REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034

5:00 PM

TUESDAY, SEPTEMBER 04, 2012

AGENDA

CALL TO ORDER

1. ROLL CALL

CLOSED SESSION

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;

   A. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:

      i. Receive legal advice regarding household care facilities, group/community homes and related facilities.
      ii. Receive legal advice regarding Frisco's involvement in the Arts Center of North Texas and other legal issues related thereto.

   B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:

      i. Bordered by Eldorado Parkway on the north, Teel Parkway on the

west, Preston Road on the east and SH121 on the south.

C. Section 551.074. Personnel Matters: Section 551.074 authorizes certain deliberations about officers and employees of the governmental body to be held in executive session:

   i. Deliberation regarding the annual evaluation of Richard Abernathy, City Attorney.

D. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

REPORTS

4. Library report on usage and programming activities

5. Parks and Recreation Monthly Report regarding Park and Trail Development, Facilities, Special Events and Youth Development

6. Engineering Services Monthly Report on Roads, Traffic, Water & Sewer Projects.

7. Council Subcommittee reports for current activities of the Legislative, Governance, Frisco Square Management District and the Budget and Audit Committee.

CITIZEN INPUT (to begin approximately at 7:30 p.m.)

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

8. Consider and act upon approval of the August 21, 2012 Regular City Council meeting minutes, the August 27, 2012 Special Called City Council Meeting

Boards and Commissions Nominating Meeting, and the August 27, 2012 Special Called City Council Meeting and Budget Public Hearing. (CSO/JP)

9. Consider and Act on the adoption of a Resolution authorizing the City Manager to submit documents to the Texas Comptroller's Office Trust Fund for the reimbursement of state tax revenue acquired from three events. (CVB/MR)

10. Consider and act upon approval of additional expenditures with Bob Tomas Ford for the purchase of Ford OEM parts and service to maintain the City's fleet. (Fleet/TJ)

11. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Development Services, pursuant to Subsection 6.19 of the Zoning Ordinance and/or Section 4.02 of the Subdivision Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Development Services. (Development Services)

LEGISLATIVE AGENDA

(These items may legally require Council Action, but by Council Policy should be the City Manager's responsibility. The Legislative Agenda can be acted upon in one motion. The concurrence of two council members is required to remove any item for separate discussion and action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

12. Consider and act upon adoption of five Ordinances to amend Planned Development-12 and Planned Development-38, rezoning a 13.1± acre tract of land on the southeast corner of Rolater Drive and Hillcrest Road from Planned Development-12-Business Center and Planned Development-38-Retail to Single Family-7 and reclassify zoning designations. Neighborhoods #18 & 25. Zoning Case No. Z12-0012. (Development Services/MW)

13. Consider and act upon adoption of an Ordinance granting a Specific Use Permit for a Licensed Child Care Center on one lot on 3.6± acres on the east side of Parkwood Boulevard, 720± feet north of Stonebrook Parkway. Neighborhood #23. Case No. SUP12-0015 (Development Services/JE)

REGULAR AGENDA

14. Public Hearing: Zoning Case Z12-0015. A request to amend Planned Development-31, rezoning a 3.1± acre tract from PD-31-Office-1 to PD-31-Highway and consider and act to direct staff to prepare an Ordinance of the same. The property contains 131.9± acres on the north side of State Highway 121 between Legacy Drive and Dallas Parkway. Zoned Planned Development-31-Garden Office/Commercial Office/Commercial Center/Business Center. Proposed Zoning Planned Development-31-Office-1/Retail/Highway. Neighborhood #34. (Development Services/MW)

15. Public Hearing: Zoning Case Z12-0011. A request to rezone 0.4± acres on the west side of Esther Way, 250± feet south of Wade Boulevard from Industrial to Commercial-2 and consider and act to direct staff to prepare an Ordinance of the same. Zoned Industrial. Neighborhood #23. (Development Services/MW)

