recorded in Volume 87034 at Page 959 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a point for the intersection of the Southerly right-of- way of U.S. Highway No. 80 (variable width right of way) and the East right-of-way line of T. C. Lupton Boulevard (formerly called Clay Road) (100 foot right of way at this point) as recorded in Volume 87034, Page 959 of the Map Records of Dallas County, Texas;

THENCE North 79° 27' 02" West and following along the South right of way line of said U. S. Highway No. 80 for a distance of 569.57 feet to a point;

THENCE North 79° 45' 41" West and continuing along the South right of way line of said U. S. Highway No. 80 for a distance of 222.18 feet to the POINT OF BEGINNING for this description, said point being the intersection of the South right of way line of U. S. Highway No. 80 with the West line of a right of way conveyed to Texas Power and Light Company as recorded in Volume 369 at Page 35 of the Deed Records of Dallas County, Texas, and also being the Northeast corner of the aforementioned 36.61 acre property called Tract 2 as conveyed to RKS Texas Investments, L.P, as recorded in Instrument No. 200600385571 of the Deed Records of Dallas County, Texas;

THENCE South 00° 12' 10" West and following along the common line of said 36.61 acre tract and the Texas Power and Light Company right of way for a distance of 593.02 feet to a point for corner;

THENCE North 79° 34' 07" West for a distance of 1116.79 feet to a point for corner in the center of Planters Road (60 foot right of way)

THENCE North 00° 32' 20" West and following along the center of said Planters Road for a distance of 585.62 feet to a point for corner in the aforesaid South right of way line of U. S. Highway No. 80;

THENCE South 83° 00' 08" East and following along the South right of way line of said U. S. Highway No. 80 and passing the Northwest corner of the aforereferenced 36.62 acre tract of land called Tract 2 as conveyed to RKS Investments, L.P. as recorded in Instrument No. 200600385571 of the Deed

Records of Dallas County, Texas at a distance of 30.26 feet and continuing along the South right of way line of said U. S. Highway No. 80 for a distance of 144.82 feet to a point for corner;

THENCE South 79° 34' 07" East and continuing along the South right of way line of said U. S. Highway No. 80 for a distance of 978.37 feet to POINT OF BEGINNING and CONTAINING 15.000 ACRES OF LAND, more or less,



**EXHIBIT D**  
**DESIGN STANDARDS**

The Design Criteria Manual shall be modified as set forth on this Exhibit D. In addition, no overlay district regulations in the Design Criteria Manual shall apply to the Property.

**I. SITE DESIGN AND PLANNING PRINCIPALS**

**A. DESIRABLE DESIGN ELEMENTS**

1. The sign regulations set forth on Exhibit E shall be the exclusive sign regulations applicable to the Property.

**B. UNDESIRABLE DESIGN ELEMENTS**

- a. Metal siding is permitted only as authorized in Section I(K)(2) of this Exhibit D, only as it pertains to Trade Dress or if it is not visible to public areas.
- b. A service area may be located in an area visible from a public street if it is screened.

**C. TREE PRESERVATION, TREE MITIGATION, AND NATURAL FEATURES**

1. The provision related to linear parks, open space, and greenbelts along existing drainage patterns with a minimum width of seventy-five feet (75') shall be optional, not mandatory.

**D. RURAL CHARACTER DESIGN ELEMENTS**

The section of the Design Criteria Manual entitled "Rural Character Design Elements" is not applicable to the Property.

**E. HISTORIC PRESERVATION**

The section of the Design Criteria Manual entitled "Historic Preservation" is not applicable to the Property.

**F. BUILDINGS**

1. Orientation
  - a. The rear facade of a building may face any public or private street; however, the rear facade shall be treated with the same attention to detail as a finished front or side elevation, and any service areas that face the street shall be screened.
  - b. If a building faces a loading area or service area, the loading area or service area must be screened.
  - c. Buildings may be oriented to face each other or to face pedestrian or vehicular circulation areas or parking areas.

- d. Buildings and vehicular circulation areas shall be designed to include marked pedestrian crossing areas to minimize pedestrian/vehicle conflicts.
- e. Buildings may be clustered, where appropriate, to create opportunities for plazas and pedestrian malls; however, such clustering shall not be required.

## 2. Height

Refer to Section V (A) of this MPD Ordinance.

## 3. Scale

- a. Wall planes shall not run in a continuous direction more than seventy five feet (75') without an offset of at least two feet (2') unless the building design incorporates at least five (5) of the following elements:

- Canopies, awnings
- Overhangs
- Recesses or projections of 12" or more in horizontal or 24" or more in vertical plane.
- Arcades or colonnades
- Outdoor patios or plazas
- Display windows
- Architectural details, such as tile work or moldings, integrated into building façade
- Integrated planters or wing walls that incorporate landscape and sitting areas
- Variety of masonry coursing
- Pitched roofs with multiple pitch angles and/or peaked roof forms
- Courtyards between buildings
- Exposed rafters at eaves
- Arbors
- Architectural upgraded accent lighting

See Exhibits G-1 and G-2 for examples of building design elements.

4. Hierarchy

- a. The subsection in the Design Criteria Manual entitled "Gateway Buildings" under the heading "Hierarchy" shall not apply to the Property.

**G. PLAZAS AND OPEN SPACES**

- 1. Pavers and paving patterns or colors shall be incorporated into courtyards and plazas to add additional interest and enhance the aesthetic quality of the spaces.

**H. VEHICULAR CIRCULATION**

1. Primary Site Entrances

- a. In designing entries into development tracts, the developer shall provide at least one "primary" entry to parking lots. The use of landscaped medians and/or special paving to identify primary entries is encouraged.
- b. In designing entries into development tracts, the developer shall provide "secondary" entries to parking lots from streets. Paving material, plants, signs, and lighting should generally coordinate with primary entrance treatments, although landscaping intensity and sign sizes may be reduced.

2. Internal Drives

- a. Internal streets (loop road only) shall be separated from parking lots by a green space with a minimum width of ten feet (10'). Sidewalk of a maximum of five feet (5') wide can be included within the ten foot (10') green space.

3. Drop Off Areas

- a. Bollards or other similar separation elements shall be installed at designated pedestrian drop-off locations to provide protection for buildings and pedestrian walkways.

4. Service Areas

- a. Service areas shall be located away from major public streets and building entrances where possible. If service areas are located near major public streets or building entrances, they shall be screened.

**I. PEDESTRIAN CIRCULATION**

1. Sidewalks

- a. Pavers or stamped or colored concrete are required in accent areas adjacent to non-residential buildings where shown on an approved site plan.

## 2. Pedestrian Circulation in Parking Lots

- a. Pedestrian crosswalks across service drives shall be provided to allow pedestrians to reach major entrances from parking lots.
- b. Where major pedestrian routes within parking lots cross streets or drives, use of textured or colored paving materials or changes in paving color are required to distinguish the route.
- c. No maximum walking distance from parking spaces to building entries shall apply.
- d. Medians and pedestrian pathways may be used to separate rows of parking, but shall not be required.

## **J. PARKING**

1. Where opportunities exist, multiple buildings are encouraged to be clustered in a coordinated design. Nothing herein shall prohibit individual buildings with surrounding parking areas.
2. Large parking areas are not required to be divided into a series of smaller connected lots.
3. No more than twelve (12) parking stalls in a row are permitted without separation by a landscape island. Required landscape islands shall be at least one hundred seventy (170) square feet and a minimum of eight feet (8') in width at intermediate islands within parking rows and ten feet (10') in width at end islands.
4. There shall be no requirement for landscaped medians between every other parking bay.
5. See Exhibit H for requirements for landscape islands and medians in non-residential parking lots.
6. No dead end parking lots are allowed without a fifty-foot (50') radius turnaround.

## **K. ARCHITECTURAL CRITERIA**

1. Awnings
  - a. Where awnings are used, they should be an integral part of the building design. Awnings may vary in form, color, location, and mounting arrangements, and should complement the overall building design, as illustrated on Exhibit I.

## 2. Building Materials and Colors

- a. Building materials should vary in type and texture and include native stone, brick, cementitious stucco, textured or burnished concrete units, texture coated or textured and colored concrete, metal siding, ceramic tile, or concrete tiles. Alternative materials that achieve similar looks and are of high quality and low maintenance may be approved as part of the development plan or site plan approval process.
- b. All non-residential buildings must be constructed of ninety percent (90%) masonry, exclusive of doors, windows, or glass surfaces. Of the required masonry surface, no more than forty percent (40%) may be cementitious stucco. Cementitious stucco, when used, must have integral color. The masonry requirement shall only apply to facades that are oriented to face a public area.
- c. The use of highly reflective materials and surfaces, such as polished metal, or other materials that generate glare shall not be allowed, particularly at the pedestrian level, unless used as accent pieces.
- d. In most instances, only one to two dominant building materials should be utilized on a single structure. This limitation does not apply to accent materials.
- e. Specific masonry construction materials and colors are permitted in accordance with the "Building Materials and Colors" section of the Design Criteria Manual, as well as in accordance with the definition of masonry in Section 20.8, A(1)(a)1-6 of the Zoning Ordinance. Masonry colors may be white or earth tone, including, but not limited to light gray and light brown, in addition to all other permitted colors. Metal siding is allowed in accordance with Section 20.8, A.3. except that galvanized finish is allowed.
- f. Painted surfaces are not limited to the colors designated in the Design Criteria Manual.
- g. The colors of an awning should be complimentary to the color of the building to which the awning is attached, and different shades of colors are encouraged, as illustrated on Exhibit I.

### **L. EXISTING ZONING REQUIREMENTS AFFECTING ARCHITECTURAL CRITERIA**

1. Section 20.7 of the Zoning Ordinance does not apply. The following recommendations apply in lieu of the provisions of Section 20.8 of the Zoning Ordinance and the section of the

Design Criteria Manual entitled "Existing Zoning Requirements Affecting Architectural Criteria":

- a. Except as expressly provided in this MPD Ordinance, the provisions of Section 20.8 of the Zoning Ordinance shall not apply.
- b. The standards for acceptable masonry construction types identified in Section 20.8 (A)(1)(a)(1)-(6) of the Zoning Ordinance shall apply.
- c. The provisions of Section 20.8(B)-(E) shall apply. Concrete roofing tile is a permitted roofing material.
- d. Hardiboard is a permitted masonry material, but shall not exceed ten percent (10%) of the masonry area of a facade.
- e. Cementitious stucco, when used, must have integral color. When a building facade faces a public area, stucco colors shall be selected from an earth tone palette.
- f. Masonry percentages:
  - i. A minimum of ninety percent (90%) of each non-residential exterior facade, excluding doors and windows, facing a public area shall be constructed of masonry veneer construction. Plain haydite or concrete block facades must be veneered with another decorative masonry material. No more than seventy percent (70%) of a facade may be glass. Facades that do not face a public area may be constructed of any material other than wood or corrugated metal. Where prefabricated metal is used, it shall be twenty-six (26) gauge or lesser gauge structural steel (i.e., Butler or Delta prefabricated metal buildings). Stucco shall be limited to forty percent (40%) of the required masonry area on a facade. Hardiboard shall be limited to ten percent (10%) of the required masonry area of a facade.

**M. ROOF TREATMENT**

1. Rooflines that run in a continuous plane for more than seventy-five feet (75') should be avoided along any facade that faces a public area unless an offset or jog of a minimum of two feet (2') is provided along the roof plane or parapet wall to provide for better visual interest.
2. All rooftop equipment, including satellite dishes and antennae, must be fully screened from view from any adjacent public area and street and must be located below the highest vertical element of the building.

3. Roof treatments for fuel sales canopies should incorporate pitched roofs or other architectural elements to add visual interest. Columns for canopies must be entirely encased with masonry to match or complement the primary building. Except for Trade Dress protected designs, the canopy band face must be consistent with the main structure and may not be backlit or used for signage other than signage to identify a logo.

## **N. COUNTRY LANES, PARKWAYS AND THOROUGHFARES**

1. Commercial Abutting Commercial
  - a. There shall be a landscape buffer a minimum of seven and one half feet (7.5') in width between a parking lot and the internal property line creating a total buffer area of a minimum of fifteen feet (15') in width between separate parking areas on adjacent lots at pad sites along Hwy. 80 and Collins Rd. as illustrated on Exhibit Q. A ten foot (10') green space is required between the Loop Road and the parking lot pavement. See Exhibit R. No landscape buffer shall be required at drive connections, at shared drive aisles where a parking lot is shared by two separate owners, or within a continuous grouping of adjacent buildings separated by one or more property lines.
  - b. Commercial buffers shall be planted with a minimum of three (3) large trees that are each a minimum of three inches (3") in caliper or four (4) small trees for every 1,000 square feet of buffer area. Planting beds shall be curvilinear. Three (3) ornamental trees may be substituted for one (1) large tree up to a maximum of 50% of required large trees. See Exhibit R.
  - c. In the buffer area shared by two lots, each property owner shall be required to provide 1/2 of the total tree requirement on his lot. When both sides are landscaped, the total tree requirement in N.1.b. above will be provided. See Exhibit Q.
  - d. Pedestrian walks shall be required to be a minimum of five feet (5') in width.
  - e. Landscape material shall be grouped in informal tree clusters and plant bed masses to create a more naturalistic appearance. Therefore, tree spacing may be adjusted, as long as the total count remains as required.
2. Turf Areas
  - a. Turf areas outside the R.O.W. within the development may be planted with prairie or '609' buffalo grass (*Buchloe Dactyloides*), which is drought tolerant and requires minimal irrigation and fertilization; along streets within the ROW, turf areas should be planted with common or Tiffany Bermuda turf grass.

**O. PERIMETER PARKING LOT LANDSCAPING**

1. Street and Thoroughfare buffers shall comply with Section 20.5, B.3., A.2. of the Zoning Ordinance.
2. Landscaping shall be provided between the right-of-way and adjacent parking lots and drives in accordance with this Section 1.O. One shade tree shall be planted for every forty (40) linear feet or one (1) small tree for every thirty (30) linear feet, excluding driveways. Three (3) ornamental trees and five (5) shrubs may be substituted for one (1) large tree up to a maximum of 50% of the required large trees. See Exhibit R.
3. Parking lots shall also be screened from adjacent rights-of-way with a berm, plantings, or screening wall that is a minimum of three feet (3') in height. Screening is not required to be offset. See Exhibits J-1 and J-2 for illustrations of required parking lot screening.
4. Plantings should be grouped in meandering beds and provide variations in depth and texture to create a naturalistic screen.

**P. INTERIOR PARKING LOT LANDSCAPING**

1. Landscape islands are required at the terminus of each parking bay. Within each island, one (1) large shade tree or two (2) ornamental trees shall be planted. At least one (1) tree shall be planted for every four hundred (400) square feet of required landscaped area within a parking lot. No more than 50% of the required large trees may be eliminated. See Exhibit H.
2. Landscape islands shall be seeded, sodded, or mulched; covered with decomposed granite; or planted with groundcover.
3. Landscape area shall be fifteen percent (15%) of the parking/drive areas. The interior landscape area shall not include any buffer or other required landscape areas.

**Q. LANDSCAPE ADJACENT TO BUILDINGS**

1. Plantings are encouraged near buildings and along walkways to soften the experience, and are not required adjacent to buildings.
2. Landscape islands shall be seeded, sodded, or mulched; covered with decomposed granite; or planted with groundcover.

**R. MISCELLANEOUS**

1. All landscaping shall be maintained to retain a neat and orderly appearance.

2. LEED requirements are encouraged, but are not required.
3. Walls/Railing
  - a. All concrete walls must have a masonry veneer or be textured and patterned with a "form liner" (a concrete formed texture or pattern).
  - b. Untreated concrete walls and plain or painted CMU walls are prohibited except below grade and in locations that are not visible from a public area.
  - c. Railing shall be designed in accordance with Railing Option 1 and Railing Option 2 as shown in the Design Criteria Manual or a design of similar quality if the railing is visible from a public area.

#### **S. SITE FURNISHING GUIDELINES**

1. Site furnishings shall be made from corrosion resistant, high quality topcoat finishing or coated with zinc rich epoxy and finished with a polyester power coating (commercial grade). Site furnishings may also be made from stained and varnished wood.
2. Site furnishings may utilize recycled metal or other recycled materials.

#### **T. LIGHTING**

1. The lighting specifications in this Section I.T apply in lieu of any lighting requirements in the Design Criteria Manual and Zoning Ordinance.
2. Exterior lighting should be used to provide illumination for entry drives, parking areas, service and loading areas, pathways and courtyards on private property (not in R.O.W.). Avoid light pollution and glare. All exterior light fixtures should be designed and coordinated as a "family" of compatible fixtures which relate to the architectural character of the buildings on a site. In addition, the requirements for landscape lighting shall comply with the Zoning Ordinance.
3. Approved Fixtures: (See Exhibit S for example fixtures)
  - a. Parking Lot Lighting
    - 1) VISIONAIRE LIGHTING Decorative Oden SERIES ODN-3 Fixture Series / AMERICAN LIGHT POLE RTS Series.  
Tall: ODN-3-T5-750-P-5-AML-SL-C6-H5 with DECORATIVE ARM # VSPA8 Color: METALLIC SILVER. 39' POLE: RTS-39-90-7-AB-PC-XXX-SBC and 3' concrete base. Color: METALLIC SILVER.

LAMP: OSRAM SYLVANIA # MS750/PS/BU/-  
HOR/BT37.

Medium: ODN-2-T5-400-P-5-AML-SL-C6-H5 with  
DECORATIVE ARM # VSPA8. Color: METALLIC  
SILVER. 25' POLE: RTS-25-70-11-AB-PC-XXX-  
SBC and 3' concrete base. Color: METALLIC  
SILVER.

LAMP: OSRAM SYLVANIA # MS400/PS/BU-  
ONLY.

Note: Distribution type to vary based on layout.

b. Pedestrian Accent Lighting

- 1) VISIONAIRE LIGHTING Decorative ODEN  
SERIES ODN-2 OR ODN-1 Fixture Series  
/ AMERICAN LIGHT POLE RTS SERIES.

ODN-2-T5-400-PS-5-AML-SL-C6-H5 WITH  
DECORATIVE ARM #VSPA8.

Color: METALLIC SILVER. 14' POLE: RTS-14-65-  
11-AB-PC-XXX-SBC.

Pole Color: METALLIC SILVER.

LAMP: OSRAM SYLVANIA # MS400/PS/BU-  
ONLY.

Note: Double mounting and banner arms optional.

c. Bollard Lighting

- 1) Visionaire Lighting, Torneo Bollard. TOR1-8R42-  
70-PS-5-AB-SL-VRB.  
Color: METALLIC SILVER.  
LAMP: OSRAM SYLVANIA # M70/U/MED.

4. Parking and drive areas shall be illuminated to a minimum average of 2 fc and a maximum average of 6 fc on a maintained basis. Parking lot light sources shall be metal halide. Yellow/orange source lights are prohibited. Maximum intensity at property line of adjacent residential zoning is to be .2 fc. Poles to be setback minimum 1/2 of pole height from residential zoned property. Maximum pole height is thirty feet (30'), except for areas along the Loop Road and the internal area bounded by the Loop Road and T.C. Lupton. Maximum pole height in those areas is forty feet (40').
5. All building mounted light fixtures shall be hooded or shielded, with light directed downward or upward along the face of the building.
6. Any building flood lighting shall be ground or building mounted, concealed source. Special consideration may be given to other types of facade lighting on individual basis.
7. Festoon type lighting will be allowed in entertainment plazas and outdoor restaurants.
8. Site identification graphics and signs shall be lighted internally or from ground mounted locations. Light fixtures should be screened from view in front of the sign.

## **U. SPECIAL ENHANCEMENT FEES**

1. The section of the Design Criteria Manual entitled "Special Enhancement Fees" shall not apply to the Property.

## **V. OPEN SPACE AND LANDSCAPING**

1. Open Space
  - a. A minimum of one quarter (1/4) acre of useable open space that is pedestrian-oriented shall be provided for every eight (8) acres within the Property at full build out of the Property, rather than on a site by site basis as the Property is developed over time. Such open space shall include at least three (3) of the following elements: (1) seating areas; (2) enhanced landscaping (above the minimum landscaping requirements); (3) a fountain; (4) public art; (5) a plaza; (6) sidewalks; (7) a pavilion; or (8) arbors.
  - b. The open space requirements in Subsections 1(a) and 1(b) above shall be the exclusive open space requirements applicable to the Property.
2. Additional Landscaping Requirements
  - a. A landscaped buffer a minimum of twenty-five feet (25') in width shall be provided along the frontage of lots that abut U.S. 80 right-of-way. A minimum of twenty-five percent (25%) of the buffer area shall be composed of native grasses or TXDOT approved wildflower mixes to provide for a natural landscape appearance.
  - b. A minimum of three (3) trees that are a minimum of three inches (3") in caliper and a minimum of eight (8) shrubs that are a minimum of five (5) gallons in size shall be planted for every two thousand (2,000) square feet of buffer area along U.S. 80. No trees are required to be planted in utility easements, unless allowed by the utility company. In addition, the buffer shall include undulating berms that are a minimum of three feet (3') in height, a wall that is a minimum of three feet (3') in height, or shrub plantings a minimum of three feet (3') in height to create a natural buffer along U.S. 80.
  - c. The use of informal plant groupings may be used to provide a naturalistic appearance along highway frontage.
  - d. The landscaping requirements in Sections 2(a) through 2(c) above shall apply to portions of the Property fronting on U.S. 80 in lieu of otherwise applicable requirements for landscaping and buffers along street frontage.

**EXHIBIT E**  
**SIGN REGULATIONS**

**A. SIGNAGE DESIGN – GENERAL**

1. Purpose. The purposes stated in Chapter 29 of the Zoning Ordinance are incorporated herein by reference.
2. Applicability. The sign regulations on this Exhibit E shall apply to all uses other than multi-family. Multi-family uses shall comply with the sign regulations applicable to multi-family uses and zoning districts, as set forth Chapter 29 of the Zoning Ordinance.
3. Definitions
  - a. Decorative Banner means a premise sign located on a banner attached to a building or a street light pole. Typically not for names of an individual tenant. See Exhibit L-1 for an example.
  - b. Billboard means a freestanding non-premise sign.
  - c. Blade sign means a small projecting sign mounted perpendicular to a building. See Exhibit L-1 for an example.
  - d. Commercial message means a message placed or caused to be placed before the public by a person or business enterprise directly involved in the manufacture or sale of the products, property, accommodations, services, attractions, or activities or possible substitutes for those things which are the subject of the message and that refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions, or activities; or attracts attention to a business or to products, property, accommodations, services, attractions, or activities that are offered or exist for sale or for hire.
  - e. Directional sign means a sign the sole purpose of which is to direct pedestrian and vehicular traffic to businesses within the Property. See Exhibit L-1 for examples.
  - f. Electronic messaging sign means a premise sign displaying static images that intermittently change, such as signs that include LED/LCD elements or other electronic changeable message technology.
  - g. Identity element means a freestanding sign that may or may not display a commercial message, but is typically used to identify the development, a specific area within the development, or a building. See Exhibit K and Exhibit L-1 for examples of identity elements.
  - h. Kiosks sign means a multi-sided structure for the display of signs. See exhibit L-2 for examples.