16. Public Hearing: Specific Use Permit Case SUP12-0014. A request for a Specific Use Permit for a Licensed Child Care Center on one lot on 1.3± acres on the west side of Esther Way and consider and act to direct staff to prepare an Ordinance of the same. Zoned Industrial. Proposed Zoning Commercial-1. Neighborhood #23. (Development Services/MW)

17. Consider and Act Upon Establishing the Threshold for triggers to initiate aerial spraying. (Development Services/JS)

18. Public Hearing: Second Public Hearing on the City of Frisco Fiscal Year 2013 Annual Budget, including Frisco Economic Development Corporation Fiscal Year 2013 Budget and the Frisco Community Development Corporation Fiscal Year 2013 Budget (CMO/NL)

19. Second Public Hearing on the City of Frisco Proposed FY13 Tax Rate (CMO/NL)

20. Consider and act upon repeal of resolution no. 01-11-134R, which eliminated the fee requirement for non-residents of the City of Frisco to pay a fee for the issuance of a library card; providing for repealing, savings, and severability clauses; and providing for an effective date.

21. Consider and act upon approval of rescheduling Regular City Council meetings and scheduling Work Session meetings during the months of November, December, and January. (CSO/JP)

22. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

23. Discussion on Governance Monitoring of present City Council Meeting.

ADJOURN

CERTIFICATION

Henry Hill, Deputy City Manager, certifies that this Notice of Meeting was posted on the outside bulletin board, at the City Hall of the City of Frisco, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time:

By Friday, August 31, 2012 at 5:00 PM and remained so posted at least 72 hours before meeting was convened.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with the attorney for the City.
§ 551.072 – Discussing purchase, exchange, lease or value of real property.
§ 551.074 – Discussing personnel or to hear complaints against personnel.

NOTICE

Pursuant to City of Frisco Ordinance Number 01-04-29 all speakers other than City of Frisco Staff are limited to five (5) minutes per item except by prior consent of the City Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

The Frisco City Hall is wheelchair accessible. Access to the building and special parking are available at the primary north entrance facing Frisco Square Blvd. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (972) 292-5025 or by FAX (972) 292-5028. BRAILLE IS NOT AVAILABLE.

AGENDA ITEM #4.

July 2012 - Library Report on Usage and Programming Activities

	July 2012	July 2011	% Change		Year - To - Date FY2012	Year - To - Date FY2011	% Change	
Total In-Library Transactions	**217,220**	210,187	3%		**1,590,305**	1,450,675	10%	
Total Circulation	**159,212**	144,516	10%		**1,170,362**	1,032,802	13%	
In-House Use	**23,799**	22,623	5%		**181,696**	177,118	3%	
New Cardholders	**1,909**	1,781	7%		**13,858**	11,586	20%	
Reference Questions	**15,361**	23,953	-36%		**116,729**	121,487	-4%	
Onsite Computer Users	**6,408**	7,175	-11%		**50,041**	57,884	-14%	
Program Attendance	**9,780**	9,739	0%		**50,982**	46,221	10%	
Interlibrary Loan	**751**	400	88%		**6637**	3577	86%	
Total E-Branch Transactions	**72,572**	51,492	41%		**599,999**	409,712	46%	
E-Branch Transactions Per Capita	**0.57**	0.42	36%		**0.48**	0.36	33%	
E-Branch Transactions Per FTE	**1,770**	1,256	41%		**1,499**	1,055	42%	
Database Searches	**16,652**	13,327	25%		**152,968**	123,040	24%	
Library Website Sessions	**46,030**	33,368	38%		**368,053**	250,883	47%	
Downloadables Circulation	**9,841**	4,788	106%		**78,495**	34,908	125%	
Downloadables Circ. As % of Total Circ.	**6.2%**	3.3%	88%		**6.7%**	3.4%	97%	
Online Homework Help	**49**	9	444%		**483**	882	-45%	
Total Cardholders	**84,121**	80,196	5%		**84,121**	80,196	5%	
Patron Visits [2]	**74,643**	66,047	13%		**497,113**	482,392	3%	
Library Assets - Collection	**183,347**	174,803	5%		**183,347**	174,803	5%	
Library Volunteer Hours	**1137**	1289	-12%		**5608**	5129	9%	
Benchmarked Statistics								**[1]Benchmark Group**
Total In-Library Transactions Per Capita	**1.71**				**1.27**			**0.94**
Total In-Library Transactions Per FTE	**5,298**				**3,987**			**2,352**
Collection Size Per Capita	**1.44**				**1.43**			**1.86**
Square Feet Per Capita	**0.39**				**0.39**			**0.52**
Patron Visits Per Capita	**0.59**				**0.38**			**0.36**
Patron Visits Per FTE	**1,964**				**1,176**			**898**