- i. Noncommercial message means any message that is not a commercial message – limited to community, Town, school, or national events only.
  - j. Non-premise sign means a sign that is not a premise sign.
  - k. Premise means the entire Property within the legal description of the MPD.
  - l. Premise sign means any sign the message of which relates to the premises on which it is located.
  - m. Projecting sign means a premise sign that is mounted perpendicular to the wall of a building. See Exhibit L-2 for examples.
  - n. Sign means any device, flag, light, figure, picture, letter, word, message, symbol, plaque, poster, display, design, painting, drawing, billboard, wind device, or other thing visible from outside the lot on which it is located. A sign does not include searchlights and landscape features that display no words or symbols, government flags, works of art that are not designed, intended or used to advertise, or temporary holiday decorations.
  - o. Wall sign means a premise sign attached to a building and mounted parallel to the facade of the building.
4. General
- a. Notwithstanding anything to the contrary, any sign that may display a commercial message may also display a noncommercial message, either in place of or in addition to the commercial message, so long as the sign complies with other requirements of this Exhibit E that do not pertain to the content of the message displayed.
  - b. Notwithstanding anything to the contrary, any sign that may display one type of noncommercial message may also display any other type of noncommercial message, so long as the sign complies with other requirements of this Exhibit E that do not pertain to the content of the message displayed.
  - c. Except as otherwise provided herein, the permitting requirement for signs located in Chapter 29 of the Zoning Ordinance shall apply.
  - d. Except as otherwise provided herein, all signs shall be premise signs.
  - e. Signs should be oriented so that sight lines at intersections are not obstructed.
  - f. Solid masonry bases are required on freestanding signs.
  - g. Landscaping shall be incorporated at the base of a freestanding sign located on a lot adjacent to the boundary of the Property, and shall consist of a minimum four foot (4') deep landscape bed on all sides of the sign.

5. Illumination
  - a. Signs may be internally illuminated or illuminated by external sources, such as street lights, ground lights, or pedestrian lights.
  - b. Individually illuminated signs, whether illuminated with individual illuminated letters or back-lit, are encouraged.
  - c. Internally illuminated cabinet signs are limited to Trade Dress only.
  - d. Illuminated electronic messaging signs are only allowed on site signage, directional signs, and user signs.
6. The area of a sign shall be calculated in accordance with the definition for "sign area" in Chapter 29 of the Zoning Ordinance. Notwithstanding the foregoing, no part of the sign structure or background support will be included in the calculation of the size of a sign.

## **B. DIRECTIONAL SIGNS**

1. Traffic control and vehicular or pedestrian directional signs may be placed along internal drives, parking lot areas, and pedestrian walks. A maximum of twenty (20) such signs are permitted on the Property. No such sign shall exceed five feet, six inches (5'6") in height. See Exhibit L-1 for examples of permitted directional signs.

## **C. WALL SIGNS**

1. Wall signs shall not project from the surface of which they are mounted more than twelve inches (12").
2. Wall signs shall not project more than six inches (6") above the roofline or parapet wall line (whichever is taller), unless mounted on a wall or feature element that rises above the roofline or parapet wall line.
3. See Exhibits M-1 and M-2 for examples of permitted wall signs.
4. Wall Signs:
  - a. On multi-tenant buildings, one front wall sign is allowed per tenant. If the tenant is a corner tenant or the space continues through to the other "front" building side, then one wall sign shall be permitted on each exterior wall for that tenant allowing a maximum of two (2) wall signs.
  - b. Freestanding buildings on outparcel or pad sites may have signage on 3 sides, but signs are to be smaller on 2 sides – see (c).
  - c. The maximum area of a wall sign on the front or rear building facade shall be a maximum of two (2) square feet per linear foot of wall length or ten percent (10%) of the area of the building façade, whichever is less. The

maximum area of a wall sign on the side building facade shall be a maximum of one and one half (1-1/2) square feet per linear foot on side building facades or seven and one half percent (7.5%) of the area of the building facade, whichever is less. Wall sign area on multi-tenant buildings shall be calculated based upon the entire wall length, not on individual tenant spaces. The total area allowed is then divided between the number of tenant spaces in the building.

- d. Letter heights shall comply with the following provisions:
- 1) Tenants with less than 10,000 square feet of floor area may have letters that are a maximum of forty-two inches (42") in height. Such signs are encouraged, but not required, to meet the following design standards: (i) signs should consist of individually mounted letters consisting of five inches (5") deep metal with a plexiglass face or metal face; (ii) plexiglass letters should be mounted on one-eighth inch (1/8") thick aluminum plate cloud on 2"x12" metal wireway; (iii) wireway should be painted to match the wall upon which the sign is mounted; (iv) wireway should be attached to the building with concealed, non-corrosive fasteners; and (v) letters should be internally illuminated or should be metal-faced can letters with backlighting. See Exhibits L-1, L-2, M1, and M2 for examples of permitted walls signs.
  - 2) Tenants with 10,000-14,999 square feet of floor area may have letters that are a maximum of forty-eight inches (48") in height.
  - 3) Tenants with 15,000-23,999 square feet of floor area may have letters that are a maximum of sixty inches (60") in height.
  - 4) Tenants with 24,000-49,999 square feet in floor area may have letters that are a maximum of seventy-two inches (72") in height.
  - 5) Tenants with 50,000 square feet or more in floor area are not subject to restrictions on the height of letters.
  - 6) Sign sizes may be increased by the City Council as part of the development plan or site plan approval process.

#### **D. PROJECTING SIGNS AND BLADE SIGNS**

1. Projecting signs and blade signs should be made of metal, wood or fiberglass.
2. Projecting signs and blade signs should be hung at a ninety degree (90°) angle to the building facade. Signs should be pinned slightly away from the building to increase visibility, but shall not project beyond the property line or over a vehicular surface.

3. Projecting signs shall not exceed twenty (20) square feet in area, eight feet (8') in height, and four and one half feet (4.5') in width.
4. Blade signs shall be no more than ten (10) square feet in size, three feet (3') in height, and four and a half feet (4.5') in width.
5. A minimum eight and a half foot (8.5') clearance is required between the bottom of a blade sign or projecting sign and a pedestrian sidewalk.
6. See Exhibits L1 and L2 for examples of permitted projecting signs and blade signs.

#### **E. WINDOW SIGNS**

1. Individual letters may be placed on the interior surface of the window.
2. Letters shall be white, black, or gold leaf paint.
3. The maximum letter size shall be three inches (3") in height.
4. A maximum of three window signs are permitted per tenant.

#### **F. CANOPY SIGNS / AWNING SIGNS**

1. Signs printed on, painted on, or attached onto a canopy or awning shall not exceed two-thirds of the width of the canopy or awning and shall consist of no more than one line of lettering not exceeding six inches (6") in height, and shall be located on the valance of such canopy or awning. In addition to lettering, the valance of the awning or canopy may contain graphic depictions that do not exceed four (4) square feet in area. Awning and canopy signs shall not be internally illuminated.

#### **G. KIOSK SIGNS**

1. Kiosk signs may be premise signs, non-premise signs, or display a non-commercial message. No kiosk sign shall exceed eight feet (8') in height and thirty (30) square feet in area; however, a round kiosk sign may be a maximum of fifty (50) square feet in area. Kiosk signs may be internally or externally illuminated. A maximum of ten (10) kiosk signs are permitted. Kiosk signs may be premise or non-premise signs.

#### **H. DECORATIVE BANNERS**

1. Decorative Banners consisting of cloth, vinyl, or a similar material that is weather resistant and rustproof may be attached to a building or light pole, subject to the following restrictions:
  - a. No banner shall exceed thirty six (36) square feet in area.
  - b. A minimum clearance of twelve feet (12') is required between the bottom of the banner and any paved surface.
  - c. No banner shall project more than three feet (3') from the pole or building to which it is attached.

- d. Banners on street light poles shall be spaced a minimum of one hundred feet (100') apart.
- e. Banners attached to buildings shall be spaced a minimum of thirty feet (30') apart.
- f. Notwithstanding anything to the contrary herein, no permit shall be required to change a banner, although a permit shall be required for the original hardware used to mount the banner.

## **I. SITE SIGNAGE**

- 1. A comprehensive site signage program for the major signs is provided in the Master Sign Plan attached as Exhibit N and design elevations attached as Exhibits O-1 through O-4. All of the signs shown in these exhibits are permitted at the locations generally shown on Exhibit N, although none of these signs are required to be constructed.
- 2. Existing billboards on the Property are authorized to remain and are considered legal, non-conforming signs.
- 3. Electrical messaging signage is allowed on premise signs, provided that no sign may display streaming video or have messages that change more frequently than once every eight (8) seconds.
- 4. A monument sign is permitted for each lot with street frontage. The maximum size shall be sixty-five (65) square feet and ten feet (10') in height on Hwy. 80, maximum fifty-six (56) square feet and eight feet (8') in height on Collins Rd., and maximum forty-eight (48) square feet and six feet (6') in height on TC Lupton and elsewhere within the MPD property. All monument signs shall have a five foot (5') setback from the nearest property line. See Exhibit O-4 for examples of permitted monument signs. These signs shall be positioned on the site visible from the public R.O.W. No signs will be allowed in public easements.
- 5. A maximum of five identity elements are permitted within the Property. All identity elements must be set back at least fifty feet (50') from the right-of-way. No identity element may project more than ten feet (10') above the nearest adjacent building. Identity elements shall not display more than five words.

## **J. DEVELOPMENT & SALES SIGNS**

One development and sales sign is allowed on each lot; however, if lot front on more than one street, then one additional sign will be allowed per each street frontage. Development and sales signs shall have a unified appearance throughout the Property. See Exhibit P.

EXHIBIT F  
SCREENING OF LOADING AREAS AND SERVICE AREAS

Required:  
Any combination of wall, berm, and evergreen trees/shrubs can be used to provide a solid screen a min. 1 foot above all service yard equipment and loading areas, up to 10' or 14' - see document

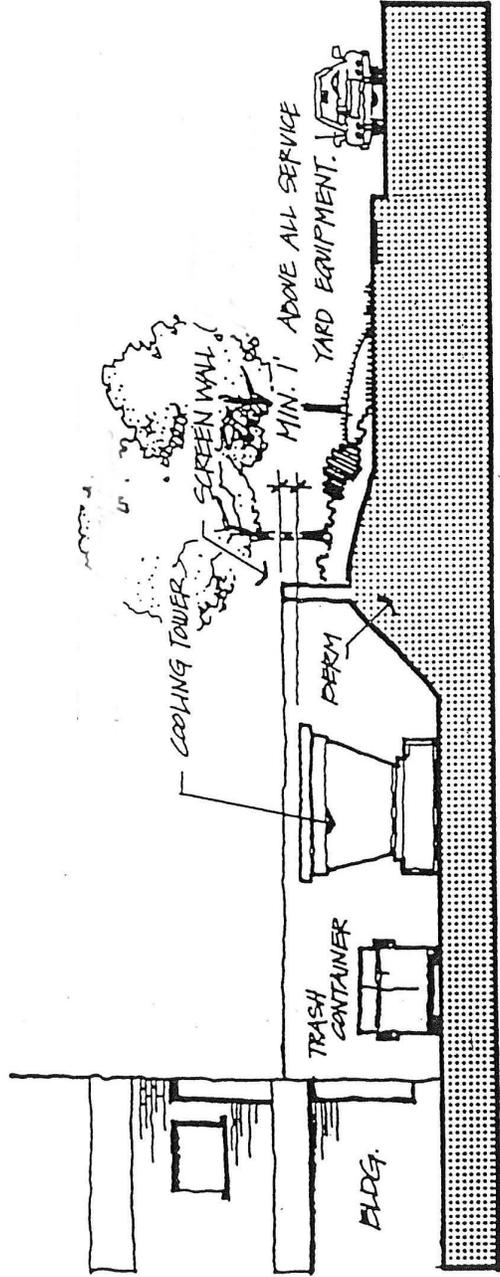


EXHIBIT G-1  
EXAMPLES OF BUILDING DESIGN ELEMENTS



EXHIBIT G-2  
EXAMPLES OF BUILDING DESIGN ELEMENTS



EXHIBIT H  
LANDSCAPING IN LANDSCAPED ISLANDS AND MEDIANS

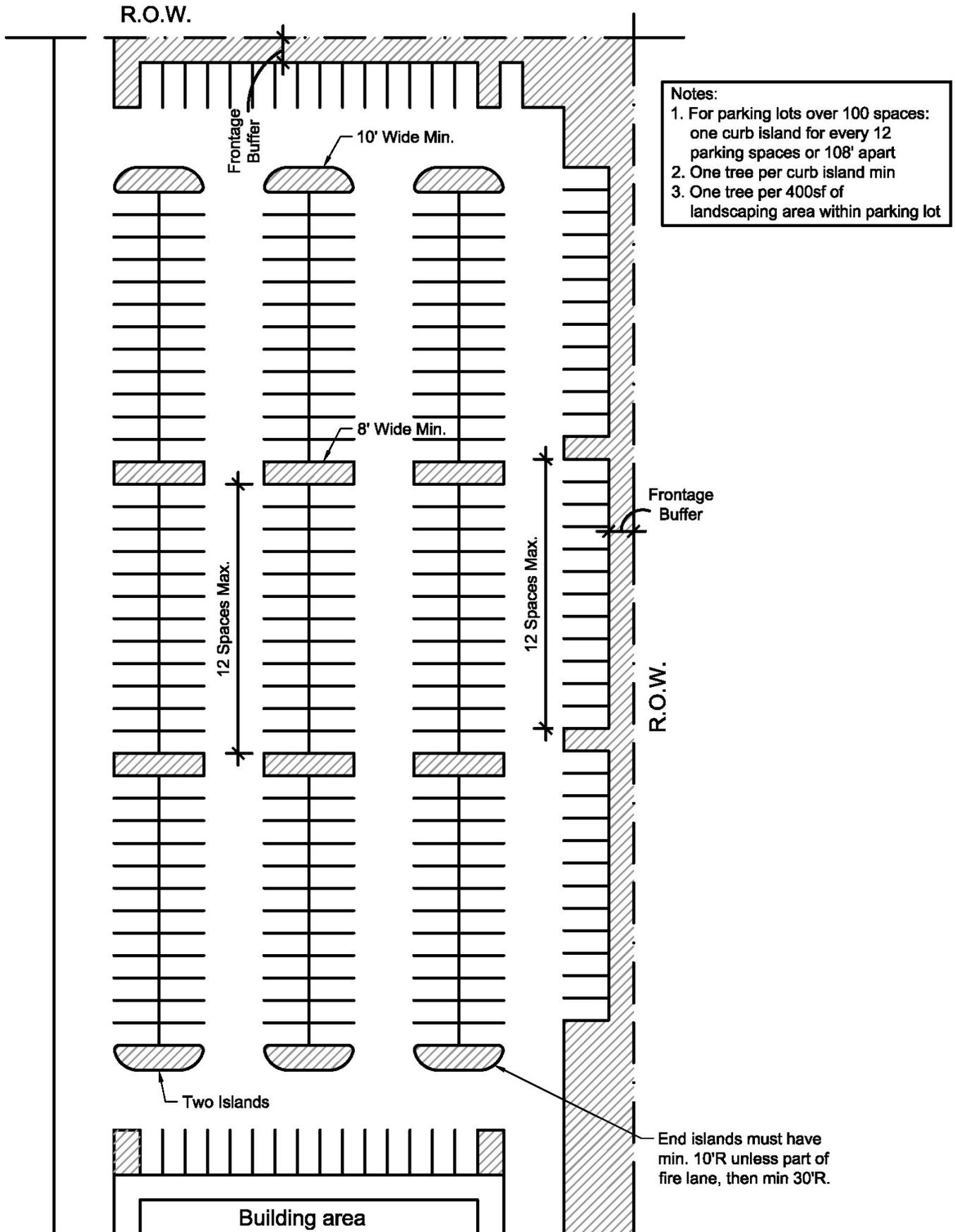


EXHIBIT I  
AWNING DESIGN EXAMPLES



EXHIBIT J-1  
SCREENING OF PARKING AREAS

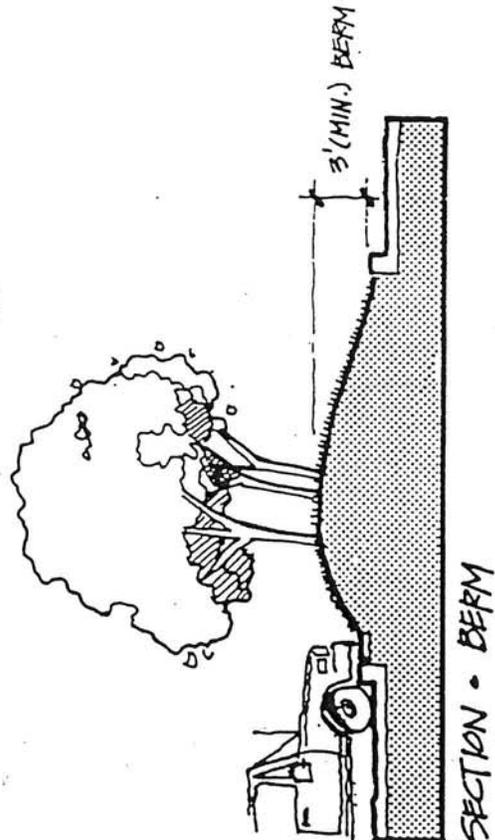
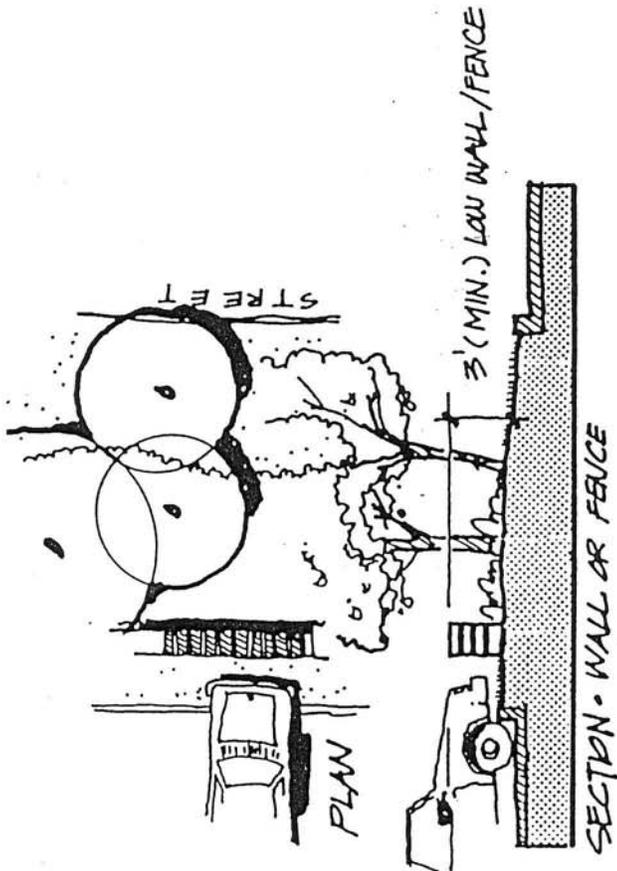
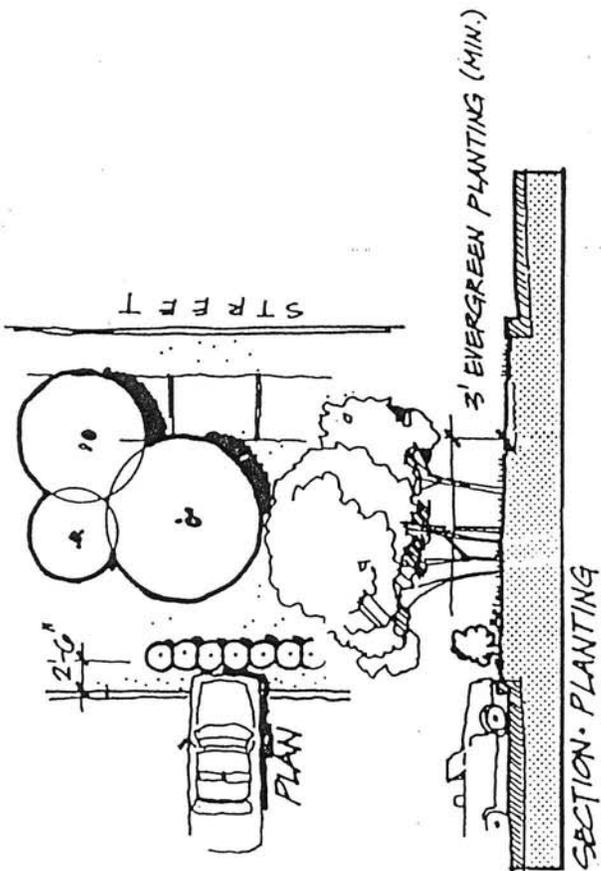


EXHIBIT J-2  
SCREENING OF PARKING AREAS

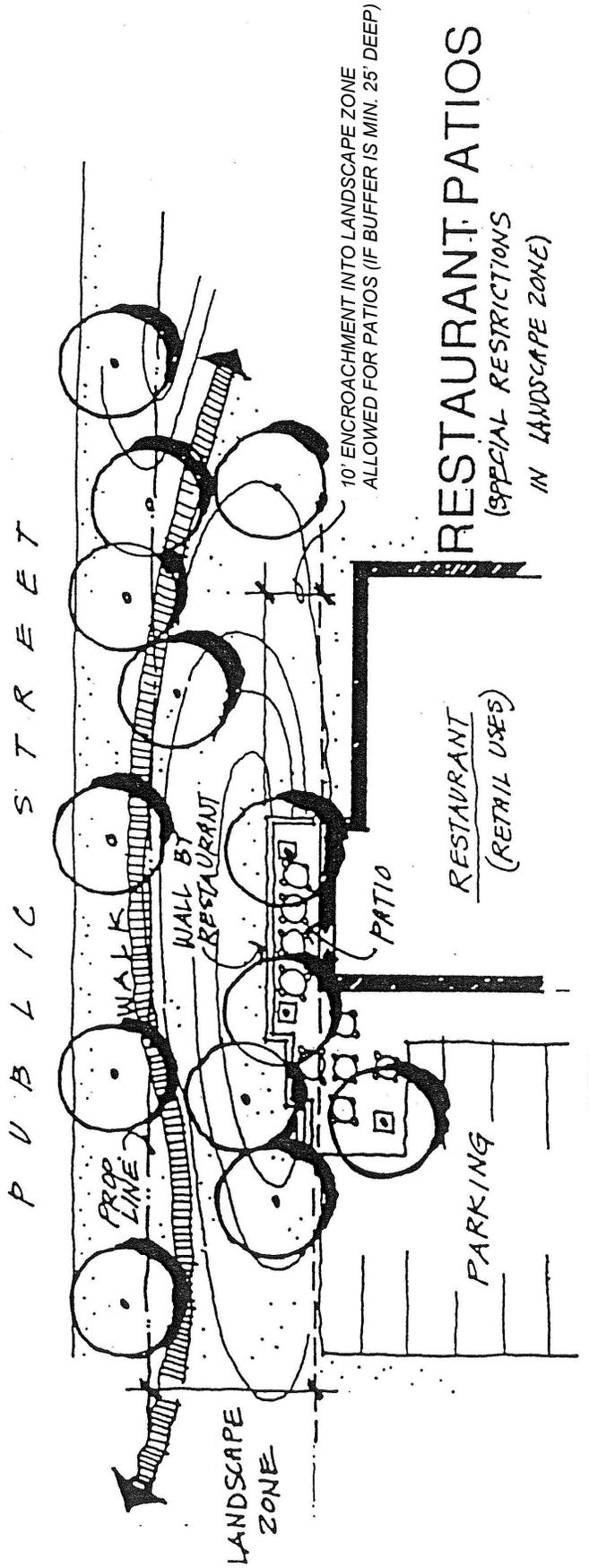


EXHIBIT K  
EXAMPLES OF IDENTITY ELEMENTS

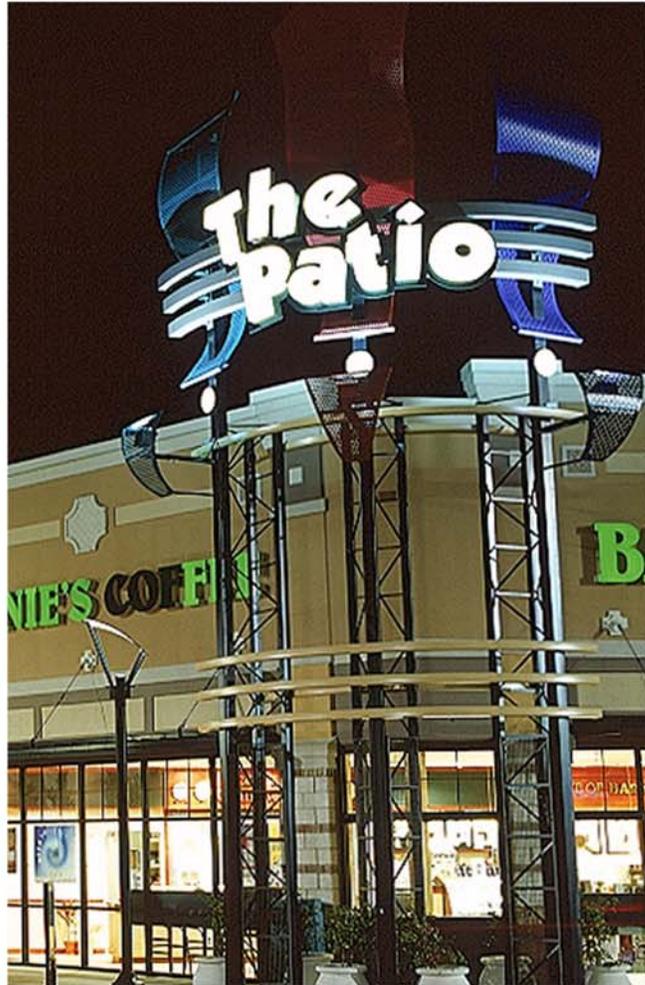


EXHIBIT L-1

EXAMPLES OF BANNERS, BLADE SIGNS, DIRECTIONAL SIGNS, AND IDENTITY ELEMENTS



DIRECTIONAL, IDENTITY SIGN



DIRECTIONAL, BLADE SIGN



DIRECTIONAL SIGN



DIRECTIONAL, BANNER, BLADE SIGN

EXHIBIT L-2  
EXAMPLES OF KIOSKS AND PROJECTING SIGNS



KIOSK SIGN EXAMPLE



PROJECTING SIGN EXAMPLE

EXHIBIT M-1  
WALL SIGNS

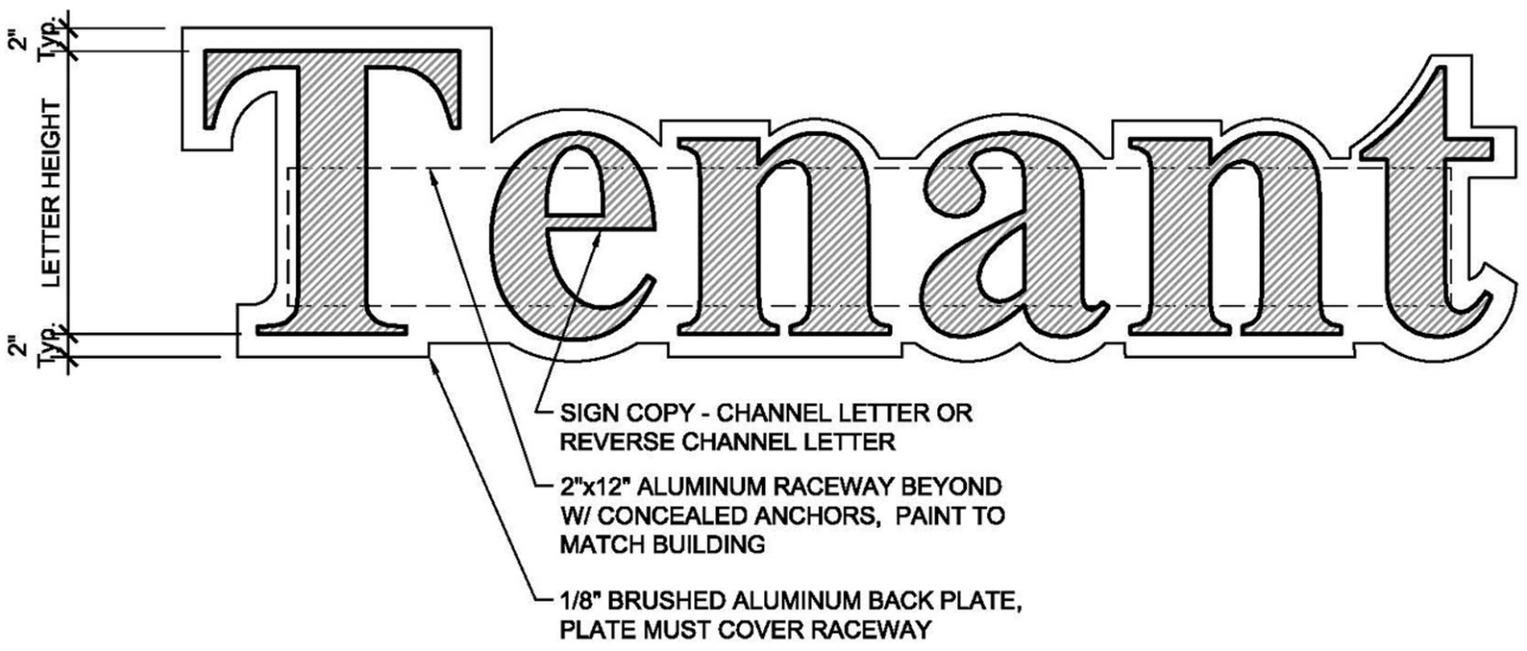
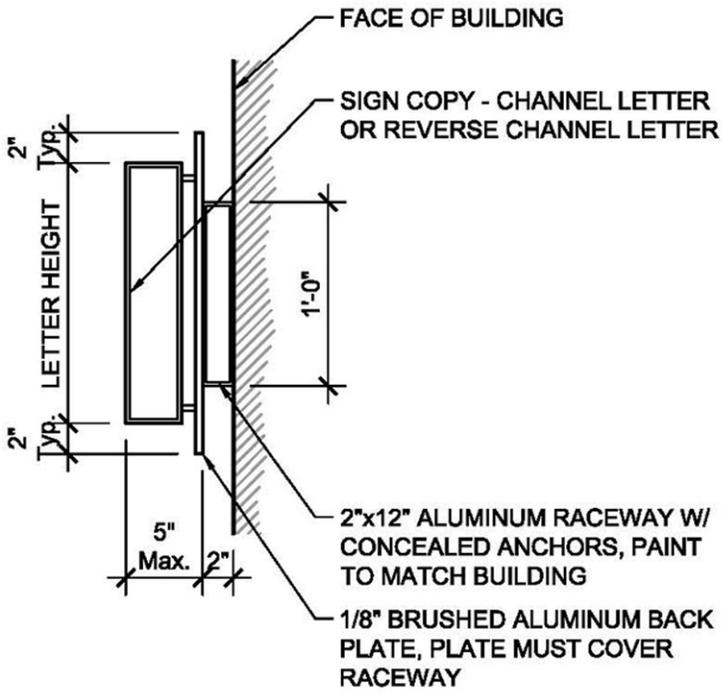


EXHIBIT M-2  
WALL SIGNS



EXHIBIT N  
MASTER SIGN  
PLAN

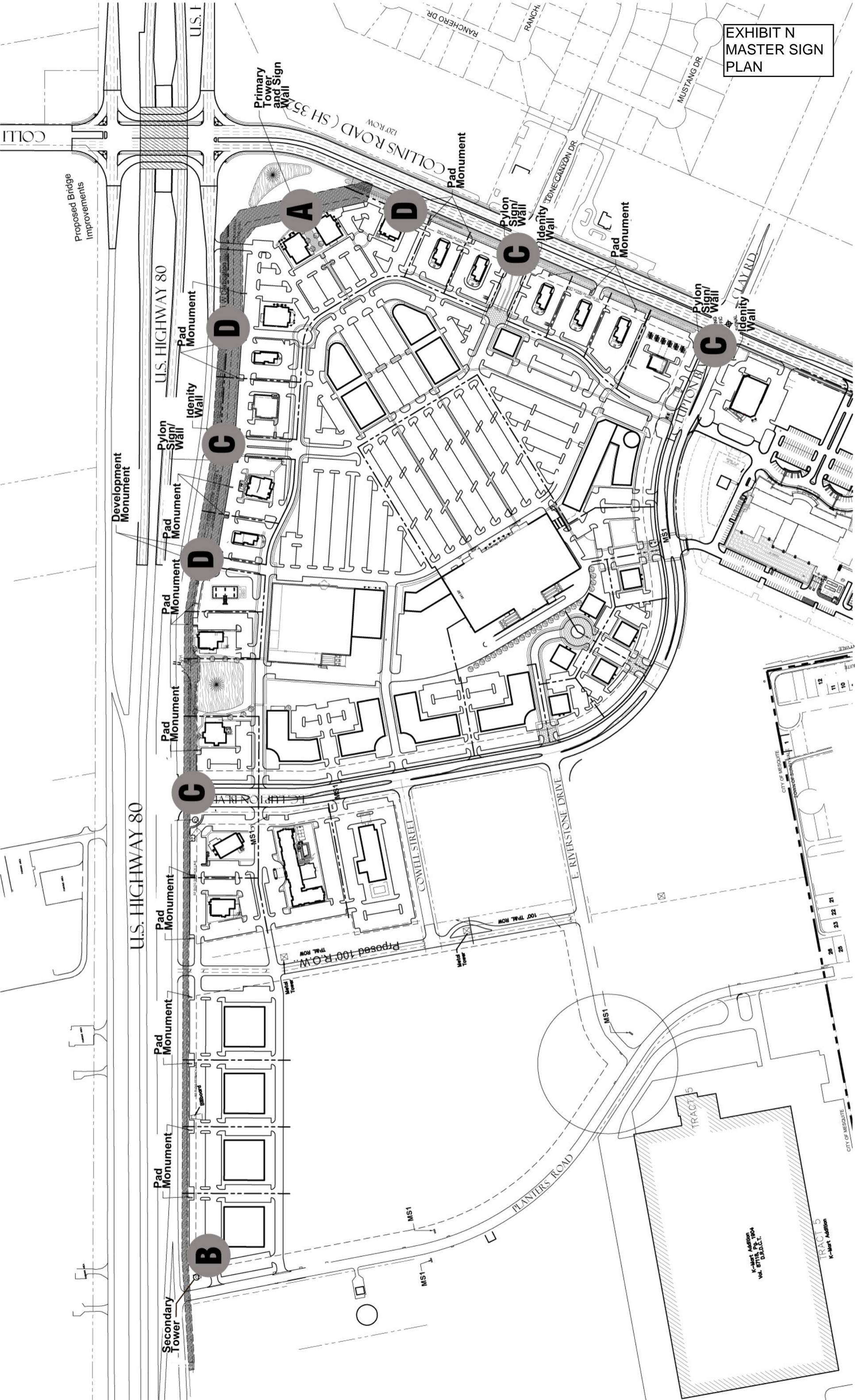
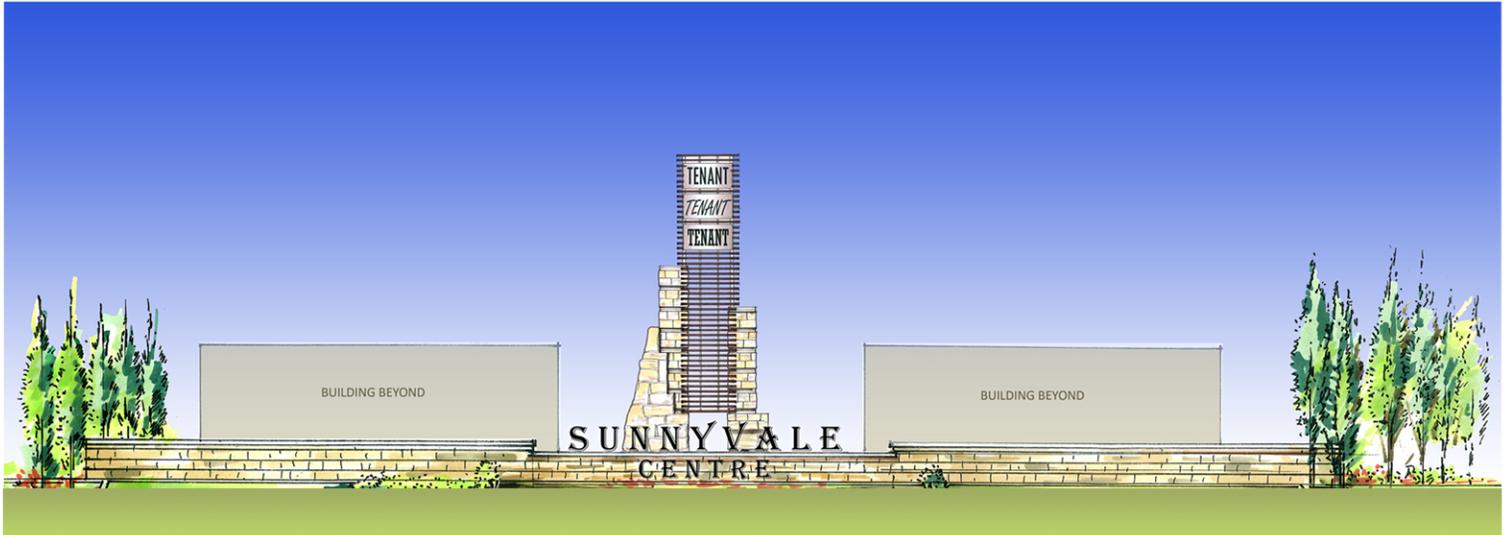
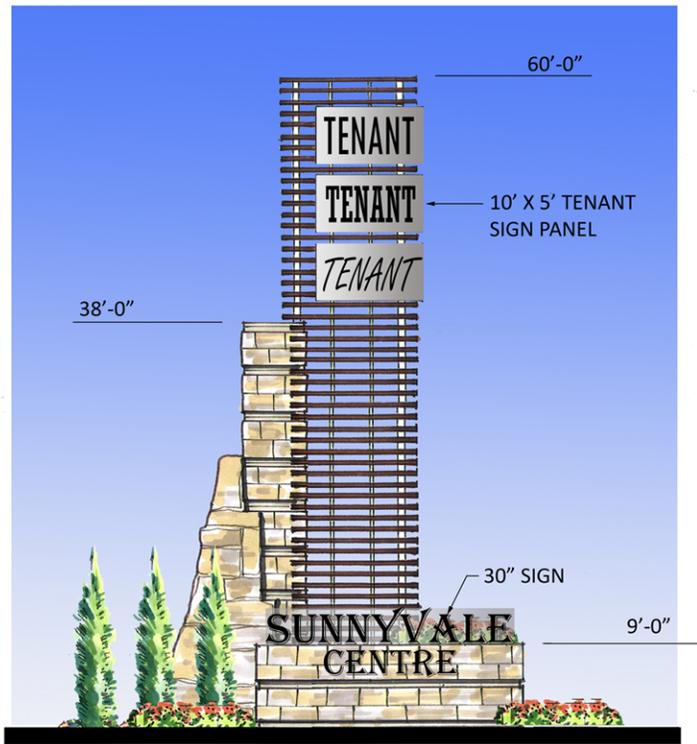


EXHIBIT O-1  
PERMITTED SITE SIGN DESIGN



**OVERALL WALL AND SIGN ELEVATION**

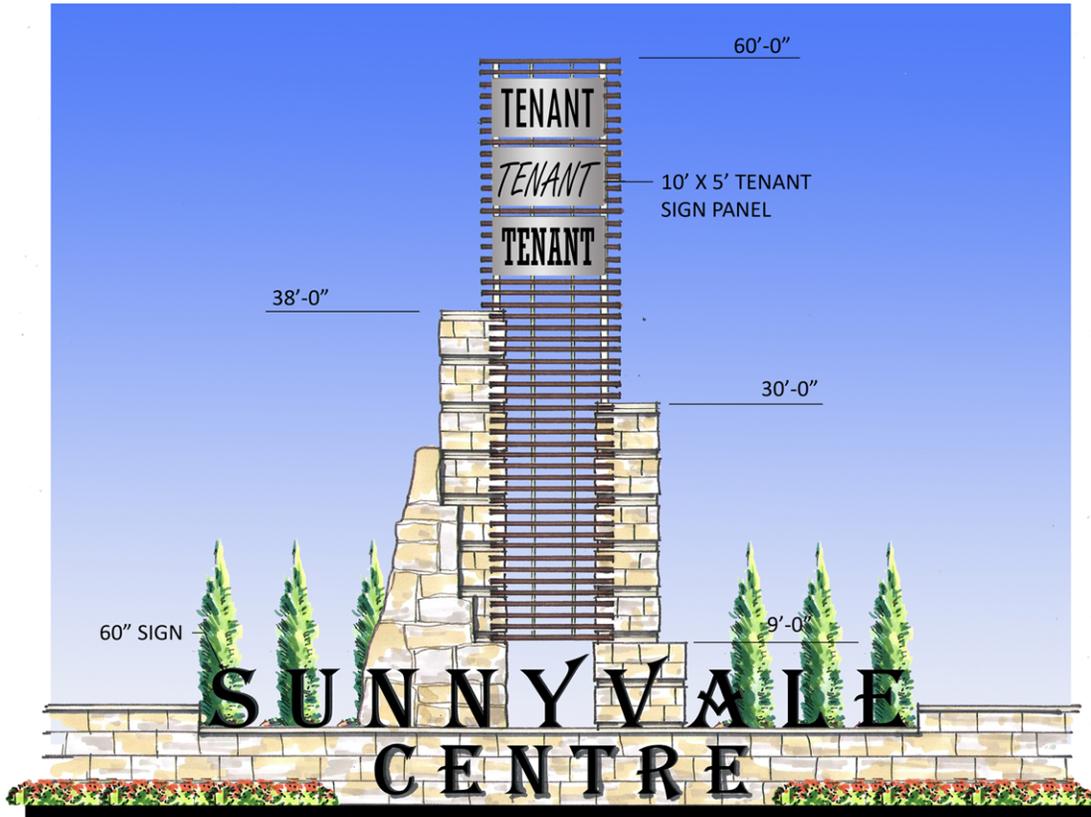
**EXHIBIT O-2  
PERMITTED SITE  
SIGN DESIGN**



**SECONDARY TOWER/SIGN**

**NOTE: TENANT SIGN AREA MAY BE INCREASED  
AN ADDITIONAL 150 SQ.FT.**

#05015 TWS  
09/30/2010



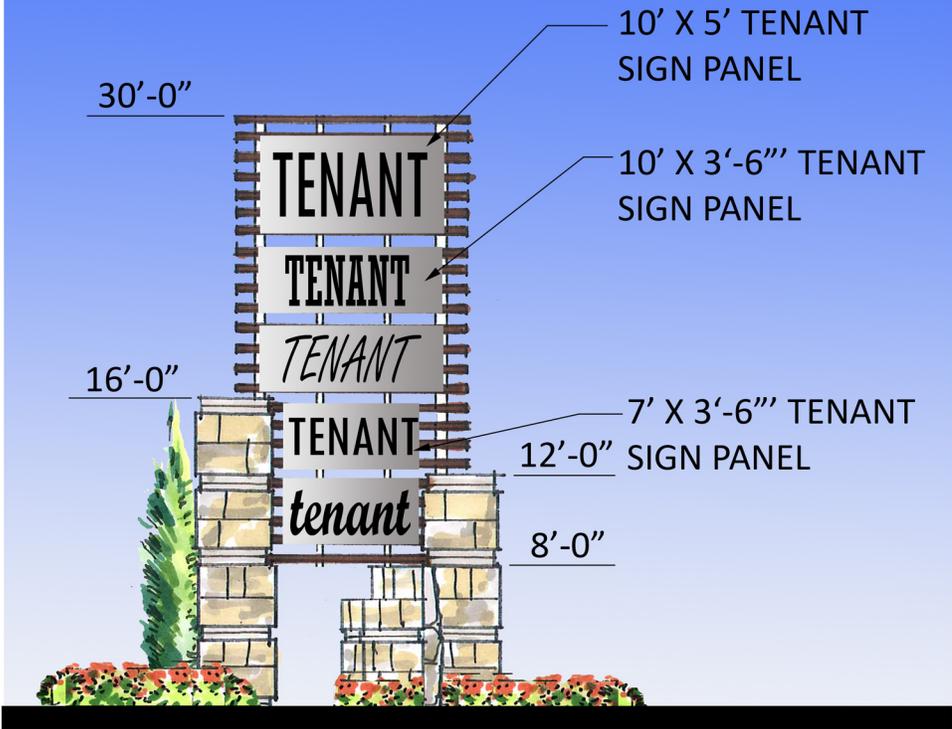
**PRIMARY TOWER/SIGN WALL**

**NOTE: SIGNAGE SHALL BE FOR TENANT NAMES  
OR DEVELOPMENT/CENTER IDENTIFICATION ONLY**

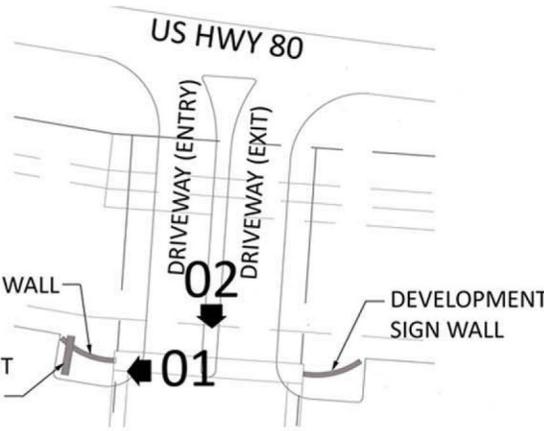
**NOTE: TENANT SIGN AREA MAY BE INCREASED  
AN ADDITIONAL 200 SQ.FT.**

#05015 TWS  
09/30/2010





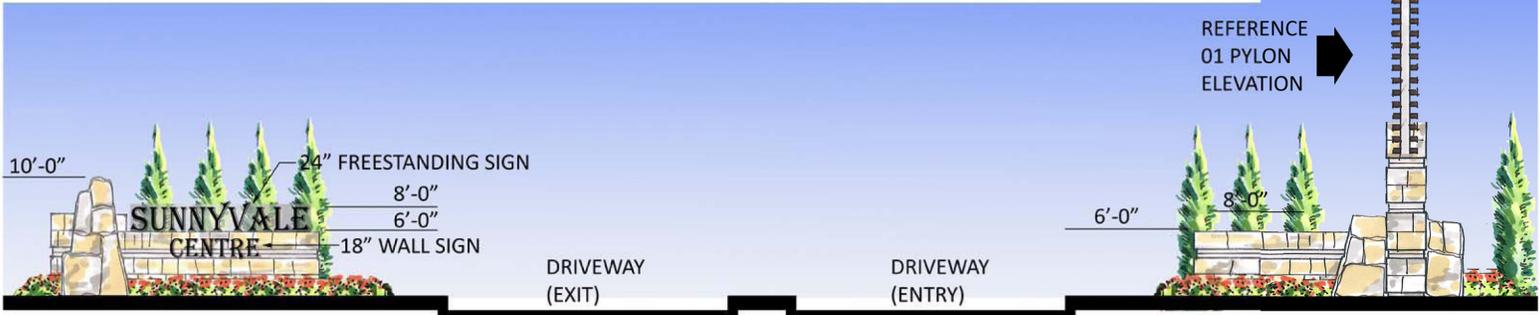
**01 PYLON ELEVATION**



**KEYPLAN**  
Note: Position and spacing varies at other locations.



**02 STREET ELEVATION**



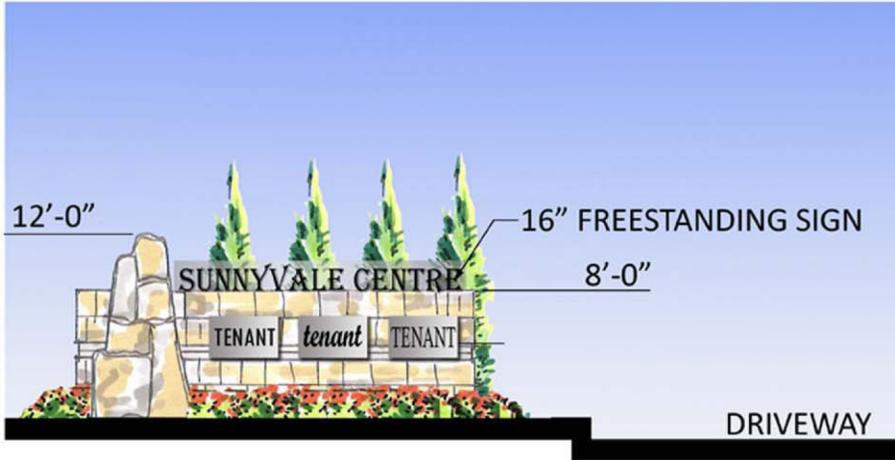
**STREET ELEVATION**

**PYLON SIGN AND ENTRY WALL**

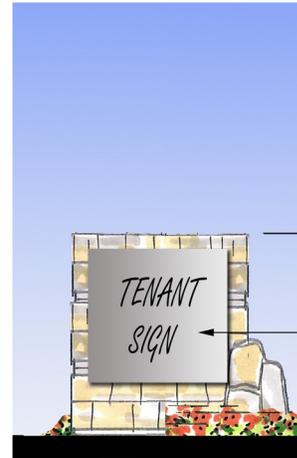
#05015 TWS  
09/30/2010



EXHIBIT O-4  
PERMITTED SITE SIGN DESIGNS



02 ELEVATION



HEIGHT:  
10' ON HWY 80  
8' ON COLLINS  
6' ON T.C. LUPTON

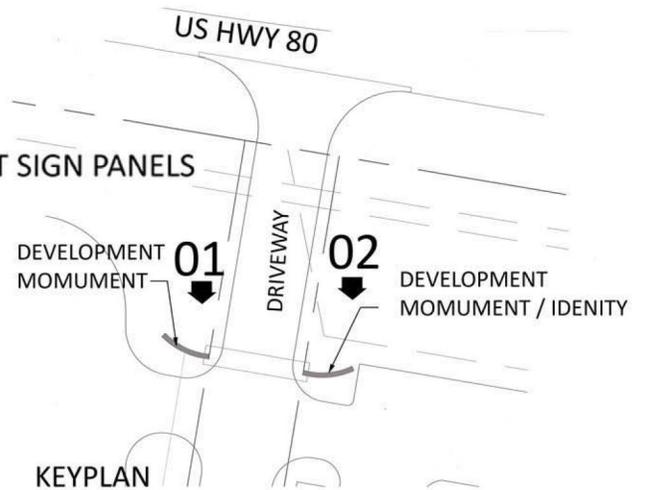
TENANT SIGN PANEL:  
65 SF. ON HWY 80  
56 SF. ON COLLINS  
48 SF ON T.C. LUPTON



PAD MONUMENT



01 ELEVATION



KEYPLAN  
Note: Position and spacing varies at other locations.