[1] Benchmark group is Plano, Allen, McKinney, Carrollton, and Denton. Data source is the Texas State Library & Archives Commission.

[2] Patron Visits figures for March, April, and May reflect statistical adjustments to correct for a problem with patron counter devices

Library Report on Programming and Usage Activities - Narrative
July 2012

1) Analysis of Statistical Report

Significant variations or changes in the July and FY2012 cumulative report:

- July continued the record-breaking summer of 2012 with highest single-month records for patron visits, website visits, eBook downloads, and items checked in.
- July 2012 circulation, at 159,212 checkouts, was up 10% over July 2011. For the year, circulation is up 13% over 2011. Other year-to-date key measures are continuing to perform as described below:
    - The library issued 1,909 new cards in July, up 7% from the same month last year.
    - EBook downloads and eAudiobook downloads were up over 100% from July 2011 and are up 125% for the fiscal year.
    - Database usage has increased 25% for the year-to-date over 2011 as genealogy and business databases continue to account for very high usage levels.
- Our summer reading programs wrapped up July 31st, with large increases in the number of adults and children completing reading logs and returning them to the library. A total of 645 adults completed logs, an increase of 22% over 2011. Youth participation was up 14% over 2011 with 5,010 kids and teens completing summer reading logs.

2) Upcoming Events

- The youth services division is running library-themed poster contests for both teens and elementary age students through October 8th. The elementary theme is 'Libraries of the Future' and the teen theme is graphic-novel styled 'Library Avengers'. Entry forms and contest details can be obtained at the library or in the Events and Classes section of the library website at www.friscolibrary.com.
- The full slate of fall children's and teen programs kick off September 4th, and there are almost 20 programs, clubs, and workshops on offer for adults as well just in September alone.

AGENDA ITEM #5.

PARKS & RECREATION
DEPARTMENT

CITY OF FRISCO

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Parks and Recreation Report: City Council Meeting of September 4, 2012

Hike and Bike Trail Projects

Chapel Creek Hike and Bike Trail Extension

Description – This project will provide for additional linkage of the existing trail to the east towards Preston Road, with the expansion of the subdivision.
Previous Status – There is no change in the status of this future project. Staff continues to stay in tune with potential development that might spur this project.
Current Status – Staff contacted the project engineer and was informed that they are not aware of a firm timetable when the project will move forward. Because the trail is integrally placed throughout the subdivision, further design of the trail, and consequently, the construction of the trail, cannot move forward until the developer is ready to construct the next phases of the subdivision.

Cottonwood Trail – A-6

Description – This project provides for the development of a trail system that will run along Cottonwood Creek from North County Road to Frisco Street.
Previous Status – Staff will be asking for Council consideration to move forward with the project at their July 31, 2012 meeting. If approved, the project should begin in August.
Current Status – A contractor has been awarded the bid and permits have been issued. Surveying and site lay-out is under way. Construction of the trail should take approximately 60 days.