STREET ELEVATION

DEVELOPMENT MONUMENT

#05015 TWS  
09/30/2010



EXHIBIT P  
DEVELOPMENT AND SALE SIGNS

Project Announcement Sign Examples  
(Actual Sign Design May Vary)

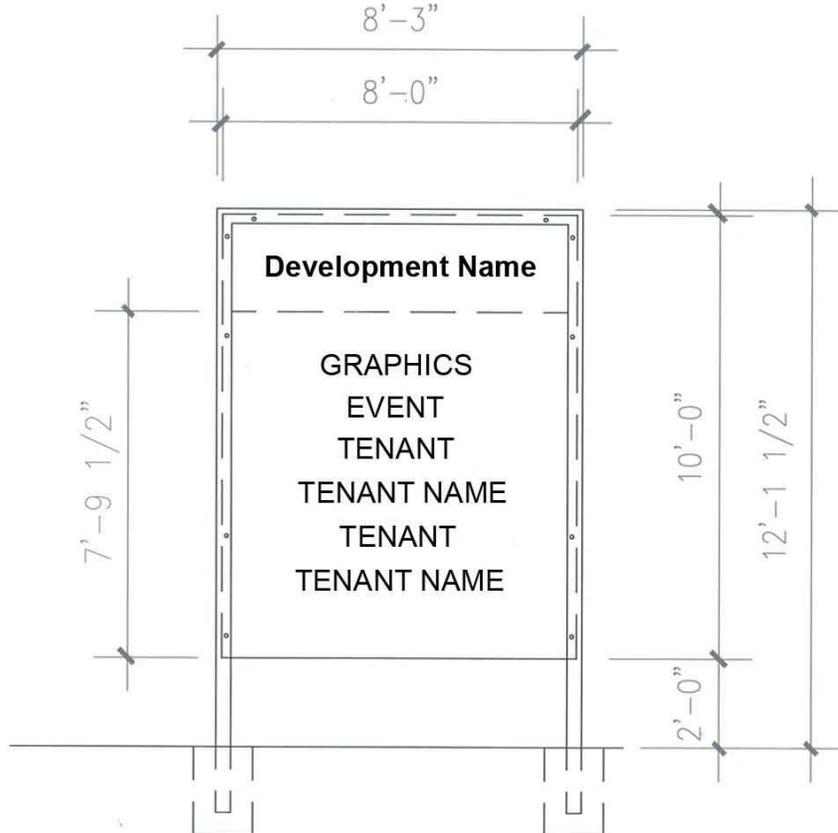
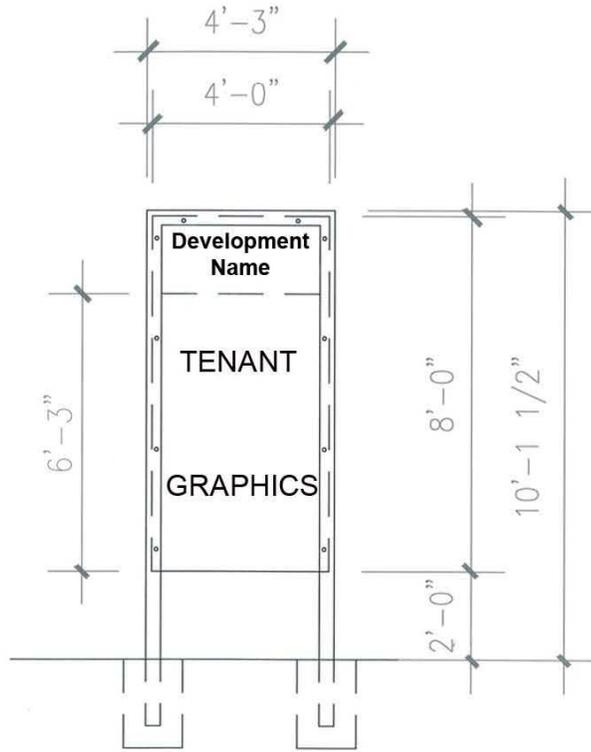
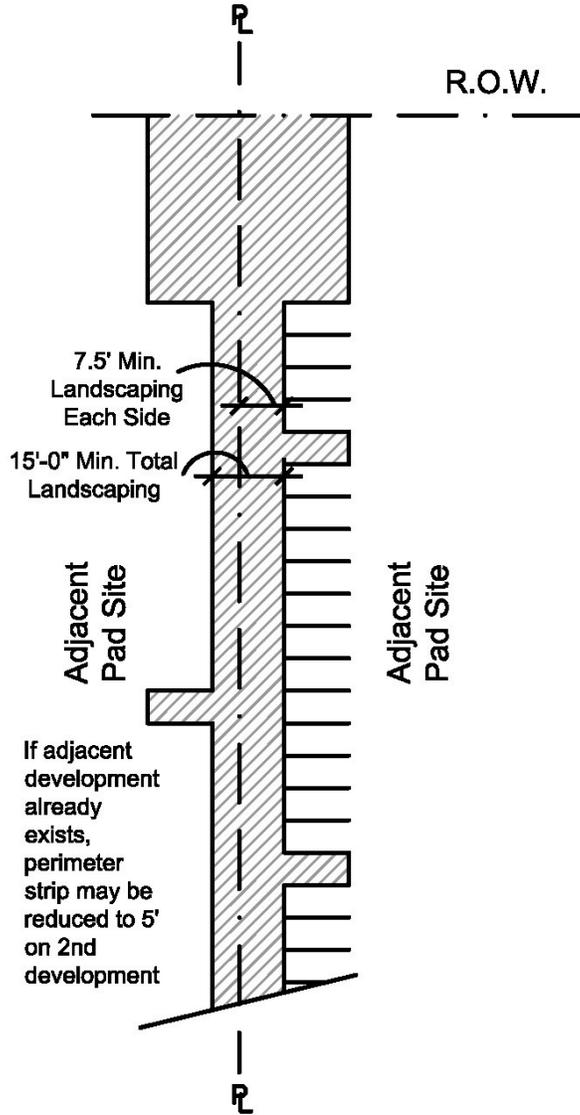


EXHIBIT Q  
LANDSCAPING/BUFFERING BETWEEN PAD SITES

Notes:

1. For parking lots over 100 spaces; one curb island for every 12 parking spaces or 108' apart.
2. One tree per curb island min.
3. One tree per 400sf of landscaping area within parking lot.
4. Each property owner will be required to provide 1/2 of total required trees in the portion of buffer on their lot. When both sides are landscaped the total tree requirements will be provided.



**EXHIBIT R  
BUFFERS AT PAD SITES**

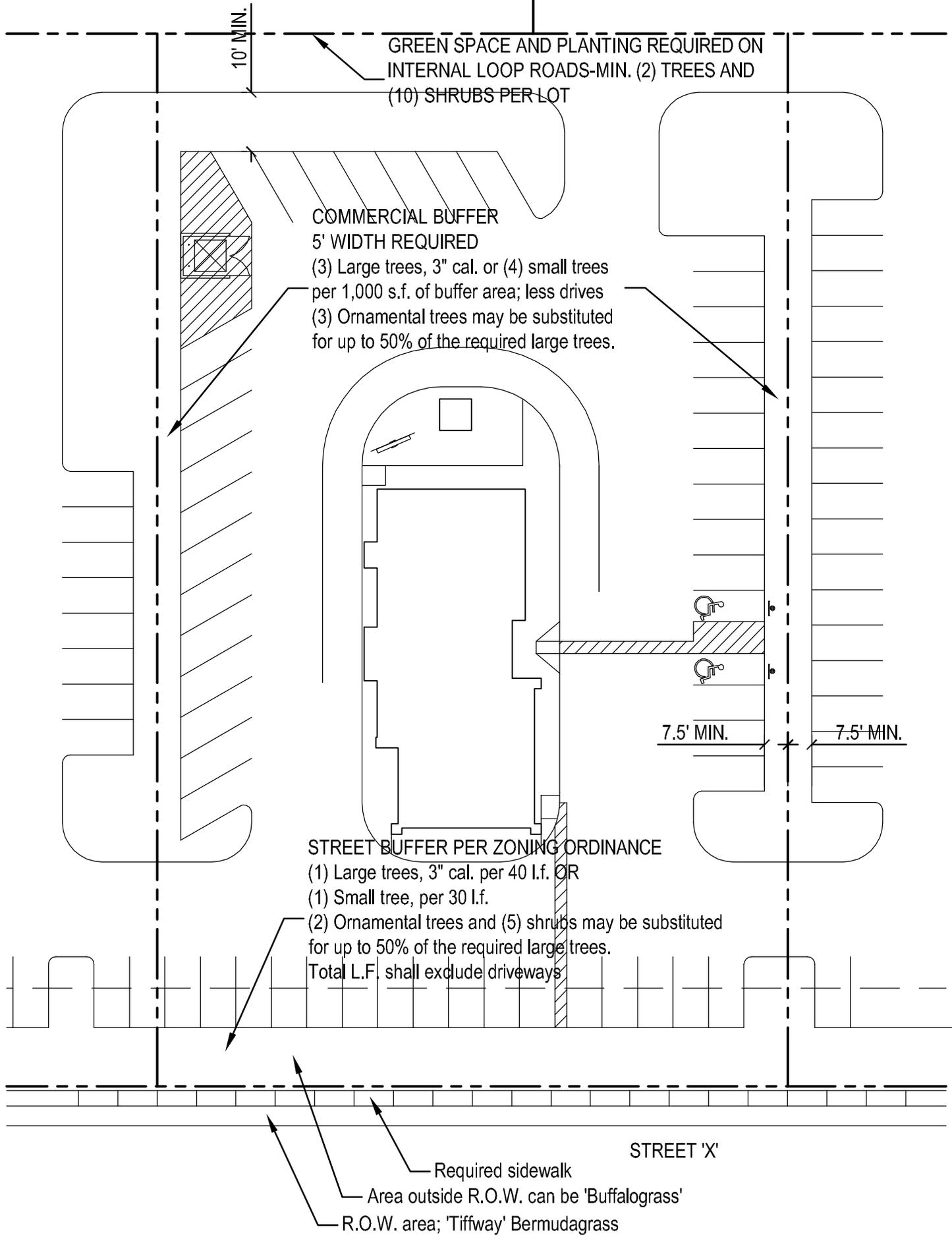


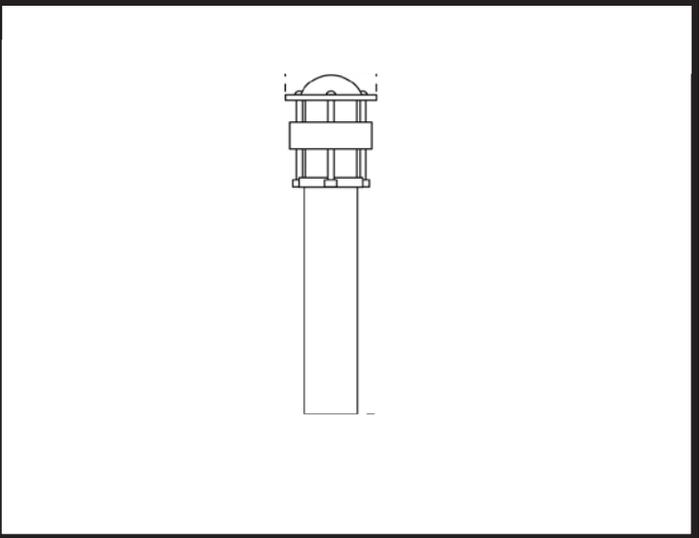
EXHIBIT S  
SITE LIGHTING



Light Fixture Housing

Parking Lot Lighting and Pedestrian Accent Lighting  
(Single head and Double head examples)

NOTE:  
\*Color and height  
will vary from  
photographs.  
\*Some poles will  
have banner arm  
brackets.



Bollard Lighting

**AGENDA ITEM SUMMARY – ITEM # 3**

***ANNUAL WATER QUALITY REPORT***

**DEPT – ADMIN & PUBLIC WORKS**

**DATE – JUNE 25, 2012**

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The Texas Commission on Environmental Quality (TCEQ) requires all public water systems to mail the attached annual water quality report to all residents, and to conduct a public hearing on the report. The report reflects no issues of concern, violations, or required corrective measures. There have been no issues with water samples for this reporting period, or contaminant levels that exceeding TCEQ regulations.

# Consumer Confidence Report: Information Required in All Consumer Confidence Reports

Public Water System Name: TOWN OF SUNNYVALE

Year this report covers: 2 0 1 1

Public Water System ID Number: 5 7 0 0 5 9

(972) 226-7177

*(Your public water system's telephone number)*

For more information regarding this report contact:

Name: JOHNNY W. MEEKS

Phone: (972) 226-7177

Este reporte incluye información importante sobre el agua para tomar. Para asistencia en español, favor de llamar al telefono

(972) 226-7177 (telephone number for assistance in Spanish).

You may be more vulnerable than the general population to certain microbial contaminants, such as *Cryptosporidium*, in drinking water. Infants, some elderly, or immunocompromised persons such as those undergoing chemotherapy for cancer; those who have undergone organ transplants; those who are undergoing treatment with steroids; and people with HIV/AIDS or other immune system disorders can be particularly at risk from infections. You should seek advice about drinking water from your physician or health care provider. Additional guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* are available from the Safe Drinking Water Hotline at (800) 426-4791.

# Consumer Confidence Report: Information Required in All Consumer Confidence Reports

This report is intended to provide you with important information about your drinking water and the efforts made by the water system to provide safe drinking water.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline at (800) 426-4791.

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water include:

- Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- Inorganic contaminants, such as salts and metals, which can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban storm water runoff, and residential uses.
- Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.
- Radioactive contaminants, which can be naturally-occurring or be the result of oil and gas production and mining activities.

Contaminants may be found in drinking water that may cause taste, color, or odor problems. These types of problems are not necessarily causes for health concerns. For more information on taste, odor, or color of drinking water, please contact the system's business office.

In order to ensure that tap water is safe to drink, the EPA prescribes regulations that limit the amount of certain contaminants in water provided by public water systems. Food and Drug Administration regulations establish limits for contaminants in bottled water that must provide the same protection for public health.

# Consumer Confidence Report: Information Required in All Consumer Confidence Reports

## Definitions

*Maximum Contaminant Level Goal or MCLG:* The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

*Maximum Contaminant Level or MCL:* The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

*Maximum residual disinfectant level goal or MRDLG:* The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

*Maximum residual disinfectant level or MRDL:* The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

MFL: million fibers per liter (a measure of asbestos)

mrem/year: millirems per year (a measure of radiation absorbed by the body)

na: not applicable

NTU: nephelometric turbidity units (a measure of turbidity)

pCi/L: picocuries per liter (a measure of radioactivity)

ppb: micrograms per liter ( $\mu\text{g/L}$ ) or parts per billion - or one ounce in 7,350,000 gallons of water

ppm: parts per million, or milligrams per liter ( $\text{mg/L}$ )

ppt: parts per trillion, or nanograms per liter ( $\text{ng/L}$ )

ppq: parts per quadrillion, or pictograms per liter ( $\text{pg/L}$ )

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing.

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### TOWN OF SUNNYVALE

(name of public water system)

is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

# Consumer Confidence Report Information Specific to Your Community Public Water System

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Year this report covers: **2011**

## Source(s) of Water

Type(s) of water: **Surface water**

Any commonly used name of the body(ies) of water: **Lake Lavon, Lake Cooper, and Lake Tawakoni**

Location(s) of the body(ies) of water: **Collin County, Delta County, and Hunt County**

## Source Water Assessment Protection

The TCEQ has completed a Source Water Assessment for all drinking water systems that own their sources. This report describes the susceptibility and types of constituents that may come into contact with the drinking water source based on human activities and natural conditions. The system(s) from which we purchase our water received the assessment report. For more information on source water assessments and protection efforts at our system, contact Johnny W. Meeks.

Notice of Any Opportunity for Public Input

**Date:** 06/25/2012  
**Time:** 7:00 p.m.  
**Location:** 127 Collins Road  
**Phone Number:** (972) 226-7177

**Inorganic Contaminants**

Name of Inorganic Contaminant	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL (unless treatment technique or action level is specified)	Unit of MCLG and MCL	Was This a Violation?	Likely Source of Contamination
Nitrate (measured in Nitrogen)	2011	0.322	0.322-0.322	10	10	ppm	N	Runoff from fertilizer use; leaching from septic tanks; sewage; erosion from natural deposits
Nitrite (measured as Nitrogen)	2011	Levels lower than detect level		1	1	ppm	N	Runoff from fertilizer use; leaching from septic tanks; sewage; erosion from natural deposits

**Synthetic Organic Contaminants including Pesticides and Herbicides**

<b>Name of Organic Contaminant</b>	<b>Collection Date</b>	<b>Highest Level Detected</b>	<b>Range of Levels Detected</b>	<b>MCLG</b>	<b>MCL (unless treatment technique or action level is specified)</b>	<b>Unit of MCLG and MCL</b>	<b>Was This a Violation?</b>	<b>Likely Source of Contamination</b>
Dalapon	7-26-2006	Levels lower than detect level	0-0	200	200	ppb	N	Runoff from herbicide used on rights of way.

**Disinfectants and Disinfection By-Products**

Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous systems, and may have an increased risk of getting cancer.

Name of Disinfectant	Average Level	Min Level	Max Level	MRDL	MRDLG	Unit	Source
Chloramines	1.61 mg/l	.53 mg/l	2.2 mg/l	4	4	ppm	Disinfectant used to control microbes

Name of Disinfectants and Disinfection By-Products	Collection Date	Highest Level Detected	Range of Levels Detected	MCLG	MCL	Units	Was This a Violation?	Likely Source of Contamination
Haloacetic acids	2011	17	17-17	n/a	60	ppb	N	By-product of drinking water disinfection.
TTHMs (Total trihalomethanes)	2011	48	47.6-47.6	n/a	80	ppb	N	By-product of drinking water disinfection.

**AGENDA ITEM SUMMARY – ITEM # 4**

***PRESENTATION OF CASH HANDLING AND INTERNAL  
CONTROLS ASSESSMENT***

**DEPT – ADMIN/FINANCE**

**DATE – JUNE 25, 2012**

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Mayor Phaup provided council a copy of the above referenced report prior to the last council meeting. Monday night attorney Walt McCool and our consultants, Webb Watch, will present their report and findings. Another copy of the report is attached.



# Cash Handling Internal Control Assessment – Town of Sunnyvale

McCool Law Firm, P.C.

Webb Watch Corporation  
4/11/2012

McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment  
April 11, 2012

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**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment**  
**April 11, 2012**

## **Overview**

Webb Watch Corporation (WWC) was engaged, by McCool Law Firm, P.C. (Client), to perform an assessment of the Town of Sunnyvale's (Town) cash handling internal controls. WWC did not perform any procedures related directly or indirectly to the alleged misconduct at the City, which is currently being investigated by the Dallas County Sherriff (Sheriff). WWC did not review or validate any results of the investigation, nor verify any financial figures given by the Town, the Client, or other sources. WWC asked general questions and examined basic documents related to the overall issue within the misconduct in order to provide the most accurate internal control recommendations possible. All investigative work was left to law enforcement. The Objective and Scope section below will further define the purpose of WWC's assessment.

## **Objective and Scope**

As described in the Overview, WWC performed an assessment of the Town's cash handling internal controls for the Client. WWC focused on the central cash handling facility located at 127 North Collins Road, Sunnyvale, TX 75182. This facility is the central collection point for cash processes within the Town. WWC performed specific procedures for Utility Billing, Court, Building Inspections, Library, and Animal Control. WWC's assessment of internal controls occurs at a point in time with recommendations meant to be implemented and changed in future operations. As such, areas such as property tax collection were not part of the assessment since the Town stopped collecting payments in October 2011. For the purposes of this report, the term cash or cash handling shall include the collection of revenue sources for payment types including cash, check, money order, ACH, credit card, and other similar payment options.

In order to complete the assessment, WWC performed procedures to understand the Town's internal controls and make recommendations on those controls. WWC performed several different types of procedures including interviews, observations, document examination, data analysis, analytical procedures, information systems inquiries, and other similar procedures during the months of December 2011 and January 2012 with initial recommendations to the Client being provided in January 2012. WWC did not verify or attempt to verify the implementation of or operating effectiveness of internal controls, but focused on the design of the process. The level and type of procedures implemented were based on WWC's professional judgment, but limited only to internal controls.

## **General Observations**

While not unusual given the size of the Town's employee base, WWC noted that several key internal control gaps existed within the cash handling process, which are covered in the recommendations presented below. At the time of the assessment, the internal control environment was not fully designed to meet all normal cash handling objectives, prevent and detect misconduct, provide for timely reporting and reconciliation, secure the cash and cash equivalents, or provide Town management with assurances of the accuracy of the cash collection balances.



**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment  
April 11, 2012**

**Recommendations**

Based on the Objective and Scope presented, WWC presents the following recommendations to the Client for the Town. Each recommendation should be analyzed and understood using a cost-benefit approach. In most cases, the optimal situation was recommended with a possible secondary option if the first option proves too costly. That being said, it is the responsibility of the Client and the Town to implement and act on the recommendations. WWC is not responsible for the accurate and appropriate implementation of the recommendations below. For the Client’s understanding, WWC has grouped the recommendations into specific groups to help determine the possible importance of each recommendation when compared to others. WWC strongly advises the Client to instruct the Town to implement each and every recommendation; however, WWC understands that not all recommendations may be practical or useful to the Client and the Town. The groups are as follows:

- High – Significant risk of a breakdown in process objectives if the recommendation is not implemented.
- Medium – Moderate risk of a breakdown in process objectives if the recommendation is not implemented.
- Low – Some risk of a breakdown in process objectives if the recommendation is not implemented.

A breakdown in process objectives could result in failure of management’s specific objectives, failure to follow policies or procedures, inability to meet one or more financial statement assertions, increased potential for misappropriation of assets, and many other possibilities. Finally, it is important to note that many of the recommendations can be implemented with little to no monetary cost to the Town; however, the change may result in additional staff time or process redesign.

Number*	Area	Finding	Recommendation(s)	Importance	Town’s Response	Town Status
1	Policy and Procedures	A written cash handling policy does not exist for the Town.	Implement a written, approved Town cash handling policy. The policy should cover all cash handling locations and document key steps, controls, and processes.	High	A Cash Handling Policy is under development.	In Progress
2	Policy and Procedures	Written cash handling procedures do not exist for the Town.	Document key cash handling procedures that the Town performs to comply with the implemented policy. These include beginning of day, end of day, deposit, and many others.	High	A Cash Handling Procedures Manual is under development.	In Progress
3	Policy and Procedures	Updated job descriptions do not exist or are not kept up-to-date for all cash handling positions.	Document the roles and responsibilities for each position in performing cash handling responsibilities.	Low	Job descriptions will be updated by the Human Resources and Finance Departments.	In Progress



**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment**  
**April 11, 2012**

Number*	Area	Finding	Recommendation(s)	Importance	Town's Response	Town Status
4	System	Incode users have been granted administrative access to all modules regardless of role or position, thus duties are not appropriately segregated within Incode (i.e., cash handling, non-cash adjustments, journal entries, custody of the assets, etc.).	First, examine all users' tasks and responsibilities. Remove users from the modules which are unnecessary for their job responsibilities. For example, court would not need access to accounts payable. Second, customize the access ability for each person within each necessary module. The customization would include user groups and rights such as read-only, post, edit, etc.	High	Roles have been reviewed and appropriate access right adjustments have been made.	Implemented
5	System	Generic Incode user IDs exist such as "front desk" or "permit technician."	Remove all generic user IDs from Incode. All employees should only use Incode under their own user ID and password. In addition, user IDs should not be position based (i.e. finance director).	High	Login can be department specific and passwords are unique to the terminal operator.	Implemented
6	System	Incode administrative rights and access reside within a user department (i.e., a super user).  Incode access rights are not periodically reviewed by Town personnel.	First, consider shifting the administration of user ID access and passwords to a person or function outside of the user department. Second, implement a formal approval process to change user ID access rights including hiring, termination, and position changes. The formal process should include a signed memo requesting the change and explaining the reason for the change. The memo should be approved and signed by the new administrator. Third, perform and document an annual (at least) review of Incode access rights and make any necessary modifications.	High	User ID and access will be determined by the Finance Department and Town Manager.  At least annually a review will be made of all Incode access rights.	Implemented
7	System	At times, individual, named user IDs are shared by employees when the user performs a login to allow processing of transaction from a single work station.	Users should only process transactions on their station under their user ID.	High	Terminals have been changed to be accessed only by the individual assigned to that Terminal. No terminal sharing.	Implemented

**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment  
April 11, 2012**

Number*	Area	Finding	Recommendation(s)	Importance	Town's Response	Town Status
8	Cash Collections Process	Employees share cash drawers/bags when taking money (i.e., court electronic drawer, utility billing cash bag)  Locking cash drawers and/or bags are not used for all employees or collection methods.	Implement separate cash drawers/bags for each employee. Ideally, each cashier (considering maximum shift size) should be operating out of an electronic drawer linked to Incode (i.e., court). A less expensive alternative would be to implement locking (with a key) bank bags stored in locking desk drawers. The bank bag keys should be maintained by each cashier. In either case, cashiers should never operate out of the same drawer/bag.	High	Each cash handler has their own cash drawer or cash bag that is under their Single Control.	Implemented
9	Cash Collections Process	Utility payments are not always immediately entered into the Utility Billing module. At times, the recording of the payment is delayed for several days.	Implement or change the collection process to require all payments to be immediately entered and applied in Incode by the cashier. Walk-in payments should be applied immediately in Incode with a system receipt being provided to the customer. Mail payments should be scanned and applied in Incode on the same day. If Incode receipts cannot be utilized, a manual, pre-numbered/carbon copy receipt should be issued.	High	Payments are expected to be posted within 24 hours (excluding weekends and holidays) of receipt. Cross training will be considered in areas when staff are out of office for more than a day.	Implemented
10	Cash Collections Process	A specific dual counting process does not exist for opening the mail or retrieving payments from the drop-box outside of Town hall.	Implement a mail/drop-box log for two individuals to open and document the mail/drop-box including signatures and dates for the total amount received. Process the mail/drop-box immediately in a batch using the remittance machine.	Medium	Due to the low risk of mail payments and staffing limitations, the Town will not implement this recommendation.	Not Implemented
11	Cash Collections Process	Scanned checks, using the remittance machine, are not restrictively stamped or voided on the face of the check. This is simply performed in the electronic bank file.	Consider updating the remittance machine to physically endorse and mark the checks as they are processed through the machine. If not possible or cost effective, consider creating a "void or processed" indicator on all physical check copies. Also consider the security of the processed checks. They should be locked in a restricted cabinet or area.	Medium	The scanner has been updated to print a unique ID number on the back of the check as it is scanned.	Implemented

**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment**  
**April 11, 2012**

Number*	Area	Finding	Recommendation(s)	Importance	Town's Response	Town Status
12	Cash Collections Process	The remittance machine does not scan any kind of customer bill, but only the check copies.	Determine if the remittance machine can be configured to scan and apply payments directly to Incode as the check is scanned.	Medium	Research into the whether the current Incode system can support this as well the cost of converting a substantial part of the Town's payment system is required.	Long Range Planning and Budgeting
13	Cash Collections Process	Incode system flags are not utilized for specific situations such as non-sufficient funds (NSF) checks.	Determine if Incode will allow system flags to be placed on customer accounts with outstanding balances, fees, or other similar items. A flag typically creates a pop-up box upon opening the customer's account.	Low	Returned checks are monitored through the adjustment and past due Incode applications.	Implemented
14	Cash Collections Process	Logs are not utilized when cash is exchanged between departments and the central cashier (transfer of possession of cash).	Implement basic cash logs for exchanging cash between locations and/or departments. The log should include the date, amount, signature of the receiver, signature of the deliverer, and any notes. Second, consider having remote locations perform their own deposit and dual counting process.	High	Exchanges between departments are rare - to change large bills - and require two people.	Implemented
15	Cash Collections Process	No signs asking customers to request a receipt copy are present.	Post signs asking customers to request Incode-generated receipt copies as evidence of their payment.	Low	There is no signage to the effect in Town Hall.	Long Range Planning and Budgeting
16	Cash Collections Process	The animal control department does not maintain a standard pre-numbered receipt book, but individually printed and created pre-numbered receipts.	Implement a standard carbon-copy, pre-numbered receipt book. Maintain all receipt copies for each year documenting the purpose of the payment. Document any gaps in receipt numbers.	Low	This process is in place.	Implemented
17	Deposit Process	Deposits are made on an infrequent basis.	Deposits should be made on a daily basis based on the implemented cash handling policy. If deposits are not made daily, total cash on hand amount should trigger the deposit.	High	The deposit process has been implemented as suggested.	Implemented

**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment**  
**April 11, 2012**

Number*	Area	Finding	Recommendation(s)	Importance	Town's Response	Town Status
18	Deposit Process	The cash balance sheet is not appropriately designed to document the cashier and reviewer of each daily deposit.	Implement a cash handling sheet that contains a place to document the money received, the under/over amount, notes, signatures, and dates. Signature locations should be available for both the cashier and a reviewer.	High	New cash balancing sheet is being used with the suggested changes.	Implemented
19	Deposit Process	The deposit is typically handled by a single person at some point in the process.	Dual counts should be utilized for all cash deposits. Typically, cashiers should blind count their drawer down to the starting balance. A supervisor would then count the cash and agree it to Incode in the presence of the cashier. After that, the deposit would be placed into a tamper-proof bank bag. The two individuals would document, sign, and seal the bag together. The starting balance and drawer would be placed in the safe along with the sealed deposit bag.	High	Cash is verified by two individuals and initialed. Cash and any checks that fail to scan are placed in tamper-proof bags with the initial of two individuals and logged in with a unique cash bag number. The courier verifies the unique tamper-proof bag number against the log and initials as courier. Start up cash is under Single Control and placed in a locked bag and placed in the safe.	Implemented
20	Deposit Process	Tamper-proof bank bags are not utilized. Thus, no tamper-proof log is maintained.	Implement tamper-proof bags for the deposit process. The bags should be tracked and logged based on usage. Cashiers and supervisors should sign the bag (both pieces), log, and cash count sheets. Any re-opened bags should be documented on the log with a supervisor signature.	High	This has been implemented.	Implemented
21	Deposit Process	Pre-numbered deposit slips are not utilized.	If available, consider implementing pre-numbered deposit slips. Agree the used deposit slips to the sequential numbered receipt copy within the deposit book.	Medium	This is mitigated by the use of pre-numbered deposit bags and posting history reports (recommendation 19).	Not Implemented
22	Deposit Process	Several cash balance sheets reflect a starting balance of \$200; however, the amount was crossed out and replaced with a range of	Implement cash handling starting balance for all cash drawers. Include the starting balance in the approved policy.	High	Cash drawer beginning balance will always start at a pre-determined amount. Should an over/short occur it will be processed through the over/short application of the Incode system on the day of	Implemented

**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment**  
**April 11, 2012**

Number*	Area	Finding	Recommendation(s)	Importance	Town's Response	Town Status
		numbers between \$110 and \$120 to support the balancing of the transactions.			occurrence. Cash drawers will be verified at the end of each day even if no cash transactions occurred.	
<b>23</b>	Deposit Process	The supporting documentation for the deposits is inconsistent (i.e., missing copies of deposit slips, copies versus originals, unusual use of white-out, pen on the yellow deposit slip copy, and differences between deposit slips and balancing sheets).  One deposit, within the month of October for the Utility account, appears to contain both checks and cash when all other deposits contained only cash.	Document the expectations for supporting documentation in the approved cash handling policy. Provide periodic cash handling training for all cash handling employees.	High	Expectations for supporting documentation will be managed through the Finance Department. Incomplete or inconsistent support documents will be researched by the Finance Department. Checks that fail to scan are sent to the bank as a manual deposit. This happens infrequently with money orders, government issued checks, and checks not of standard size or intricate artwork. Permits is the exception due to the nature of fees collected. Fees are split between Town funds (i.e. impact, water & general) but paid by one check and require a manual deposit.	Implemented
<b>24</b>	Deposit Process	The bank deposit process requires added security.	Ideally, an armored car should pick-up all bank deposits. If not cost effective, consider using the Sherriff or other peace officer.	High	The Town will consider the options available to deliver the deposit to the bank.	Long Range Planning and Budgeting
<b>25</b>	Reporting Process	Incode access logs/audit logs are not periodically reviewed by Town personnel.	Periodically review all Incode logs/audit logs for unusual activity. The review should be performed by the Director of Finance, Town Manager, and any other necessary personnel.	Medium	Quarterly access/audit logs will be reviewed for unusual activity by the Finance Administrator and reported to the Town Manager.	Implemented

**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment  
April 11, 2012**

Number*	Area	Finding	Recommendation(s)	Importance	Town's Response	Town Status
26	Reporting Process	Non-cash activity (i.e., voids, adjustments, credits, deletions) are not reviewed by any Town personnel.	Review all non-cash adjustment entries from all modules on at least a weekly basis. The review should be performed by an employee with sufficient understanding of the process and trends. The reviewing employee should not have access to make non-cash adjustments. If they do, someone outside of the process should also review their entries.	High	Monthly all non-cash adjustment entries will be reviewed the by the Finance Administrator and appropriate Department Director.	Implemented
27	Reporting Process	Badge access activity is not periodically reviewed by Town personnel.	Periodically review the badge access activity/logs for unusual trends or patterns (i.e., entry at 4 AM, multiple rejections, etc.). The review should be performed by the Director of Finance, Town Manager, and any other necessary personnel.	Medium	Monthly badge access activity will be reviewed by the Community Services Director and reported to the Town Manager.	Implemented
28	Security	The safe is located within the "network/server" room, which is not securable or lockable due to the setup of the room (e.g., the door must remain open to allow ventilation of the computer equipment).	Consider creating a vault room for the safe. A vault room would typically include the safe, camera, and door with a badge access reader. Only those with cash access requirements should access the vault area, which should be restricted by the badge access reader.	Medium	The server room and adjacent areas will need to be re-configured and staff will research the Town's options and cost.	Long Range Planning and Budgeting
29	Security	The combination to the safe is not changed periodically.	Consider changing the combination to the safe periodically and/or when someone with cash handling responsibilities transfers or leaves the Town.	Medium	The combination of the safe was changed on December 21, 2011 and will be changed when a code holder leaves the Town or is re-assigned.	Implemented
30	Security	The network/server room is not restricted by badge access.	If a vault room is created, a badge access reader should be considered. The badge access to the vault would allow the Town to restrict the personnel as well as the date and time of entry into the room. Depending on the badge system, logs would be generated for successful and failed entry attempts.	Medium	This possibility will be researched in conjunction with item 28.	Long Range Planning and Budgeting

**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment**  
**April 11, 2012**

Number*	Area	Finding	Recommendation(s)	Importance	Town's Response	Town Status
31	Security	Video cameras are not present in any of the cash handling areas including the front counter, office area, or network/server room.	Consider installing cameras in all cash handling areas. Cameras should cover the public areas outside the window, the cashier stations, the network/server room, and any other locations where money is taken or transported within the central cash handling area.	High	This possibility will be researched by Staff.	Long Range Planning and Budgeting
32	Security	Security glass is not present at the front counters.	Consider implementing security glass at the front counter to restrict the public's access to the cash handling areas.	High	This option was researched in the past and Staff will update that information for consideration.	Long Range Planning and Budgeting
33	Security	Non-cash handling employees have access to the cash handling area due to building design.	Consider redesigning the cash handling area to reduce non-essential employee access to the cash handling area.	High	Limited given building design.	Long Range Planning and Budgeting
34	Security	Two exterior doors and one interior door (jury room) are not secured with badge access.	Install badge access readers on the two exterior doors and the jury room door. If the cash handling area is re-designed, one exterior door may not need to have an additional badge added.	High	This possibility will be researched by Staff.	Long Range Planning and Budgeting
35	Security	Panic buttons are not tested on a periodic basis.	Consider implementing a periodic test for each panic button on an annual basis.	Medium	Panic buttons will be tested annually.	Implemented

\*The number of the recommendations does not imply a specific, ordinal relationship, but simply a reference number to discuss the item.

### Other Efficiency Considerations

- Determine if the remittance machine could be configured to automatically apply payments to the Incode system when scanning and processing checks.
- Evaluate the implementation of a lock-box system with a bank or other financial institution.
- Determine if check scanners for walk-up windows could be implemented to reduce the amount of onsite checks maintained.



**McCool Law Firm, P.C. – Town of Sunnyvale Cash Handling Assessment**  
**April 11, 2012**

**Limitations**

WWC did not perform our procedures, work, examinations, or any other similar steps in accordance with Generally Accepted Auditing Standards, the Institute of Internal Audit Standards, Government Accountability Office Standards, or any other authoritative body, thus WWC’s assessment does not constitute an audit, compilation, review, attestation service, or fraud examination. WWC is not a public accounting firm. WWC did not test the implementation or operating effectiveness of internal controls in this process. The examination of documents was meant to confirm, support, or deny information obtained in other areas of the assessment. If additional work had been completed by WWC outside of the scope of WWC’s assessment, it is possible that additional items could have been identified. These items may or may not have been significant to the process and results.



**AGENDA ITEM SUMMARY – ITEM # 5**

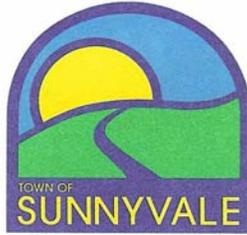
***PRESENTATION/DISCUSSION OF MID-YEAR BUDGET REVIEW***

**DEPT – ADMIN/FINANCE**

**DATE – JUNE 25, 2012**

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Attached please find information regarding the FY 2012 mid-year budget review. Staff will present this information Monday night to facilitate questions and discussion. This has been posted as a discussion item only to provide additional time for council review. The first meeting in July will include an action item (ordinance) for consideration of the recommended budget amendments.



## **Town of Sunnyvale**

127 COLLINS ROAD, SUNNYVALE, TEXAS 75182  
TELEPHONE (972) 226-7177 FAX (972) 226-1804  
[www.townofsunnyvale.org](http://www.townofsunnyvale.org)

**TO: Mayor and Town Council**  
**FROM: Scott Campbell, Town Manager**  
**DATE: June 18, 2012**  
**RE: Mid-Year Budget Review**

Please find the attached information regarding the FY 2011-2012 General Fund Operating Budget to include a summary of current activities and recommended adjustments for the fiscal year. I offer the following general comments:

### **GENERAL FUND**

General Fund Revenue: The General Fund has performed well for the first half of the fiscal year. Total revenues are in line at 75% of the annual budgeted amount, and we are recommending budget amendments that result in a total increase in General Fund Revenues of \$142,781 or 3%. The attached narrative from our Finance Director addresses the revenue trends for the year.

General Fund Expenditures: General Fund Expenditures have performed well, with total expenditures at 45% of annual budget at the midway point of the fiscal year. Staff recommends adjustments that result in a total increase in General Fund expenditures of \$140,640, or 3%. The only activity with significant variation from budget is 'Contractual Services' line item within the Town Manager departmental budget, which is at 78% budget at the mid-way point of the fiscal year. You will recall that the 2012 budget included 'legal/consulting fees' to address pending litigation, general legal services, the Home Rule effort, the 190 Committee effort, a zoning ordinance clean-up, and an update to the comprehensive plan. Three months after the beginning of the 2012 fiscal year, the Town was served with a new lawsuit, thereby increasing legal fees expenditures for litigation. Additionally, the S.H. 190 Citizen's Advisory Committee effort was comprised of eleven (11) sessions, almost twice the amount used for budget planning purposes; increasing the facilitation costs. Facilitation for the Home Rule effort has also exceeded expected costs, although is nearing conclusion. Staff is recommending an increase in the 'legal and consulting fees' line item to address these issues, and to allow the Town to move forward with planned projects for the year, specifically the comprehensive plan and zoning ordinance updates. Savings in other areas of the general fund, combined with a projected increase in revenues accommodates this adjustment.

General Fund Summary: As you can see, the net affect of the recommended general fund adjustments yields a \$5,212 fund balance increase, as compared to the budgeted increase of \$3,071. The General Fund has performed well overall for the first half of the fiscal year, and staff recommends the adjustments depicted in the attached detail.

Legal and Consulting Fee Detail

Legal	YTD 03.31.12	2011-2012 Budget
Zoning	3,500	15,000
Vulcan Materials	117,476	170,000 *
Dews Dell	14,901	
ICP	45,253	
Charter	30,000	15,000
SH190	7,863	15,000
Comp Planning	0	50,000
General Business	19,135	50,000
<b>Total 601-6402</b>	<b>238,128</b>	<b>315,000</b>
Engineering		
SH190	4,620	5,000
<b>Total 601-6403</b>	<b>4,620</b>	<b>5,000</b>

\* Described in Budget Planning as Current Litigation.

# Memo

**To:** Scott Campbell, Town Manager  
**From:** Elizabeth Hopkins  
**CC:** Department Directors  
**Date:** 6/22/2012  
**Re:** Mid Year Budget Report – March YTD

---

Please find the attached YTD budget report for fiscal year 2011-2012 for the first half of the fiscal year.

## **General Fund**

**Revenue:** Total General Fund revenues for the first half of the fiscal year are \$3,511,740, which is 75% of budget or \$1,172,075 favorable.

Ad Valorem Property Taxes and Penalties collected YTD are \$2,359,546 or 99% of the \$2,391,808 budget. The bulk of property taxes are collected in January when due.

YTD Franchise Tax collections are \$404,081, 48% of the \$845,822 budgeted. The annual natural gas fee received was \$226,577, budgeted at \$277,822. Of the budgeted \$445,000 for electric franchise, we have only received one quarterly payment of \$124,666, with three payments remaining. Numerous "Other" fees related to telephone, cable, and solid waste make up the remaining \$52,838, which are budgeted at \$123,000.

Sales Tax recorded YTD is \$417,854 or 58% of the \$720,000 budget and about \$118K favorable.

Building Permit revenue YTD is \$26,311 or 56% of the \$47,000 budgeted. Construction and Zoning Permits revenues are \$25,562 or 71% of the \$36,000 budget. Developer Fees collected are \$22,213, \$17,213 favorable to the \$5,000 budget.

YTD Court related revenues are \$236,183 or 56% of the \$425,000 budget.

Other Governments and Fund-Transfers-In have a combined budget of \$133,000. The money is transferred in at year end.

Ambulance collections YTD are \$15,031 or 33% of the \$46,000 budget. And, of the several Misc. Revenues, annual budget \$27,000, \$1,202 has been collected YTD. Misc Revenues are primarily made up of credit card processing fees, library fees, code mowing, town hall/park rental and insurance rebates.

**Expenses:** Total General Fund expenses YTD are \$2,113,554 or 45% of \$4,676,259 annual budget and \$224,576 favorable.

Town Secretary, Finance, Court, Parks & Streets, Community Development, and Non-Departmental are on or below budget YTD.

Town Manager is unfavorable to YTD budget by about \$97,651 due to legal/consulting fees.

Patrol Services is unfavorable to YTD budget by about \$11,362 due to increased building maintenance and W/C insurance premiums paid early in the year.

Library is unfavorable to YTD budget by about \$1,785 due to wages and benefits.

### **Water Fund**

**Revenues:** The Water Fund's total revenues are \$1,138,209 or 41% of budget and reflect winter watering months.

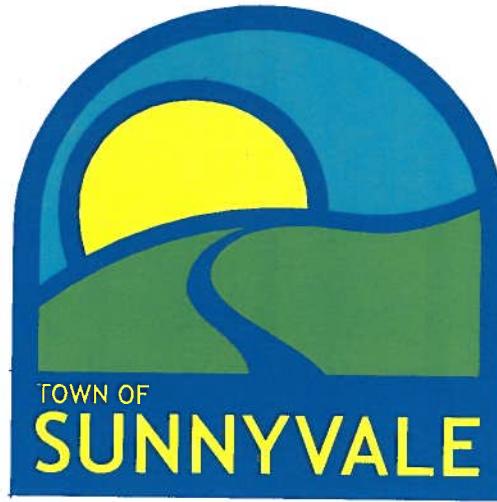
**Expenses:** Water Fund's YTD expenses are \$1,248,790 or 41% of budget. No abnormal spending was noted.