Latera Trail

Description – This project would provide a linkage from the existing hike and bike trail corridor, near the Dominion Development in the northeast quadrant of City, through the Latera Development and to Preston Road.
Previous Status – The developer is moving forward with a phase adjacent to the creek and the easements are being secured through the plat. The trail will not be constructed until the remaining phases are built along the creek or until there is a connection on the east end of the subdivision.
Current Status – Staff has contacted the engineer and was told that construction of the next phase of the subdivision has been put on hold due to slow sales. The developer may start construction toward the end of 2012 or the first part of 2013. The trail construction, because it is an integral part of the project, would be built as the subdivision is constructed.

Main Street – Off Street Trail

Description – This project will entail an off street trail between the Dallas North Tollway (DNT) westward to FM 423.
Previous Status – The project is now underway and expected completion date is November, 2012.
Current Status – The project is over halfway done and should be complete within the next 45 days.

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United States Corps of Engineers 1135 Project

Description – This project provides for the development of a soft trail system providing a connection from B.F. Phillips Community Park westward to FM 423 and Lake Lewisville.

Previous Status – The consultants for this work are currently in the process of completing the plan. Construction will not occur until Federal funds are secured and allocated for this project.

Current Status – Staff made contact with the United States Army Corps of Engineers (USACE) and were told that they continue to make progress on developing the project plans. However, construction will not occur until funds have been appropriated by the Federal Government. The project is in the proposed budget for FY13, and if approved, the project would begin in 2014. Staff will continue to monitor.

Facilities and Capital Projects Highlights

Senior Center at Frisco Square

Current Status – July, 2012

Senior Center	Previous Month		Year-To-Date	
	FY12	+/- from FY11	FY12	+/- from FY11
Membership Visits	4,469	-3.2%	46,073	-0.8%
Total Members	1,910	4.5%	1,828	N/A
Membership Revenue	$1,228	-5 %	$5,652	-8 %
Program Revenue	$6,024	30.2%	$59,157	11 %
Total Revenue	**$7,252**	**-22.5%**	**$64,809**	**9 %**
Membership Expense	$18,998	-21.1%	$250,468	-0.2%
Program Expense	$9,655	-13.2%	$116,085	-9.2%
Total Expense	**$28,653**	**-18.6%**	**$376,552**	**-3.2%**

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Frisco Athletic Center

Current Status – July, 2012

Frisco Athletic Center	July – 2012		Year-To-Date	
	FY12	+/- from FY11	FY12	+/- from FY11
Membership Visits	86,192	3.7%	556,042	6.3%
Total Members	18,811	5.3%	N/A	N/A
Total Accounts	5,422	4.3%	N/A	N/A
Membership Revenue	$ 318,419	2.3%	$2,472,762	6.1%
Program Revenue	$ 104,333	13.6%	$ 910,055	4.9%
Total Revenue	**$ 422,752**	**4.9%**	**$3,382,817**	**5.8%**
Membership Expense	$ 299,077	-2.1%	$1,945,981	3.5%
Program Expense	$ 107,164	9.3%	$ 710,229	5.3%
Total Expense	**$ 406,241**	**0.7%**	**$2,656,210**	**4.0%**

Ongoing Maintenance of Maturing Areas of the City

Reinvestment to current park assets

Bi-Centennial Park

Description – The renovation of this park site will occur in a couple of phases over the next couple of years. The initial phase of work entailed the construction and installation of a water spray ground that opened in the summer of 2009. The next phase of work will include additional parking for the spray ground, as well as other amenities such as landscaping, seating areas, and possible pavilions for this area.
Previous Status – Staff will be waiting until after the spray park closes for the fall to consider the timing of this project for its next phase.
Current Status – Plans are being finalized for the construction of bathroom facilities, sitting areas and shade structures. This project will be put out to bid in September and construction will begin in October.

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Park Development

Neighborhood Parks Currently Being Developed

Miramonte Park Site

Description – Located north of Panther Creek Parkway, east of Preston Road and west of Hillcrest Parkway, this neighborhood park is located in the Miramonte development and will be adjacent to an elementary school for the Prosper Independent School District. The project will be divided into two separate projects with the first involving the initial development of the park by the subdivision developer. Future development of the park will take place at some undetermined point in time as funding is identified in the Park Development Plan.