### **4A Funds**

No abnormalities were noted.

### **4B Funds**

No abnormalities were noted.



Town of Sunnyvale

Mid Year Budget Review

General Fund

Prepared by: Finance 06.22.12

## General Fund Summary

11 General Fund	Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Revenue Summary</b>							
5100 Taxes	4,178,440	3,957,630	3,181,483	80.39%	76,463	2%	4,034,093
5300 Permits, Fees & Fines	797,252	694,700	329,056	47.37%	85,268	12%	779,968
5400 Transfers In	0	0	0	0.00%	0	0%	0
5500 Other Revenue	500,970	27,000	1,319	4.89%	(18,950)	-70%	8,050
<b>Total Revenues</b>	<b>5,476,662</b>	<b>4,679,330</b>	<b>3,511,857</b>	<b>75.05%</b>	<b>142,781</b>	<b>3%</b>	<b>4,822,111</b>
<b>Expenditure Summary</b>							
01 Town Manager	844,051	605,416	388,129	64.11%	254,893	42%	860,309
02 Town Secretary	158,850	166,328	68,281	41.05%	(23,165)	-14%	143,163
03 Finance	174,664	165,141	44,343	26.85%	(24,581)	-15%	140,560
04 Court	210,729	212,112	100,700	47.47%	11,042	5%	223,154
05 Parks & Streets	1,277,369	1,011,076	328,855	32.53%	(22,197)	-2%	988,879
06 Community Development	259,248	294,157	119,932	40.77%	(37,842)	-13%	256,315
07 Contract Police	1,271,060	1,313,924	668,324	50.86%	(1,072)	0%	1,312,852
08 Fire & EMS	477,203	436,343	172,323	39.49%	(8,786)	-2%	427,557
09 Library	129,426	133,562	68,566	51.34%	7,899	6%	141,461
10 Non-Departmental	531,795	338,200	154,102	45.57%	(15,551)	-5%	322,649
<b>Total Expenditures</b>	<b>5,334,397</b>	<b>4,676,259</b>	<b>2,113,554</b>	<b>45.20%</b>	<b>140,640</b>	<b>3%</b>	<b>4,816,899</b>
<b>Excess or (Deficit) Revenue/Expenditures</b>	<b>142,265</b>	<b>3,071</b>	<b>1,398,304</b>		<b>2,141</b>		<b>5,212</b>

## General Fund Revenue Detail

11 General Fund Revenues	Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
5100 - Taxes							
Taxes							
5111 Current Year Taxes	2,376,861	2,342,808	2,291,974	97.83%	0	0%	2,342,808
5112 Delinquent Taxes - 1 Year	17,842	31,000	24,045	77.57%	0	0%	31,000
5113 Delinquent Taxes - 2 Years	10,642	0	11,730	0.00%	0	0%	0
5114 Delinquent Taxes - 3 Years	5,220	0	9,263	0.00%	0	0%	0
5115 Delinquent Taxes - Over 3 Years	221	0	261	0.00%	0	0%	0
5119 Rollback Taxes - Ad Valorem	0	0	0	0.00%	0	0%	0
5120 Penalty & Interest Ad Valorem	19,931	18,000	22,273	123.74%	12,000	67%	30,000
5130 Franchise Taxes - Other	96,172	83,000	31,509	37.96%	0	0%	83,000
5131 Franchise Taxes - Electric	483,744	445,000	124,666	28.01%	0	0%	445,000
5132 Franchise Taxes - Gas	277,822	277,822	226,577	81.55%	(51,245)	-18%	226,577
5133 Franchise - Solid Waste	57,061	40,000	21,329	53.32%	0	0%	40,000
5135 Alcoholic Beverage Tax	7	0	0	0.00%	0	0%	0
5136 Collection Revenue	0	0	0	0.00%	0	0%	0
5140 Sales Tax Receipts	832,915	720,000	417,854	58.04%	115,708	16%	835,708
Revenue Category Total	4,178,440	3,957,630	3,181,483	80.39%	76,463	1.93%	4,034,093

## General Fund Revenue Detail

11 General Fund Revenues	Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>5300-Permits, Fees &amp; Fine</b>							
5311 Building Permits	58,680	47,000	26,311	55.98%	13,000	28%	60,000
5312 Elec/Plmbg/Heat/Air Permits	6,300	5,000	2,925	58.50%	0	0%	5,000
5313 Zoning & Plat Permits	17,525	10,000	10,887	108.87%	5,000	50%	15,000
5314 Health Permits	4,490	4,000	1,575	39.38%	(1,000)	-25%	3,000
5315 Other Permits	8,026	8,000	4,425	55.31%	0	0%	8,000
5316 Contractor's Registration Fee	9,150	9,000	5,750	63.89%	0	0%	9,000
5317 Developer 3% Fee for Engineering	28,617	5,000	22,213	444.25%	17,213	344%	22,213
5318 Applications - Building/Construction	0	0	0	0.00%	0	0%	0
5319 Engineering Related Fees	1,200	0	1,400	0.00%	1,400	0%	1,400
5321 Library Fines	2,309	2,000	803	40.17%	0	0%	2,000
5322 Court Fines & Fees	370,497	425,000	181,971	42.82%	47,367	11%	472,367
5323 Court Technology Fund	0	0	0	0.00%	0	0%	0
5324 Municipal Court Security Fund	0	0	0	0.00%	0	0%	0
5336 DSO Arrest/Warrant Fees	51,514	0	28,927	0.00%	0	0%	0
5350 Adm. Fees/Def Dr Fees/Other	56,827	0	25,286	0.00%	0	0%	0
5360 Ambulance Billing Revenue	46,336	46,000	15,031	32.68%	0	0%	46,000
5361 Town Hall Rental	1,325	700	1,080	154.29%	1,800	257%	2,500
5364 Animal Control/Impound Fees	585	0	285	0.00%	300	100%	300
5365 Code Mowing	872	0	178	0.00%	178	100%	178
5388 Operating Transfer In - Water	25,000	25,000	0	0.00%	0	0%	25,000
5389 Operating Transfer In - 4A	12,000	12,000	0	0.00%	0	0%	12,000
5390 Operating Transfer In - 4B	96,000	96,000	0	0.00%	0	0%	96,000
5399 Other Fees	0	0	10	0.00%	10	0%	10
<b>Revenue Category Total</b>	<b>797,252</b>	<b>694,700</b>	<b>329,056</b>	<b>47.37%</b>	<b>85,268</b>	<b>12%</b>	<b>779,968</b>

## General Fund Revenue Detail

11 General Fund Revenues	Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>5400-Transfers In</b>							
5401 SISD Fee for Collection	0	0	0	0.00%	0	0%	0
Revenue Category Total	0	0	0	0.00%	0	0%	0
<b>5500-Other Revenues</b>							
5509 Library Fees	37	0	0	0.00%	0	0%	0
5510 Interest Earned	1,944	2,000	804	40.20%	0	0%	2,000
5511 Due From Credit Card PMTS	0	0	0	0.00%	0	0%	0
5512 Copies, Maps & Ordinances	157	0	50	0.00%	50	100%	50
5513 Grant Revenue	276,452	0	0	0.00%	0	0%	0
5516 Library Grant Funds	0	0	0	0.00%	0	0%	0
5517 Fire Department Grant Funds	0	0	0	0.00%	0	0%	0
5518 Dallas Co. 50% B Rd Maintenance	196,274	0	0	0.00%	0	0%	0
5519 Reimbursement For Bridge Bond	0	0	0	0.00%	0	0%	0
5520 Miscellaneous Revenue	20,837	20,000	465	2.33%	(19,000)	0%	1,000
5521 CC & Internet Processing Fee	5,270	5,000	0	0.00%	0	0%	5,000
5550 Sunnyvale ISD Tax Collection	0	0	0	0.00%	0	0%	0
Revenue Category Total	500,970	27,000	1,319	4.89%	(18,950)	0%	8,050
<b>Total Revenue</b>	<b>5,476,662</b>	<b>4,679,330</b>	<b>3,511,857</b>	<b>75.05%</b>	<b>142,781</b>	<b>3.1%</b>	<b>4,822,111</b>

11 General Fund 601 Town Manager		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Labor and Benefits</b>								
601-6000	Wages & Salaries	172,711	180,000	88,886	49.38%	27,910	15.51%	207,910
601-6001	4A 1/2 Portion of EDC	0	0	0	0.00%	(16,264)	-100.00%	-16,264
601-6002	TMRS	27,830	25,676	13,677	53.27%	1,911	7.44%	27,587
601-6003	Buy Back	7,477	10,000	5,315	53.15%	0	0.00%	10,000
601-6004	Payroll Taxes - FICA	13,207	14,994	7,029	46.88%	1,676	11.18%	16,670
601-6005	Employee Insurance	18,048	18,120	8,684	47.93%	1,314	7.25%	19,434
601-6006	Workers Comp	718	796	701	88.11%	(95)	-11.93%	701
601-6007	Unemployment	450	540	172	31.91%	0	0.00%	540
601-6009	Car/Mileage Allowance	6,000	6,000	3,000	50.00%	0	0.00%	6,000
Category Total		246,441	256,126	127,466	49.77%	16,453	6.42%	272,579
<b>Supplies and Materials</b>								
601-6103	Telephone	1,053	1,440	720	50.01%	0	0.03%	1,440
601-6201	Office Supplies	258	500	585	117.00%	500	100.00%	1,000
601-6202	General Operating Supplies	0	50	64	127.26%	150	300.00%	200
601-6206	Postage	0	50	88	176.78%	50	100.00%	100
601-6207	Small Tools & Equipment	0	100	0	0.00%	0	0.00%	100
601-6208	Community Events	0	100	0	0.00%	0	0.00%	100
601-6209	Newsletter	0	2,500	1,582	63.27%	0	0.00%	2,500
Category Total		1,310	4,740	3,039	64.11%	700	14.78%	5,440
<b>Contractual Services</b>								
601-6300	Office Equip Repairs & Maintenance	2,947	5,500	344	6.26%	(2,500)	-45.45%	3,000
601-6401	Planning Services	0	0	0	0.00%	0	0.00%	0
601-6402	Legal & Consulting Fees	576,625	315,000	238,127	75.60%	235,000	74.60%	550,000
601-6403	Engineering Fees	3,136	5,000	4,185	83.70%	0	0.00%	5,000
601-6404	Web Page Services	3,098	3,490	2,122	60.80%	0	0.00%	3,490
Category Total		585,806	328,990	244,778	74.40%	232,500	70.67%	561,490

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Town Manager

11 General Fund  
601 Town Manager

	Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Training/Dues/Subscriptions</b>							
601-6500 Dues and Subscriptions	3,844	3,160	2,359	74.65%	440	13.92%	3,600
601-6501 Training	983	3,000	0	0.00%	0	0.00%	3,000
601-6503 Mayor & Council Expense	5,668	2,400	4,538	189.07%	4,800	200.00%	7,200
Category Total	10,495	8,560	6,897	80.57%	5,240	61.21%	13,800
<b>Capital Outlays &amp; Projects</b>							
601-6704 Autocad	0	7,000	5,949	84.98%	0	0.00%	7,000
Category Total	0	7,000	5,949	84.98%	0		7,000
Department Total	844,052	605,416	388,129	64.11%	254,893	42.10%	860,309

Town Secretary Detail

11 General Fund  
602 Town Secretary

	Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Labor and Benefits</b>							
602-6000 Wages & Salaries	78,195	82,500	34,240	41.50%	(14,190)	-17%	68,310
602-6001 Overtime	0	0	0	0.00%	0	0%	0
602-6002 TMRS	12,005	12,427	5,515	44.38%	(3,208)	-26%	9,219
602-6003 Buy Back	4,470	4,500	4,509	100.20%	9	0%	4,509
602-6004 Payroll Taxes - FICA	6,486	6,656	3,074	46.18%	(1,085)	-16%	5,571
602-6005 Employee Insurance	5,777	6,060	915	15.11%	(5,060)	-83%	1,000
602-6006 Workers Comp	293	325	105	32.37%	0	0%	325
602-6007 Unemployment	540	540	220	40.74%	69	13%	609
Category Total	107,766	113,008	48,578	42.99%	(23,465)	-21%	89,543
<b>Supplies and Materials</b>							
602-6103 Telephone	332	720	263	36.55%	0	0%	720
602-6201 Office Supplies	2,086	2,500	2,583	103.31%	100	4%	2,600
602-6202 Mileage Reimbursement	82	400	0	0.00%	0	0%	400
602-6205 Preprinted Forms/Printing	0	0	0	0.00%	0	0%	0
602-6207 Small Tools & Equipment	0	100	0	0.00%	0	0%	100
602-6208 Awards and Plaques	70	200	0	0.00%	0	0%	200
Category Total	2,570	3,920	2,846	72.60%	100	3%	4,020
<b>Contractual Services</b>							
602-6300 Office Equip Repairs & Maintenance	0	200	0	0.00%	0	0%	200
602-6400 Dallas Co. Tax Collection Fee	13,223	6,500	4,109	63.22%	0	0%	6,500
602-6402 Legal Fees	0	100	0	0.00%	0	0%	100
602-6404 Appraisal Fees	10,560	15,000	10,899	72.66%	0	0%	15,000
602-6406 Election Services	4,767	15,000	(328)	-2.19%	0	0%	15,000
602-6407 Advertising & Legal Publications	16,264	10,000	1,510	15.10%	0	0%	10,000
602-6408 Coditication/Filing Fees	2,444	1,000	100	10.00%	0	0%	1,000
Category Total	47,258	47,800	16,290	34.08%	0	0%	47,800

Town Secretary Detail

11 General Fund  
602 Town Secretary

	Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Training/Dues/Subscriptions</b>							
602-6500 Dues and Subscriptions	955	500	567	113.40%	200	40%	700
602-6501 Employee Training	300	1,100	0	0.00%	0	0%	1,100
Category Total	1,255	1,600	567	35.44%	200	13%	1,800
<b>Capital Outlays &amp; Projects</b>							
602-6705 Capital Software > \$5,000	0	0	0	0.00%	0	0%	0
Category Total	0	0	0	0.00%	0	0%	0
Department Total	158,850	166,328	68,281	41.05%	(23,165)	-14%	143,163

11 General Fund 603 Finance		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Labor and Benefits</b>								
603-6000	Wages & Salaries	118,270	103,891	31,760	30.57%	(22,471)	-22%	81,420
603-6002	TMRS	17,161	14,003	4,445	31.74%	(3,695)	-26%	10,308
603-6003	Buy Back	357	3,000	0	0.00%	0	0%	3,000
603-6004	Payroll Taxes - FICA	8,962	8,177	2,389	29.21%	(1,719)	-21%	6,458
603-6005	Employee Insurance	4,628	6,060	3,709	61.20%	3,649	60%	9,709
603-6006	Workers Comp	226	250	105	42.08%	(145)	-58%	105
603-6007	Unemployment	540	540	0	0.00%	0	0%	540
Category Total		150,143	135,921	42,408	31.20%	(24,381)	-18%	111,540
<b>Supplies and Materials</b>								
603-6103	Telephone/Cable	332	720	0	0.00%	0	0%	720
603-6201	Office Supplies	1,984	3,000	1,935	64.52%	500	17%	3,500
603-6203	General Operating Supplies	0	200	0	0.00%	0	0%	200
603-6205	Preprinted Forms/Printing	0	0	0	0.00%			0
Category Total		2,316	3,920	1,935	49.37%	500	13%	4,420
<b>Contractual Services</b>								
603-6405	Contracts - Professional Services	22,204	24,000	0	0.00%	0	0%	24,000
Category Total		22,204	24,000	0	0.00%	0	0%	24,000
<b>Training/Dues/Subscriptions</b>								
603-6500	Dues and Subscriptions	0	300	0	0.00%	0	0%	300
603-6501	Employee Training	0	1,000	0	0.00%	(700)	-70%	300
Category Total		0	1,300	0	0.00%	(700)	-54%	600
Department Total		174,664	165,141	44,343	26.85%	-24,581	-15%	140,560

## Court Detail

11 General Fund 604 Court		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Labor and Benefits</b>								
604-6000	Wages & Salaries	86,600	77,472	49,726	64.19%	11,078	14%	88,550
604-6001	Overtime	8,558	6,000	563	9.39%	0	0%	6,000
604-6002	TMRS	13,057	11,983	5,239	43.72%	(1,127)	-9%	10,856
604-6003	Buy Back	6,187	8,000	1,825	22.82%	0	0%	8,000
604-6004	Payroll Taxes - FICA	6,743	6,997	3,782	54.05%	848	12%	7,845
604-6005	Employee Insurance	10,142	12,120	5,178	42.72%	0	0%	12,120
604-6006	Workers Comp	361	400	351	87.67%	0	0%	400
604-6007	Unemployment	130	540	0	0.00%	243	45%	783
604-6008	Certification	0	0	0	0.00%	0	0%	0
Category Total		131,778	123,512	66,664	53.97%	11,042	9%	134,554
<b>Supplies and Materials</b>								
604-6201	Office Supplies	9,976	7,000	3,271	46.73%	0	0%	7,000
604-6206	Postage	792	4,000	94	2.34%	0	0%	4,000
Category Total		10,768	11,000	3,365	30.59%	0	0%	11,000
<b>Contractual Services</b>								
604-6402	Legal Fees & Prosecuting	23,240	37,700	13,860	36.76%	0	0%	37,700
604-6406	Municipal Court Judge	38,235	33,000	15,375	46.59%	0	0%	33,000
604-6407	Jury Fees	336	600	234	39.00%	0	0%	600
604-6408	Omni-Base Court Related	4,200	4,300	924	21.49%	0	0%	4,300
Category Total		66,011	75,600	30,393	40.20%	0	0%	75,600

Court Detail

11 General Fund  
604 Court

604-6500 Dues and Subscriptions  
604-6501 Employee Training

Category Total

Capital Outlays & Projects

604-6702 Software Maintenance  
604-6708 Ticket Writer

Category Total

Department Total

Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
913	500	0	0.00%	0	0%	500
1,259	1,500	278	18.52%	0	0%	1,500
2,173	2,000	278	13.89%	0	0%	2,000
0	0	0	0.00%	0	0%	0
0	0	0	0.00%	0	0%	0
0	0	0	0.00%	0	0%	0
210,729	212,112	100,700	47.47%	11,042	5%	223,154

11 General Fund 605 Parks & Streets		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommended Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Labor and Benefits</b>								
605-6000	Wages & Salaries	243,373	235,425	115,954	49.25%	3,617	2%	239,042
605-6001	Overtime	6,940	13,000	1,712	13.17%	(6,000)	-46%	7,000
605-6002	TMRS	37,442	34,443	16,970	49.27%	(1,458)	-4%	32,985
605-6003	Buy Back	13,151	14,500	6,363	43.88%	0	0%	14,500
605-6004	Payroll Taxes - FICA	20,437	20,114	9,883	49.14%	0	0%	20,114
605-6005	Employee Insurance	31,614	30,300	11,993	39.58%	0	0%	30,300
605-6006	Workers Comp	3,724	4,000	3,507	87.67%	0	0%	4,000
605-6007	Unemployment Insurance	895	1,890	0	0.00%	0	0%	1,890
Category Total		357,576	353,672	166,381	47.04%	(3,842)	-1%	349,830
<b>Supplies and Materials</b>								
605-6102	Water - Parks	23,999	16,700	2,549	15.26%	0	0%	16,700
605-6103	Telephone	3,016	3,270	899	27.50%	(1,770)	-54%	1,500
605-6104	Electricity - Park Lights	4,368	9,010	1,839	20.41%	(3,010)	-33%	6,000
605-6105	Electricity - Street Lights	70,251	81,075	33,008	40.71%	(6,075)	-7%	75,000
605-6201	Office Supplies	840	1,500	173	11.51%	0	0%	1,500
605-6203	General Operating Supplies	8,526	7,500	5,907	78.75%	0	0%	7,500
605-6204	Uniforms & Accessories	2,109	2,700	2,190	81.12%	0	0%	2,700
605-6205	Preprinted Forms/Printing	7	350	0	0.00%	0	0%	350
605-6207	Small Tools & Equipment	5,711	4,000	2,153	53.83%	0	0%	4,000
605-6208	Fuel	10,849	8,000	3,128	39.10%	0	0%	8,000
605-6209	Animal Control	20,369	5,775	5,812	100.64%	0	0%	5,775
605-6210	Spay/Nueter - Vet	2,722	5,024	0	0.00%	0	0%	5,024
605-6211	A/C Utilities	0	4,200	1,310	31.19%	0	0%	4,200
Category Total		152,765	149,104	58,969	39.55%	(10,855)	-7%	138,249

11 General Fund 605 Parks & Streets		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommended Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Contractual Services</b>								
605-6301	Vehicle Repairs & Maintenance	3,991	4,000	2,709	67.72%	0	0%	4,000
605-6302	Equipment Maintenance	15,619	9,500	6,200	65.26%	0	0%	9,500
605-6303	Building Maintenance	5,607	3,000	2,151	71.69%	0	0%	3,000
605-6304	Street Sign Replacement	2,919	10,000	11,755	117.55%	4,000	40%	14,000
605-6305	Ballfield/Park Maintenance	14,650	10,500	10,006	95.30%	6,500	62%	17,000
605-6405	Mud Jacking	118,076	75,000	27,621	36.83%	0	0%	75,000
605-6406	Road Maintenance	512,272	297,800	2,102	0.71%	0	0%	297,800
605-6407	Contract Mowing	41,877	47,000	13,020	27.70%	(26,000)	-55%	21,000
605-6408	Contract Tree Trimming	428	5,000	0	0.00%	(2,000)	-40%	3,000
605-6409	Contract Portables	29,679	24,000	14,008	58.37%	0	0%	24,000
605-6410	Health Services	0	0	0	0.00%	0	0%	0
605-6411	Dallas County HHW Program	3,180	4,000	1,851	46.27%	0	0%	4,000
Category Total		748,297	489,800	91,421	18.67%	(17,500)	-4%	472,300
<b>Training/Dues/Subscriptions</b>								
605-6500	Dues and Subscriptions	650	1,000	312	31.20%	0	0%	1,000
605-6501	Employee Training	703	2,500	400	16.00%	0	0%	2,500
605-6503	Special Events	17,378	15,000	11,371	75.81%	10,000	67%	25,000
Category Total		18,731	18,500	12,083	65.31%	10,000	54%	28,500
<b>Capital Outlays &amp; Projects</b>								
605-6701	Michael Lane Improvement	0	0	0	0.00%	0		0
Category Total		0	0	0	0.00%	0	0%	0
Department Total		1,277,369	1,011,076	328,855	32.53%	(22,197)	-2%	988,879

Community Development Detail

11 General Fund 606 Community Development		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Labor and Benefits</b>								
606-6000	Wages & Salaries	149,867	190,526	66,974	35.15%	(45,526)	-24%	145,000
606-6001	Overtime	1,811	2,000	1,665	83.23%	1,000	50%	3,000
606-6002	TMRS	23,750	26,531	10,426	39.30%	(6,528)	-25%	20,003
606-6003	Buy Back	12,417	10,000	5,387	53.87%	0	0%	10,000
606-6004	Payroll Taxes - FICA	12,517	15,493	5,692	36.74%	(3,406)	-22%	12,087
606-6005	Employee Insurance	17,271	21,210	5,621	26.50%	(6,589)	-31%	14,621
606-6006	Workers Comp	3,608	4,150	3,507	84.50%	(643)	-15%	3,507
606-6007	Unemployment	0	945	0	0.00%	0	0%	945
Category Total		221,240	270,855	99,272	36.65%	(61,692)	-23%	209,163
<b>Supplies and Materials</b>								
606-6103	Telephone	1,320	1,352	469	34.66%	0	0%	1,352
606-6201	Office Supplies	2,017	4,000	2,065	51.62%	0	0%	4,000
606-6204	Uniforms & Accessories	456	700	473	67.52%	0	0%	700
606-6205	Preprinted Forms/Printing	658	500	201	40.19%	0	0%	500
606-6206	Postage	1,686	5,000	2,000	40.00%	0	0%	5,000
606-6207	Small Tools & Equipment	53	100	0	0.00%	0	0%	100
606-6208	Fuel	6,171	4,500	2,062	45.82%	2,000	44%	6,500
606-6209	Animal Control Supply/Operat	0	0	0	0.00%	0		0
Category Total		12,362	16,152	7,269	45.00%	2,000	12%	18,152

Community Development Detail

11 General Fund 606 Community Development		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Contractual Services</b>								
606-6301	Vehicle Maintenance	1,131	1,000	80	7.95%	0	0%	1,000
606-6302	Equipment Maintenance	0	0	0	0.00%	0		0
606-6408	Contract - Planning Services	0	3,000	12,230	407.67%	22,000	733%	25,000
606-6409	Contract Mowing	0	0	0	0.00%	0		0
Category Total		1,131	4,000	12,310	307.74%	22,000	550%	26,000
<b>Training/Dues/Subscriptions</b>								
606-6500	Dues and Subscriptions	208	200	541	270.41%	800	400%	1,000
606-6501	Employee Training	2,212	2,950	542	18.36%	(950)	-32%	2,000
Category Total		2,421	3,150	1,082	34.36%	(150)	-5%	3,000
<b>Capital Outlays &amp; Projects</b>								
606-6700	Furniture >\$5000	0	0	0	0.00%	0	0%	0
606-6701	Tools & Equipment >\$5000	0	0	0	0.00%	0	0%	0
606-6702		0	0	0	0.00%	0	0%	0
606-6703	Capital Equipment - Kennel Impr	0	0	0	0.00%	0	0%	0
606-6705	Software >\$5000	0	0	0	0.00%	0	0%	0
Category Total		0	0	0	0.00%	0	0%	0
Department Total		237,153	294,157	119,932	40.77%	(37,842)	-13%	256,315

## Contract Police Detail

11 General Fund 607 Contract Police		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Labor and Benefits</b>								
607-6004	Payroll Taxes - FICA	55	0	28	0.00%	28	0%	28
607-6005	Employee Insurance	5,557	6,000	5,463	91.05%	(500)	-8%	5,500
607-6006	Workers Comp	15,334	16,500	16,373	99.23%	0	0%	16,500
Category Total		20,947	22,500	21,863	97.17%	(472)	-2%	22,028
<b>Supplies and Materials</b>								
607-6100	Electricity	9,728	10,000	2,478	24.78%	(2,000)	-20%	8,000
607-6102	Water	368	360	117	32.39%	0	0%	360
607-6103	Telephone/Cable	2,706	3,500	1,606	45.89%	0	0%	3,500
607-6201	Office Supplies	1,849	2,000	1,625	81.23%	0	0%	2,000
607-6204	Uniforms & Accessories	67	200	0	0.00%	0	0%	200
607-6207	Small Tools & Equipment	2,877	1,500	597	39.77%	0	0%	1,500
607-6208	Fuel	0	0	49	0.00%	0	0%	0
Category Total		17,594	17,560	6,471	36.85%	(2,000)	-11%	15,560
<b>Contractual Services</b>								
607-6301	Vehicle Repairs	1,199	1,000	619	61.90%	0	0%	1,000
607-6302	Equipment Repairs	176	1,000	0	0.00%	0	0%	1,000
607-6303	Building Maintenance	1,390	4,000	5,400	134.99%	1,400	35%	5,400
607-6409	Copier Rental & Maintenance	666	700	389	55.53%	0	0%	700
607-6410	Contract Patrol Services	1,229,088	1,267,164	633,582	50.00%	0	0%	1,267,164
Category Total		1,232,519	1,273,864	639,989	50.24%	1,400	0%	1,275,264
Department Total		1,271,060	1,313,924	668,324	50.86%	-1,072	0%	1,312,852

## Fire EMS Detail

11 General Fund 608 Fire & EMS		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2,012
<b>Labor and Benefits</b>								
608-6000	Wages & Salaries	147,625	146,875	63,495	43.23%	(19,885)	-14%	126,990
608-6001	Overtime	14,414	14,505	6,828	47.07%	0	0%	14,505
608-6002	TMRS	17,996	21,796	6,958	31.92%	(3,250)	-15%	18,546
608-6003	Buy Back	6,996	5,000	705	14.11%	0	0%	5,000
608-6004	Payroll Taxes - FICA	12,993	12,727	5,554	43.64%	(1,520)	-12%	11,207
608-6005	Employee Insurance	11,031	12,120	2,395	19.76%	(7,331)	-60%	4,789
608-6006	Workers Comp	8,028	8,100	6,663	82.26%	0	0%	8,100
608-6007	Unemployment	0	1,080	0	0.00%	0	0%	1,080
Category Total		219,083	222,203	92,597	41.67%	(31,986)	-14%	190,217
<b>Supplies and Materials</b>								
608-6100	Electricity	10,942	12,000	4,053	33.77%	0	0%	12,000
608-6101	Natural Gas	2,611	1,600	814	50.86%	0	0%	1,600
608-6102	Water	859	1,200	314	26.18%	0	0%	1,200
608-6103	Telephone/Cable	23,868	22,500	17,032	75.70%	8,100	36%	30,600
608-6201	Office Supplies	2,677	3,000	615	20.50%	0	0%	3,000
608-6203	General Operating Supplies	4,480	6,000	1,836	30.61%	0	0%	6,000
608-6204	Uniforms & Accessories	15,167	20,139	8,368	41.55%	0	0%	20,139
608-6205	Personal Protection Gear	15,036	19,665	1,362	6.93%	0	0%	19,665
608-6206	Postage	7	25	39	155.40%	0	0%	25
608-6207	Small Tools & Equipment	7,783	7,532	431	5.72%	0	0%	7,532
608-6208	Fuel	12,876	12,000	5,441	45.35%	0	0%	12,000
608-6209	Medical Supplies	15,693	14,879	5,072	34.09%	0	0%	14,879
608-6210	Emergency Mgmt	14,955	8,000	4,041	50.51%	0	0%	8,000
Category Total		126,954	128,540	49,418	38.45%	8,100	6%	136,640

## Fire EMS Detail

11 General Fund 608 Fire & EMS		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2,012
<b>Contractual Services</b>								
608-6300	Office Equipment Repairs/Ma	10	500	108	21.63%	0	0%	500
608-6301	Vehicle Repairs & Maintenance	36,269	24,000	17,043	71.01%	15,000	63%	39,000
608-6302	Equipment Maintenance	3,578	4,000	841	21.02%	0	0%	4,000
608-6303	Building Maintenance	3,925	4,000	2,667	66.68%	0	0%	4,000
608-6304	Radio Repair Maintenance	4,897	5,000	1,814	36.28%	0	0%	5,000
608-6310	Equipment Testing	2,241	6,000	505	8.42%	0	0%	6,000
608-6404	Ambulance Service Contract	5,163	0	0	0.00%	0	0%	0
608-6406	Equipment Rental	0	300	0	0.00%	0	0%	300
608-6407	Contracts Maint. & Support	2,397	6,000	597	9.94%	0	0%	6,000
608-6408	Insurance for Volunteers	7,165	7,500	0	0.00%	100	1%	7,600
608-6409	Fireman Services	9,999	7,800	2,130	27.31%	0	0%	7,800
Category Total		75,645	65,100	25,704	39.48%	15,100	23%	80,200
<b>Training/Dues/Subscriptions</b>								
608-6500	Dues and Subscriptions	1,952	2,500	2,233	89.32%	0	0%	2,500
608-6501	Employee Training	22,501	18,000	2,371	13.17%	0	0%	18,000
Category Total		24,453	20,500	4,604	22.46%	0	0%	20,500
<b>Capital Outlays &amp; Projects</b>								
608-6700	Furniture >\$5,000	0	0	0	0.00%	0	0%	0
608-6701	Equipment >\$5,000	0	0	0	0.00%	0	0%	0
608-6703	Capital Equipment	31,070	0	0	0.00%	0	0%	0
Category Total		31,070	0	0	0.00%	0	0%	0
Department Total		477,203	436,343	172,323	39.49%	(8,786)	-2%	427,557

## Library Detail

11 General Fund 609 Library	Actual 2010-2011 Unaudited	Approved Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Labor and Benefits</b>							
609-6000 Wages & Salaries	65,847	65,451	34,256	52.34%	4,291	7%	69,742
609-6001 Overtime	445	500	145	28.98%	0	0%	500
609-6002 TMRS	4,797	4,052	2,955	72.92%	523	13%	4,575
609-6003 Buy Back	2,972	3,000	5,229	174.30%	2,229	74%	5,229
609-6004 Payroll Taxes - FICA	5,436	5,275	3,315	62.85%	460	9%	5,735
609-6005 Employee Insurance	9,044	12,120	4,801	39.62%	0	0%	12,120
609-6006 Workers Comp	226	250	140	56.11%	0	0%	250
609-6007 Unemployment	0	810	0	0.00%	(27)	-3%	783
<b>Category Total</b>	<b>88,766</b>	<b>91,458</b>	<b>50,842</b>	<b>55.59%</b>	<b>7,476</b>	<b>8%</b>	<b>98,934</b>
<b>Supplies and Materials</b>							
609-6100 Electricity	3,648	6,000	1,012	16.87%		0%	6,000
609-6102 Water	55	100	0	0.00%		0%	100
609-6103 Telephone	1,435	1,100	815	74.06%	423	38%	1,523
609-6201 Office Supplies	1,286	1,400	795	56.82%		0%	1,400
609-6203 General Operating Supplies	1,639	1,800	584	32.44%		0%	1,800
609-6205 Preprinted Forms/Printing	44	750	11	1.50%		0%	750
609-6206 Postage	2	150	92	61.49%		0%	150
609-6207 Small Tools & Equipment	1,640	4,314	3,574	82.86%		0%	4,314
609-6208 Newspaper/Magazines	3,139	2,500	1,660	66.42%		0%	2,500
609-6209 Book Replacement	15,928	12,000	6,589	54.91%		0%	12,000
609-6210 Lone Star Library Fund	0	0	0	0.00%		0%	0
609-6211 Special Events	1,088	1,550	174	11.23%		0%	1,550
609-6212 DVDs	784	2,000	223	11.16%		0%	2,000
609-6213 Videos	0	0	0	0.00%		0%	0
<b>Category Total</b>	<b>30,687</b>	<b>33,664</b>	<b>15,531</b>	<b>46.13%</b>	<b>423</b>	<b>1%</b>	<b>34,087</b>

## Library Detail

11 General Fund 609 Library	Actual 2010-2011 Unaudited	Approved Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Contractual Services</b>							
609-6300 Office Machine Repair & Maint	3,314	1,450	11	0.76%		0%	1,450
609-6303 Building Maintenance	5,558	4,700	1,859	39.56%		0%	4,700
Category Total	8,873	6,150	1,870	30.41%	0	0%	6,150
<b>Training/Dues/Subscriptions</b>							
609-6500 Dues and Subscriptions	345	1,375	210	15.27%		0%	1,375
609-6501 Training	755	915	113	12.32%		0%	915
Category Total	1,100	2,290	323	14.09%	0	0%	2,290
<b>Capital Outlays &amp; Projects</b>							
609-6702 Computer/Electronics > \$5000	0	0	0	0.00%		0%	0
609-6703 Capital - Portable Building	0	0	0	0.00%		0%	0
Category Total	0	0	0	0.00%	0	0%	0
Department Total	129,426	133,562	68,566	51.34%	7,899	6%	141,461

\*

A Actual if above budget as of 03.31.12

B Approved Budget Amount

C Calculated through end of year.

## Non Departmental Detail

11 General Fund 610 Non-Departmental		Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
<b>Labor and Benefits</b>								
610-6009	Grant Expense	244,642	0	0	0.00%	0	0%	0
	Category Total	244,642	0	0	0.00%	0		0
<b>Supplies and Materials</b>								
610-6100	Electricity - Town Hall	27,483	37,000	10,964	29.63%	(2,000)	-5%	35,000
610-6101	Gas - Town Hall	4,446	7,000	903	12.90%	(2,000)	-29%	5,000
610-6102	Water - Town Hall	1,080	3,200	439	13.71%	0	0%	3,200
610-6103	Telephone/Cable - Town Hall	23,981	22,000	12,225	55.57%	0	0%	22,000
610-6108	Copier & Printer Supplies	8,095	9,000	1,255	13.94%	(4,000)	-44%	5,000
610-6202	Janitorial Supplies - Town Hall	9,362	9,000	3,261	36.23%	0	0%	9,000
610-6206	Postage	6,006	6,000	1,844	30.74%	0	0%	6,000
610-6210	Emergency Mgmt System & Training	0	0	0	0.00%	0	0%	0
	Category Total	80,452	93,200	30,890	33.14%	(8,000)	-9%	85,200
<b>Contractual Services</b>								
610-6303	Building Maint - Town Hall	22,771	39,000	11,627	29.81%	0	0%	39,000
610-6407	Professional Service/Data	21,582	22,000	0	0.00%	0	0%	22,000
610-6408	Professional Services - Design	0	0	0	0.00%	0	0%	0
610-6409	Contracts - Office Machines	16,574	15,000	7,629	50.86%	0	0%	15,000
610-6410	Property Insurance & E & O	41,731	45,000	40,851	90.78%	(4,000)	-9%	41,000
610-6411	Contract Health Services	2,644	3,500	2,620	74.86%	0	0%	3,500
610-6412	Contract Maint/Support	28,127	31,000	22,683	73.17%	0	0%	31,000
	Category Total	133,429	155,500	85,410	54.93%	(4,000)	-3%	151,500

## Non Departmental Detail

11 General Fund  
610 Non-Departmental

Training/Dues/Subscriptions

	Actual 2010-2011 Unaudited	Annual Budget 2012	Actual YTD 03/31/2012	% Of Budget	Recommend Adjustment Mid Yr	% Change	Amended Budget 2012
610-6505 Employee Welfare	5,438	6,500	1,834	28.22%	0	0%	6,500
610-6600 Merit, CL Raises, and Cont	25,071	23,000	19,449	84.56%	(3,551)	-15%	19,449
610-6601 Vehicle Replacement Fund	0	18,000	0	0.00%	0	0%	18,000
610-6602 Contingency	16,078	30,000	13,915	46.38%	0	0%	30,000
610-6603 CC Card/Online Costs	17,586	12,000	5,420	45.17%	0	0%	12,000
610-6604 Bank Recon Adj	1,432	0	(2,816)	0.00%	0	0%	0
610-6605 2008 Transf to Debt Service	34	0	0	0.00%	0	0%	0
610-6607 TMRS Match Increase 1%	0	0	0	0.00%	0	0%	0
610-6608 Bad Debt - A/R Write Off	37	0	0	0.00%	0	0%	0
610-6610 Marazzi State Loan - Private	0	0	0	0.00%	0	0%	0
Category Total	65,675	89,500	37,802	42.24%	(3,551)	-4%	85,949
Capital Outlays & Projects							
610-6705 Drainage	7,596	0	0	0.00%	0	0%	0
610-6708 CIP - Vehicle Replacement	0	0	0	0.00%	0	0%	0
610-6710 Capital Park/Utility Building	0	0	0	0.00%	0	0%	0
Category Total	7,596	0	0	0.00%	0	0%	0
Department Total	531,795	338,200	154,102	45.57%	(15,551)	-5%	322,649

**AGENDA ITEM SUMMARY – ITEM # 6**

***DISCUSS STATUS AND TIMELINE OF COMPREHENSIVE PLAN  
UPDATE – APPOINT RFP REVIEW COMMITTEE***

**DEPT – ADMIN/DEVELOPMENT**

**DATE – JUNE 25, 2012**

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As reported previously, the Town received seven (7) submittals for the Comprehensive Plan Update from the following firms:

- Halff and Associates
- HOK Planning
- SEC Planning
- Jacobs
- Gorham Consulting
- Mesa Design
- Freese Nichols
- JHP Architects

Attached is another copy of the RFP for this project. The submittals include a wide range of services and fee schedules. This is an important effort and Monday night staff would like to discuss the possibility of a council subcommittee to assist in the scoring of the submittals as we formulate a recommendation of firms to interview.

# REQUEST FOR PROPOSALS

## Comprehensive Plan Update

### Town of Sunnyvale, Texas

#### **PURPOSE**

The purpose of this RFP is to obtain competitive proposals from qualified individuals or firms, interested in carrying out a Comprehensive Plan Update for the Town of Sunnyvale, Texas.

#### **COMMUNITY BACKGROUND**

Sunnyvale has experienced significant growth and change since the adoption of its 2000 Comprehensive Plan. However, the preservation of the physical, historical, and psychological attachments to our community, a lifestyle that is based on scenic views, appreciation of the natural environment, a place to live, work, and raise families are worthwhile objectives that continue to be important to this community. Our challenge is maintaining the small town and rural character, ensuring its sustainability and accommodating smart growth, economic vitality and fiscal stability. Our community is extremely passionate about identifying ways to achieve these underlying values.

The Town of Sunnyvale is located about 15 miles east of downtown Dallas. A part of the thriving Dallas/Fort Worth Metroplex, this small, upscale community in eastern Dallas County retains a personality and flavor all its own. Sunnyvale shares borders to the north and west with the larger suburbs of Mesquite and Garland, where shopping, fine dining and entertainment are only minutes away. At the same time, the town is also bordered by the peaceful waters of Lake Ray Hubbard and the sprawling, rural expanse of Kaufman County. Sunnyvale is situated to truly benefit from the "best of both worlds".

Incorporated in 1953, Sunnyvale is a 16 square mile municipality located in eastern Dallas County and is currently 40% developed. The current population is 5,170 and the community is characterized by high quality, custom residential living with an average home value of \$285,000. Sunnyvale also enjoys a solid industrial use tax base with major manufacturing and warehousing facilities, and is currently seeking ways to expand the commercial and retail tax base through enhanced economic development efforts and planning. Three years ago, the Texas Regional Medical Center at Sunnyvale, a 100-bed, acute care hospital opened its doors to the region. The Sunnyvale Independent School District opened its new high school one year ago, and will soon begin construction on a new elementary school. Even in a down economy, the Town's total assessed valuation has increased each of the last five years as a result of quality growth and residential values that have held as compared to surrounding communities. The combination of rural character, high quality residential living, low ad-valorem taxes, and an exemplary school district make this a very desirable place to live.

## **PROJECT BUDGET/SCHEDULE**

The project budget has not been established. Interested consultants should provide a scope of work and a practical budget for undertaking the project. The Town intends to select a consultant and begin work on updating the current Comprehensive Plan by March or April of 2012.

## **TASKS**

The Town of Sunnyvale, Texas is requesting proposals to lead the community in the preparation and adoption of an update to the 2000 Comprehensive Plan. The planning horizon for the updated plan will be 2030. The Town seeks a consultant that will guide the creation of a community vision, growth and development policies, and implementation strategies. The consultant must be skilled in helping our community agree on a vision and the means to achieve it. The consultant should consider:

### **1. Public Outreach, Participation and Intergovernmental Coordination**

The public participation process should involve a wide cross-section of residents, organizations and networks, appropriate meeting and discussion formats, and information dissemination. A Citizen Task Force of volunteers can assist the consultant in gathering community input. The Planning and Zoning Commission can assist the consultant at each step of the process. These roles should be defined in the consultant's proposal.

### **2. Demographics and Socioeconomics**

The Plan should reflect current and projected demographic and socioeconomic trends and their implications on land use patterns and public services planning. The consultant should endeavor to obtain current and accurate demographic and socioeconomic data upon which policy recommendations will be based.

### **3. Future Land Use**

The Future Land Use Plan shall incorporate the residential and commercial development that has occurred since the Plan was last adopted in 2000. This element shall also provide an outlook projection based on recent development and economic trends. The Plan shall address the relationship between the environment and human activities. A general inventory of the Town's natural resources shall be established and measured against current development policies and practices. This element shall address the interconnectedness of the built and natural environments, and provide policy recommendations that will improve the state of balance.

#### **4. Community Character and Urban Design**

The Town recently updated its *'Community Design Guidelines'* for commercial and retail development. This document should be used as a tool and guide to direct the continuing use and/or further development of existing design standards and guidelines for the community as a whole.

#### **5. Housing and Neighborhood**

The housing element provides an opportunity to set policy direction relative to the range of housing products offered in Sunnyvale to include diversity, and density. This element shall look beyond housing as an independent module and toward cohesive neighborhood planning.

#### **6. Transportation**

The Plan should evaluate the Town's existing Mater Thoroughfare Plan. Of significant note, the Town has recently made recommendations to the Texas Department of Transportation regarding the route of the SH 190 project through Sunnyvale. Particular consideration should be given to this recommendation as it relates to future land use in Task # 3 (the effects of SH 190 have not been included in previous planning).

#### **7. Economic Development**

The Plan shall address a range of policies that preserve and strengthen business and commerce in the Town. This element shall characterize the unique attributes of local business districts and provide an evaluation of underutilized commercial and retail space and opportunities within the Town. Projected employment and ratios of employment to housing units should be discussed.

#### **8. Parks and Open Space**

The Town's *'Parks, Recreation, and Open Space Master Plan'* was last updated in 2009. Elements of this plan should be considered and used as a tool in the evaluation and integration of facility inventories, trail connectivity, park accessibility, and recreational goals within the Comprehensive Plan.

**9. Zoning Ordinance Updates:** Depending on funding, undertake and help gain adoption of an update to the Town's zoning regulations to bring them into alignment with the Comprehensive Plan. The decision to proceed to this task will not be made until the initial Comprehensive Plan process is underway. The consultant should include a **separate proposal** for this work.

## **RESOURCES AVAILABLE**

The following resources are available on the Town website ([www.townofsunnvale.org](http://www.townofsunnvale.org)); the link to the RFP includes access to each of these documents:

2000 Sunnyvale Comprehensive Plan

Sunnyvale Zoning Ordinance

Sunnyvale Economic Development Strategic Plan

Sunnyvale Parks and Master Plan

Community Design Standards

## **SCOPE OF WORK**

The following considerations are intended to guide the preparation of a Comprehensive Plan that will serve as a blueprint for the future growth and development of Sunnyvale. The resulting plan should be both a physical and policy based plan and provide implementation actions and strategies, and include illustrative maps, tables and graphics. The Comprehensive Plan should integrate all of the Town's existing plans. Elements of the Comprehensive Plan will include, but need not be limited to:

- A. Statement of Community Values
- B. Desired Community, Social, and Cultural Character and Sustainability
  - Desired typologies and physical character
  - Community, scale, form and design
  - Neighborhoods
  - Gateways
  - 'Livability' and 'walkability'
- C. Parks, open space, and recreation
- D. Historical characteristics to be preserved and enhanced
- E. Community and Cultural Facilities, Programs, and Arts

F. Housing

G. Economic Development and Sustainability

H. Transportation

- Vehicular connectivity
- Pedestrian and bicycle connectivity
- Streets and corridors
- Safe routes to school
- Short-term needs/improvements
- Long-term needs/improvements

I. Services, Public Facilities, and Infrastructure

- Utilities (water and wastewater)
- Streets
- Sidewalks and Trails
- Parking
- Ditches

J. Environmental Sustainability

K. Balancing, Sustainability, Land Use, Infrastructure and Zoning Practices

L. Future Land Use Map

M. Implementation strategies and actions

N. Zoning Framework (please see Task #9 above)

## **DELIVERABLE PRODUCTS**

The consultant should provide 20 copies of the final Comprehensive Plan and implementation/action steps, including color maps to the Town upon adoption of the Plan. If the consultant proceeds with the update to the zoning regulations, 5 copies of the zoning regulations also shall be provided. All data and information that has been collected through the process shall be provided in digital and hard copies. All documents must be available in electronic format, text in MS Word and Adobe PDF. A future land use map shall be provided in PDF and GIS format.