Previous Status – The developer is moving forward with the construction of the park. Phase One of the park elements should be completed as scheduled by the end of October, 2012.

Current Status – The project is complete and the developer is working on punch list items.

Neighborhood Parks being Master Planned

At this time, there are no neighborhood parks that are scheduled to be master planned.

Community Park Construction

Community Parks being Master Planned

No Community Parks are currently being master planned at this time. Both the Parks and Recreation Board and the Frisco Community Development Corporation will be meeting and discussing which of the two current undeveloped community parks (Northwest and Northeast Community Park) will move forward with master planning.

Previous Status – A joint meeting is scheduled between the Parks and Recreation Board and the Frisco Community Development Corporation on Thursday, August 16, 2012. At that time, both Boards will discuss and provide direction to staff on which community park that they would like to move forward with at this time.

Current Status –The joint meeting was held on August 16, 2012. Staff presented the cost estimates and pros and cons of each location. Following discussion, both Boards unanimously chose Harold Bacchus Community Park as the next community park to develop.

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Community Parks Currently Being Developed

Establishment of Alternative Water Systems at Harold Bacchus, B.F. Phillips, Frisco Commons and Warren Sports Complex

Description – The scope of this overall project is to provide a re-use water system at B.F. Phillips Community Park and provide for the installation of wells for an alternative water source at Warren Sports Complex, Harold Bacchus Community Park and at the Frisco Commons park site.

Previous Status – The well system at Warren Sports Complex is complete and operational at this time. Staff is working through scheduling transitions for this system. The well system at Frisco Commons is complete and awaiting connection to the spray park system. This should occur within the next 2 weeks. The contractor is re-working the well system at Harold Bacchus Community Park at the current time in an effort to increase the volume of water from this well. More details on this work will be known at the next monthly report.

Current Status – Warren Sports Complex is completely operational and off potable water. The well at Harold Bacchus is going through final testing and if it produces the desired quantity, the irrigation will be disconnected from potable water by the end of August. The well at Commons is complete, however due to the water temperature, the well has not been connected to the spray ground. Staff is exploring options to reduce the temperature of water coming from the well.

Warren Sports Complex

Description – The scope of this project is to design and provide for the development of additional permanent parking at Warren Sports Complex, specifically in the northern section of the park nearest the youth football/soccer field area.

Previous Status – The final portion of the parking lot and sidewalk have been installed. Once the parking lot lights are delivered, the contractor can install them, as the concrete bases and electrical system is ready to go. Parking lot striping, final grading and irrigation will be installed within 2-3 weeks of that time. Projected completion date should occur by mid-August.

Current Status – Irrigation and sod is currently being installed. The lights will be installed once they are delivered. Striping of the parking lot is scheduled for the week of August 27th.

Grand Park

Description – Located with boundaries that run north along Cotton Gin Road, from the Dallas North Tollway west to Legacy Parkway, and to the south to Stonebrook Parkway, this 282 ± acre park will serve as the City's primary regional park site. The master plan for the Grand Park was revised in 2011 and work is currently moving forward for the design and permitting of the park's initial development.

Previous Status – The Grand Park subcommittee will meet on Monday, July 30, 2012. At this meeting, the consultants will provide an update to the committee on work that has been done as well as visit with the group on the architectural style and feel for the park. Up to this point in time, a good portion of the park has been discussed and refined in plan view and developing the programmatic elements. This meeting will help to define what those elements will look like for the ultimate development.

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Current Status – The Sub Committee met on July 30th and reviewed a slideshow and presentation from Jacobs, the project consultants. Jacobs discussed each of the areas and used representative photos to help define what the areas could look like. Following discussion, the Sub Committee provided Jacobs with some helpful feedback. The consultants will bring back sketches of the various architectural elements for a follow up meeting in September. At this meeting, the feel and style of the architecture should start to come in focus.