## **PROPOSAL SUBMITTAL REQUIREMENTS**

Each proposal shall use 8 ½ x 11” sheets (foldouts are acceptable for charts, sample plans, etc), and shall include ten (10) copies and one (1) electronic copy. The proposal shall be placed in a sealed envelope and marked clearly on the outside “RFP-Comprehensive Plan.”

Proposals should include:

1. Cover Letter: Cover letter shall be provided which succinctly explains the Consultant’s interest in the project. The letter shall contain the name/address/phone number of the person who will serve as the firm's principal contact person with the Town and shall identify individual(s) who will be authorized to make presentations on behalf of the firm. The statement shall bear the signature of the person having proper authority to make formal commitments on behalf of the firm.
2. Statement of Project Understanding: Provide a one page statement outlining the philosophy of the team in approaching this project and the team’s grasp of issues and goals to address in this study.
3. Qualifications of Firm/Project Team: Provide names, titles and responsibilities of key personnel who will be responsible for the management and completion of this project. Include qualifications, experience of each, and length of time with the company.
4. Strategy and Implementation Plan: Describe your (the consultant’s) interpretation of the Town’s objectives with regard to this RFP. Describe the proposed strategy and/or plan for achieving the objectives of this RFP. Proposer may utilize a written narrative or any other printed technique to demonstrate his/her ability to satisfy the Scope of Services. The narrative should describe a logical progression of tasks and efforts starting with the initial steps or tasks to be accomplished and continuing until all proposed tasks are fully described and the RFP objectives are accomplished.
5. Services: Describe services to be provided and any that may be specifically excluded. Describe what, if anything, the Town is expected to provide. Provide options for the Town of Carbondale to reduce the overall budget requirements for the project.
6. Organization and Staffing Plan: List any outside consultants or firms who might perform services for this project. Describe personnel organization; identify the people doing the work and whether they are employees or subcontractors.
7. Timeline: Provide a time line for completing milestones for each step and adoption of the Plan.

8. References: Give at least five (5) references for projects of similar size and scope, including at least two (2) references for projects completed during the past two years.

9. Fee Proposal: The fee proposal should be based on completion of both the comprehensive plan and zoning regulations together and the comprehensive plan only. Provide a complete list of costs per task and a total fee for the proposal, including expected reimbursable expenses (nonbinding), for completion of the scope of services set forth in the proposal. Costs must be listed in detail, i.e., itemizing each component of the work program as well as hourly rates, travel, meetings, etc. Tasks can be itemized as “optional” and bid independently to allow flexibility in fees. PROPOSAL DEADLINE: Proposals are due by Thursday, May 31 by 4:00pm to:

Scott Campbell, Town Manager  
RE: Comprehensive Plan Update Proposal  
Sunnyvale Town Hall  
127 N. Collins Road  
Sunnyvale, Texas 75182  
[townmanager@townofsunnyvale.org](mailto:townmanager@townofsunnyvale.org)

The Town of Sunnyvale reserves the right to reject any and all proposals. All costs including travel and expenses incurred in the preparation of this proposal shall be borne by the proposing firm. All work product, whether electronic or in hard copy, will remain the property of the Town of Sunnyvale and will be provided to the Town upon completion of the contract or upon request.

### **SELECTION FOR INTERVIEWS**

Following the submittal deadline, the Town will announce the “short list.” It is anticipated that the “short list” will consist of 2-3 potential consultants; this depends on the number and quality of statements received. At that time, a notice will be issued to the selected consultants so that they may prepare both written and oral presentations for the interview process.

INTERVIEWS: Interviews will be limited to 90 minutes of presentation followed by 30 minutes for questions. Only the principals assigned to the project should make presentations. A local committee will rank the finalists in order of preference based on written and oral presentations per the evaluation parameters contained in the proposal request.

### **EVALUATION CRITERIA**

Submittal evaluations will be done in accordance with the criteria and procedure defined herein. Firms selected for oral presentations will be chosen on the basis of their apparent ability to best meet the overall expectations of the Town. The Town Board of Trustees reserves the right to reject any and all submittals. The following parameters will be used to evaluate the submittals (in no particular order of priority):

Responsiveness of submittal to the RFP

Basic knowledge of the community

Understanding of the project and the objectives

Experience in integrating land use, transportation, environmental conservation, affordable housing, economic development and implementation strategies

Consensus building experience working with diverse communities

Necessary resources

Required skills

Demonstrated capability

Cost estimate that provides greatest value to the community

### **CONFIDENTIAL MATERIAL**

All materials submitted in response to this RFP shall ultimately become public record and shall be subject to inspection after contract award. "Proprietary or Confidential Information" is defined as any information that is not generally known to competitors and which provides a competitive advantage. Unrestricted disclosure of proprietary information places it in the public domain. Only submittal information clearly identified with the words "Confidential Disclosure" and placed in a separate envelope shall establish a confidential, proprietary relationship. Any material to be treated as confidential or proprietary in nature must include a justification for the request. Neither cost nor pricing information nor the total proposal shall be considered confidential or proprietary.

### **QUESTIONS REGARDING SCOPE OF SERVICES**

Scott Campbell

Town of Sunnyvale

Town Manager

972-203-4111

[townmanager@townofsunnyvale.org](mailto:townmanager@townofsunnyvale.org)

**AGENDA ITEM SUMMARY – ITEM # 7**

***DISCUSS/APPOINT AUDIT COMMITTEE***

**DEPT – ADMIN/FINANCE**

**DATE – JUNE 25, 2012**

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Staff anticipates receipt of the 2011 audit report at the end of this month. In a previous correspondence, staff recommended the appointment of an audit review committee to review the document prior to presentation to council. Staff seeks direction from council on this recommendation.

**AGENDA ITEM SUMMARY – ITEM # 8**

***DISCUSS BOARD AND COMMISSION APPLICATIONS***

**DEPT – ADMIN**

**DATE – JUNE 25, 2012**

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As previously directed by council, the Town advertised for board and commission openings to include a June 15 deadline for applications. Attached are the new applications received in response to this effort. Also attached is a copy of a previous report indicating current board term status. This item is not posted for actual appointments, rather a discussion regarding how council wishes to proceed with interviews, and timing for appointments.

**TOWN OF SUNNYVALE  
BOARD OF ADJUSTMENTS**

**MEMBER LIST**

<b><u>TITLE</u></b>	<b><u>MEMBER</u></b>	<b><u>ORIG. APPOINTED</u></b>	<b><u>TERM EXP.</u></b>	<b><u>TERM LIMITS</u></b>
CHAIRPERSON	Jean Holt	2006	2012	2012
MEMBER	Ryan Finch	2010	2012	2016
MEMBER	Fred Miller	2008	2013	2014
MEMBER	Dale Graves	2010	2013	2016
MEMBER	Laela Naghela-EI	2009	2013	2015
ALTERNATE	Mathew Koshy	2010	2012	2016
ALTERNATE	Diane (DeLaGarza) Spruill	2010	2013	2016

**TOWN OF SUNNYVALE  
PLANNING ZONING COMMISSION**

**MEMBER LIST**

<b><u>TITLE</u></b>	<b><u>MEMBER</u></b>	<b><u>ORIG. APPOINTED</u></b>	<b><u>TERM EXP.</u></b>	<b><u>TERM LIMITS</u></b>
CHAIRPERSON	Mark Egan	2006	2012	2014
MEMBER	Rickey Hoffman	2004	2012	2012
MEMBER	Ken Wilson	2010	2013	2018
MEMBER	Jos Joseph	2010	2013	2018
MEMBER	Chris McNeill	2010	2012	2018
MEMBER	Diane Turner	2007	2013	2015
MEMBER	Jack Kirkland	2007	2013	2015
ALTERNATE	Ken Demko	2011	2012	2019
ALTERNATE	Anthony Okafor	2011	2013	2019

**TOWN OF SUNNYVALE  
4A DEVELOPMENT CORPORATION**

**MEMBER LIST**

<b><u>TITLE</u></b>	<b><u>MEMBER</u></b>	<b><u>ORIG. APPOINTED</u></b>	<b><u>TERM EXP.</u></b>	<b><u>TERM LIMITS</u></b>
PRESIDENT	TERRI SHATTER	2011	2013	2019
VICE PRESIDENT	RACHEL DOYLE	2008	2012	2016
SECRETARY	HARI PILLAI	2010	2012	2018
TREASURER	DAVID CARLILE	2010	2013	2018
MEMBER	BILL METZGER	2011	2013	2019

**TOWN OF SUNNYVALE  
4B DEVELOPMENT CORPORATION**

**MEMBER LIST**

<b><u>TITLE</u></b>	<b><u>MEMBER</u></b>	<b><u>ORIG. APPOINTED</u></b>	<b><u>TERM EXP.</u></b>	<b><u>TERM LIMITS</u></b>
PRESIDENT	Mark DeWitt	2006	2012	2014
TREASURER	Kara Ranta	2007	2013	2015
SECRETARY	Debi Lockhart	2008	2012	2016
MEMBER	Elizabeth Falco	2010	2012	2018
MEMBER	John Bailey	2011	2013	2019
MEMBER	Michael Giordano	2011	2012	2019
MEMBER	Warren Kampmeier	2011	2013	2019

**TOWN OF SUNNYVALE  
LIBRARY BOARD**

**MEMBER LIST**

<b><u>TITLE</u></b>	<b><u>MEMBER</u></b>	<b><u>ORIG. APPOINTED</u></b>	<b><u>TERM EXP.</u></b>	<b><u>TERM LIMITS</u></b>
CHAIRPERSON	MARGARET JACOBS		2012	
MEMBER	CAROLYN TRAMMELL		2013	
MEMBER	ALICE CHARALES		2012	
MEMBER	MARY HUGHES		2013	
MEMBER	RANDY FERGUSON	2008	2012	
MEMBER	GEORGEANN MOSS	2010	2012	
MEMBER	KATIE FRAZIER	2010	2013	
ALTERNATE	MIRIAN NEMER	2010	2012	
ALTERNATE	RAJAN PHILIP	2011	2013	

TOWN OF SUNNYVALE

Council Appointment Fact Sheet

Appointment Sought Library Board

Personal Information

Name Matthew Joseph

Address 583 N. Collins Rd.

Telephone 972-523-5746

Sunnyvale resident since (MM/YY) 03/01

Occupation Engineer

Background

Prior/current involvement in Town Government or related activities:

- Involved in church activities - Calvary Church; Board member & minister (Mega Church)
- Owner/President of RSH Engineers, Inc.

Other related experience:

- Youth minister, counselor
- Taught Engineering @ Mountainview Community college
- JOB w/ MW KELLOGG IN THE TECHNICAL LIBRARY.

Interest & Ability

Why are you interested in serving in this capacity? Help Town of Sunnyvale  
- Bring new, fresh ideas  
- Get more folks to participate

What do you feel you can contribute to the position?  
Leadership, innovative ideas, time & talent

Are there specific results you would like to accomplish as a member of this Board or Commission? If so, what are they?

- \* Increase awareness of Town of Sunnyvale Library Programs/policies
- \* Get more funding for the library through sponsorship from businesses
- \* Have literary competition & fund raisers + Reading & writing workshops

\*If you have applied in previous years, please apply again so we will have updated records.

Town of Sunnyvale  
Received

MAR 29 2012

TOWN OF SUNNYVALE

Town Secretary

Council Appointment Fact Sheet

Appointment Sought LIBRARY BOARD MEMBER

Personal Information

Name RANDY FERGUSON

Address 293 ASITWOOD LN, SUNNYVALE, TX 75762

Telephone 972-203-2285

Sunnyvale resident since (MM/YY) 02/02

Occupation DETECTIVE - DALLAS POLICE DEPARTMENT

Background

Prior/current involvement in Town Government or related activities: I AM CURRENTLY ON THE LIBRARY BOARD, MEMBER OF FRIENDS OF THE SUNNYVALE LIBRARY

Other related experience: COMMUNITY RELATIONS EXPERIENCE

Interest & Ability

Why are you interested in serving in this capacity? WOULD LIKE TO HELP IMPROVE THE QUALITY OF LIFE FOR SUNNYVALE CITIZENS

What do you feel you can contribute to the position? PAST EXPERIENCE DEALING WITH THE PUBLIC WILL HELP IN THE CURRENT MOMENTUM OF THE BOARD

Are there specific results you would like to accomplish as a member of this Board or Commission? If so, what are they? CONTINUE THE PROGRESS WE HAVE MADE ON THE BOARD, THIS LAST TERM.

\*If you have applied in previous years, please apply again so we will have updated records.

# TOWN OF SUNNYVALE

## Council Appointment Fact Sheet

Appointment Sought Library Board Member

### Personal Information

Name Ann W. Smith PhD

Address 115 East Fork Rd. Sunnyvale →

Telephone (214) 221-8838

Sunnyvale resident since (MM/YY) 05-2010

Occupation University Professor of History (retired) 35 years  
Henderson State Univ. - Arkadelphia, AR

### Background

Prior/current involvement in Town Government or related activities:

HOA President (Ark), State Board member for History Day in Arkansas, State Sec., AAUP, campus pres. AAUP, State President AACT (Ark. Assoc. of College History Teachers),

Other related experience:

Advisor for National award winning Chapter of Phi Alpha Theta (Historian.)

### Interest & Ability

Why are you interested in serving in this capacity?

I've been interested & involved with books my entire life — 40+ years experience at high school & university levels where I have gained some understanding of the specific needs for libraries.

What do you feel you can contribute to the position?

I would like to use whatever talents & understanding I have to advance the fortunes of the library.

Are there specific results you would like to accomplish as a member of this Board or Commission? If so, what are they?

- To promote increased utilization of library materials, especially encouraging teens to read seriously.
- attached is an item I found years ago. It is my philosophy on books & the need to share their contents with all ages & backgrounds.

\*If you have applied in previous years, please apply again so we will have updated records.

### **A Force to Be Reckoned With**

*I am full of wisdom, humor, tears, passion, and love. I am that which is held tightly to the breast, lightly on the lap, peered at, sighed over and remembered. I bring you foolish fancies; bring friendship to the lonely. I take you with me to the far reaches of the earth from India to China, to Mars, to Venus, and probe into the habits of chimpanzees.*



*I reach into your mind; I show you things that are unbelievable and make you believe them. You must treasure them. You must treasure me, protect me: I give you a knowledge of life you never dreamed of. Don't desecrate me; I fill the empty places of your life. I give myself gladly; seek me out and find me - I am a BOOK.*



*Ann W. Smith  
Prof. of History*

# TOWN OF SUNNYVALE

## Council Appointment Fact Sheet

Appointment Sought Library board member

### Personal Information

Name Lucas Hales

Address 579 N. Collins Rd

Telephone 718.690.8818 email: lucas.hales@us.pwc.com

Sunnyvale resident since (MM/YY) 06/12

Occupation Public Accountant / CPA

### Background

Prior/current involvement in Town Government or related activities:

*I have experience serving the community as a secret leader as well as a community coordinator for a church congregation. I assisted in setting up multiple service projects for the community.*

Other related experience:

*Project management. I have worked on large engagements at my firm and I appreciate the effort that goes into managing a task and staying on budget.*

### Interest & Ability

Why are you interested in serving in this capacity?

*I love serving and I love libraries. Best place to do both is at the library. Also, I'm new to the community and I would like to jump in and get involved.*

What do you feel you can contribute to the position?

*Passion for libraries. Since being married my wife and I along with our children have been major proponents of library use.*

Are there specific results you would like to accomplish as a member of this Board or Commission? If so, what are they?

*I would like to help improve the library experience. Hopefully make it a destination for families to go and spend time together. Make it a central location for our community.*

\*If you have applied in previous years, please apply again so we will have updated records.

June 15, 2012

Town Secretary  
Town of Sunnyvale  
127 North Collins Road  
Sunnyvale, TX 75182

Dear Town Secretary:

I am currently living in Brooklyn, NY with my small family but we are moving to Sunnyvale on June 22 (in one week!). I recently visited your library website to get an idea of what to expect and as I did so I noticed that you are accepting applications for board members. We love libraries and I would love to serve with you at the Sunnyvale Library. So my question is if you would accept an application from a soon-to-be resident?

I have been an auditor with PwC for over 5 years giving me relevant skills for a public board position. I also love budgets. My family and I are very active library patrons and I would love to jump in and help out.

Best,

A handwritten signature in black ink, appearing to read "Lucas Hales". The signature is fluid and cursive, with a large initial "L" and "H".

Lucas Hales

Soon to be resident at:  
579 North Collins Road

# TOWN OF SUNNYVALE

## Council Appointment Fact Sheet

Appointment Sought Board of Adjustments

### Personal Information

Name Donald R. Ivey

Address 525 Larkin

Telephone 972-289-8139

Sunnyvale resident since (MM/YY) 10/2009

Occupation Retired

### Background

Prior/current involvement in Town Government or related activities:

None

Other related experience:

27.5 Years city government with the City of Dallas

### Interest & Ability

Why are you interested in serving in this capacity?

I have dealt with this Board several times and feel I can contribute my knowledge and help make the Town a better place for the citizens to reside.

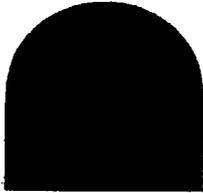
What do you feel you can contribute to the position?

I have over 20 yrs experience in the building field and with my knowledge can contribute my knowledge/experience.

Are there specific results you would like to accomplish as a member of this Board or Commission? If so, what are they?

I would like to see realist ordiances in place, in hopes to draw more residents and businesses to the Town.

\*If you have applied in previous years, please apply again so we will have updated records.



**TOWN OF SUNNYVALE  
Council Appointment Fact Sheet  
2012**

**Appointment Sought:** Board of Adjustment, P and Z, 4A, or 4B<sup>1</sup>

**Personal Information:**

**Name:** James R. Golder

**Address:** 456 Rockshire Drive

**Telephone:** 214-912-4729 (unlisted)

**Sunnyvale Resident Since (mm/yy):** 10/10

**Occupation:** Attorney/Assistant Regional Director  
U.S. Federal Trade Commission-Southwest Region

**Background:**

**Prior/Current involvement in Town Government or related activities:** None

**Other related experience:** I attended the last four meetings of the SH190 Committee.

**Interest & Ability:**

**Why are you interested in serving in this capacity?** My recent participation at the SH190 Committee meetings has encouraged me to become more involved in serving my community.

**What do you feel you can contribute to the position?** I have well-developed analytical skills, and the ability to objectively examine and consider all sides of an issue.

**Are there specific results you would like to accomplish as a member of this Board or Commission? If so, what are they?** There are no specific results I want to achieve. I want to become involved and do my part to help keep Sunnyvale a wonderful place to live.

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<sup>1</sup> If selected to serve on a board or commission, I will need to obtain approval to serve from the FTC's Office of General Counsel in Washington, D.C. This should not be an issue.

# TOWN OF SUNNYVALE

## Council Appointment Fact Sheet

Appointment Sought Planning & Zoning Board

### Personal Information

Name Kenneth R. Demko

Address 468 San Gabriel Way

Telephone 972.203.5724 (cell) 214.632.1701

Sunnyvale resident since (MM/YY) November 2003

Occupation General Contractor / Developer

### Background

Prior/current involvement in Town Government or related activities:

Planning and Zoning Board as Alternate

Other related experience:

I have worked as a design-build General contractor and developer in the area for 34 years.

I have dealt extensively with numerous P&Z Boards on various projects.

### Interest & Ability

Why are you interested in serving in this capacity?

I would like to see a well developed Comprehensive Zoning Plan established to promote city growth.

What do you feel you can contribute to the position?

33 years of dealing with numerous P&Z boards.

Are there specific results you would like to accomplish as a member of this Board or Commission? If so, what are they?

I would like to continue working with the P&Z Board to help make the existing Comprehensive planning and zoning policies current with the expanding growth of the town.

\*If you have applied in previous years, please apply again so we will have updated records.

**AGENDA ITEM SUMMARY – ITEM # 9**

***CALENDARING SESSION***

**DEPT – ADMIN**

**DATE – JUNE 25, 2012**

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Attached please find a copy of the FY 2013 Budget Planning Calendar. Staff would like to identify potential dates for budget workshops for July and August. Additionally, at their last meeting, the Home Rule Charter Commission discussed potential dates for workshops with council as well as Town Hall meetings to discuss and receive input on a draft charter. We will review these dates with you Monday night. Please bring your calendars Monday night as we plan for these efforts.



## Budget Calendar 2012 – 2013

April/May.....	Meet with Department Heads. <ul style="list-style-type: none"> <li>Review current year budget and mid-year budget projections/amendments.</li> </ul>
TBD.....	Town Council Meeting: <ul style="list-style-type: none"> <li>Review proposed amended 2011/12 budget.</li> </ul>
Week of May 14.....	Preliminary taxable values due from Dallas County Appraisal District.
Week of June 18.....	Begin budget preparation for 2012/13 year. <ul style="list-style-type: none"> <li>Meet with Department Heads and provide budget spreadsheets.</li> </ul>
Week of July 16.....	Individual Department Head meetings with Town Manager. <ul style="list-style-type: none"> <li>Receive Town Manager Proposed Budget of Programs and Services.</li> </ul>
July 23.....	Town Council Meeting: <ul style="list-style-type: none"> <li>Proposed Fiscal Year 2012 -2013 Budgets Distributed to Town Council</li> <li>Certified appraisals due from Dallas County Appraisal District.</li> </ul>
Aug 13.....	Town Council Meeting: <ul style="list-style-type: none"> <li>Receive Effective and Roll Back Tax calculations.</li> <li>Take vote to hold Public Hearing on Aug 20th and September 10<sup>th</sup> and adopt the tax rate on Sept 24<sup>th</sup> meeting;</li> <li>Publish Effective and Roll Back tax calculations.</li> <li>Budget is officially filed with Town Secretary and open for public inspection;</li> <li>Publish notice of public hearing on budget set for Aug 20th .</li> </ul>
Aug 27.....	Town Council Meeting: <ul style="list-style-type: none"> <li>Discuss FY 2012/13 Budget in work session if necessary.</li> <li>Public Hearing on proposed FY 2012/13 Budget and FY 2012/13 Proposed Tax Rate.</li> <li>Publish notice of public hearing on budget set for Sept 10<sup>th</sup></li> </ul>
Sept 10.....	Town Council Meeting: <ul style="list-style-type: none"> <li>Discuss FY 2012/13 Budget in work session if necessary.</li> <li>Public Hearing on proposed FY 2012/13 Budget and FY 2012/13 Proposed Tax Rate.</li> </ul>
Sept 17.....	Special Town Council Meeting <ul style="list-style-type: none"> <li>Adopt by Ordinance the Property Tax Rate for fiscal year 2012/13.</li> </ul>
Sept 24.....	Town Council Meeting: <ul style="list-style-type: none"> <li>Discuss FY 2012/13 Budget in work session if necessary;</li> <li>Town Council to adopt by ordinance the FY 2012/13 Annual Budget of Programs and Services.</li> <li>Adopt by Ordinance the Property Tax Rate for fiscal year 2012/13.</li> </ul>
Sep 30.....	Last day of fiscal year.
Oct 1.....	Implementation of new budget; new fiscal year begins.