Cottonwood Linear Park

Description – Located along Cottonwood Creek, primarily from Legacy Parkway westward to Teel Parkway, this is a partnership project between the developer of Shaddock Creek Estates and the City in an effort to provide development and to transfer ownership of the property to the City.

Previous Status – There is an existing developer's agreement on the property that requires the developer to build the property first and ultimately turn it over to the City as a park. It is likely that this agreement will be modified within the next 60 days prior to any construction taking place. Based on the latest indication by the developer, construction may start on the property in the next 6-12 months.

Current Status – Staff held a public meeting with the adjacent neighborhoods on August 8, 2012 to discuss the project and update the residents on the status. Plans should be complete in the next 60-90 days. Construction will begin as the developer chooses to move forward with Shaddock Creek Phase 6B.

Special Parks and Facilities

Hope Park Playground Development, at Frisco Commons Park

Current Status – The City of Frisco and the Frisco Parks and Recreation Department are working with representatives from Hope Park, to develop a community-built, fully accessible playground at Frisco Commons Park site in 2013. Hope Park, which is a 501(C)3 non-profit organization, along with hundreds of volunteers, will be building a new playground that will expand the existing Friendship Park playground. The estimated date for construction of the new addition will be the week of April 9 – 14, 2013. Staff will be working closely with the group to provide renovations to the Friendship Park portion of the area, which was built in 1999. An agreement with Robert Leathers and Associates will come before City Council to provide the design and construction administration.

Special Events

Recently completed events:

Dive-In Movie Series

There were three Dive -In Movies this summer, and the total attendance was close to 1,000 people. Held at the Frisco Athletic Center Outdoor Aquatic Center, those in attendance enjoyed the water features and a larger screen and sound system. Sponsors all reported that the event was a success for their businesses and staff looks forward to planning for this series of events next year.

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Upcoming Events:

Mother Son Dance
The Mother Son Dance will be held Saturday, October 13th, 2012 at Wakeland High School. The theme this year will be Ahoy Mates. There are two times for the dance: ages 4-7 will be from 5:30-7:00 p.m. and ages 8-12 will be from 7:30 – 9:00 p.m. There will be a DJ spinning the latest hits and leading popular line dances. Light refreshments will be served. The event is expected to sell out with 500 people at each dance.

Celebrate Fitness and Fun
The event will be held on Saturday, October 20th, 2012 at the Frisco Athletic Center from 9:00 a.m. – 1:00 p.m. The event is presented by Centennial Medical Center who will be conducting a health fair. Other activities will include health and fitness related vendors, instructors promoting their classes offered at the FAC, free fitness assessments by FAC Personal Trainers, free fitness classes including Zumba, a DJ, a blood drive with Carter Blood Carter, and the Pumpkin Splash at the Indoor Aquatic Center. The event is free (excluding the Pumpkin Splash) and is open to the public.

Special Note:

Fall Athletic Organizations Participation Totals:
The fall season for the many of the youth and adult athletic organizations is set to begin in September at several community locations as well as several of our Community Park locations. Practice activities for the outdoor field sports began in mid August. Even though many of the current organizations provide multiple seasons for their specific organizations, below are recent registrations for those groups:

- Frisco Amateur Summer Swim Team – Youth and Adult Summer Swim Team
  - 640 participants in their Summer 2012 season
- Frisco Aquatics – Youth and Adult year round Swim Team
  - 430 participants for the Summer 2012 season
- Frisco Athletic Network – Youth Volleyball
  - 450 participants for their 2012 Summer season
- Frisco Baseball and Girls Softball Association (FBSA) – Youth Baseball and Girls Softball
  - 3,888 participants in their past Spring season
  - The FBSA also provides play in the Fall, Summer and Spring
- Frisco Cricket Association – Adult Cricket
  - 43 participants for their Spring 2012 season
- Frisco Football League – Youth Flag, Tackle Football and Cheerleading
  - 2,311participants for this fall football season. This included 595 participants in cheerleading
- Frisco Heat – Youth Track and Field
  - 140 participants for their Summer 2012 season

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- Frisco Lacrosse Association – Youth Lacrosse
  - 406 participants for their Spring 2012 season
- Frisco Miracle League – Youth Baseball, Soccer, Basketball, Bowling for Special Needs Children
  - 548 participants for these four sports through the year
- Frisco Soccer Association (FSA) – Youth and Adult Soccer
  - 5,609 participants for their Spring 2012 season

All totaled, there are over 14,450 participants involved in the various organizations from their latest season of play. Over the course of the year, the overall total of participants will likely approach 25,000. Fall Leagues will play throughout the fall season and most conclude in November.

AGENDA ITEM #6.

Engineering Services Monthly Report on Roads, Traffic, Water and Sewer Projects: City Council Meeting- September 4, 2012

Engineering Highlights:

- **Construction Inspections** – Construction Inspectors have 198 current projects that are at various stages of construction.

- **Pre-construction Meetings** – Staff held 7 pre-construction meetings for new projects:

  1. Westside Market, Blk A, Lt 1
  2. Frisco Medical Center, BL A, LT 3A (Baylor)
  4. 12 Reuse Water Main Phillips Creek Ranch
  5. Phillips Creek Ranch Hike & Bike Trail
  6. Frisco Trails, Bl A, Lot 7 (Taco Cabana)
  7. Richwoods Phase 9, 10, 11A

- **Project Final Acceptances** – There were 3 projects accepted.

  1. The Crossing at Lawler Park, Phase 1 (Amenity Center)
  2. The Crossing at Lawler Park, Phase 1
  3. The Arbor at Lawler Park, Phase 1

  Project Reviews – Staff has completed Forty Eight (44) engineering reviews.

- **American with Disabilities Transition Plan**

  The goals and objectives of the ADA Transition Plan are to improve accessibility for all citizens, encourage participation from the public and disabled community, educate City staff and the public on the requirements of the ADA, develop a comprehensive list of barriers, provide a detailed outline of methods to remove barriers, provide realistic schedule with cost for removal of barriers, and to identify funding sources and opportunities to implement a barrier removal program. This project is anticipated to be complete by December 2012.

Field audits of city facilities have been conducted. The audits focused on a limited number of locations of each type of city facility including buildings, signalized intersections, sidewalks, and parks. Future audits will be directed toward remaining unaudited facility locations. The next phase of the project will be to identify any deficiencies and develop a project list and cost estimate to bring these facilities into compliance.

Development of ADA Transition Plan
Task Order No.: 2009-001-09

- KHA has completed the infrastructure in-field evaluations, staff training questionnaires.
- Infrastructure Survey Reports
  - Signalized intersections- in progress; scheduled for completion 7/16/2012
  - Sidewalks- in progress; scheduled for completion 7/16/12
  - Buildings/ Parking – completed
  - Parks – completed

*Final draft is currently being prepared and that all site visits are complete.

Roadway Construction Projects

FM 423 [Middle] (CIP03-0109) Stewart Creek to Eldorado Pkwy
Project Manager: Jason Brodigan
Project Description: *Replace the existing two-lane asphalt roadway with a six-lane concrete divided roadway. Project includes paving and drainage.*
Project Update: *Traffic has been switched to the new northbound lanes. Contractor is completing medians, turn lanes, and striping.*
Construction End: 10/3/2012 ***Estimated Construction Cost: $0***

Stonebrook Pkwy (CIP05-0015) Dallas Parkway to SH 289 [Preston Road]
Project Manager: Art Hartle
Project Description: *Scope: Install 36 inch waterline along Dallas Pkwy from south of Lebanon to Stonebrook then along Stonebrook from Dallas Pkwy to Preston; reconstruct westbound Stonebrook pavement to widen roadway to 6 lanes.*
Project Update: *Contractor is acquiring pipe materials. On site construction will begin in September near Preston Road.*
Construction End: 11/23/2014 ***Estimated Construction Cost: $14,000,000***

Preston Road [SH 289] (CIP05-0031) Main St to US 380
Project Manager: Jason Brodigan
Project Description: *Replace the existing two-lane asphalt roadway with a six-lane divided concrete roadway. Project includes paving and drainage.*
Project Update: *All lanes are open. The contractor is completing punchlist items to complete the project.*
Construction End: 10/1/2012 ***Estimated Construction Cost: $10,166,838***

CR 710 [Sanctuary Drive] (CIP10-0008) Peaceful Lane to Rogers Road
Project Manager: David L Chacon
Project Description: *Replace the existing two lane asphalt/gravel roadway with a two lane concrete roadway from Peaceful Lane to Rogers Road*
Project Update: *Project is 50% complete*
Construction End: 9/28/2012 ***Estimated Construction Cost: $869,584***

Phillips Creek Ranch Hike & Bike Trail (CIP11-0009)
Project Manager: Jason Brodigan
Project Description: *Through TxDOT grant, install median landscaping and hike and bike trails along Stonebrook Parkway, Lone Star Parkway, and Lebanon Road. Project also includes road to amenity center and walkway around retention pond.*
Project Update: *Construction contract was awarded by City Council on July 31, 2012. Construction began in August.*
Construction End: 3/1/2013 ***Estimated Construction Cost: $4,300,000***

Misc Pavement Rehab Ph.2 (CIP11-0018) Various area of Teel, Parkwood from Hickory to Eagan
Project Manager: Art Hartle
Project Description: *Repair four separate areas of pavement in Teel Parkway. Replace 1,050 feet of the southbound lane of Parkwood Boulevard south of Hickory Street.*
Project Update: *Project has been bid and construction is expected to begin in September.*
Construction End: 12/31/2012 ***Estimated Construction Cost: $584,130***

John Hickman (CIP11-0028) Preston to Ohio
Project Manager: Toyin Fawehinmi
Project Description: *Construct new 37' Roadway and intersection at Preston. Project includes grading, paving, drainage, water, illumination, and signal at Preston.*
Project Update: *Construction in progress - approx. 50% of road pavement constructed on John Hickman Parkway. Installation of water lines, storm and sanitary sewer lines complete*
Construction End: 9/29/2012 ***Estimated Construction Cost: $1,314,663***

2012 Annual Sidewalk (CIP12-0001)
Project Manager: Tin Nguyen
Project Description: *Additions to sidewalk throughout the city. Walking routes to schools are a primary focus.*
Project Update: *Contractor started construction on May 10, 2012 and expected to be completed in September, 2012.*
Construction End: 9/28/2012 ***Estimated Construction Cost: $275,000***

Roadway Design Projects

Coit Rd (CIP11-0024) Country Ridge to Panther Creek
Project Manager: Jason Brodigan
Project Description: *Construct two lanes (west side) of Coit Road, including the median, from Buckeye Drive north, approximately 2700 linear feet, to Panther Creek Parkway. Project includes paving and drainage.*
Project Update: *Design is 30% complete*
Construction Begin: 3/4/2013 ***Estimated Construction Cost: $850,000***

Panther Creek Pkwy (CIP11-0026) Honey Grove to Coit
Project Manager: Jason Brodigan
Project Description: *Construct two lanes (south side) of Panther Creek Parkway from Honey Grove Drive east, approximately 2700 linear feet, to Coit Road and including the Panther Creek Parkway/Coit Road intersection. Project includes paving and drainage.*
Project Update: *Design is 30% complete*

Construction Begin: 1/7/2013 ***Estimated Construction Cost: $850,000***

Preston Road Intersection Improvements (CIP11-0006) SH 121 to Main St

Project Manager: Jason Brodigan

Project Description: *Construct additional turn lanes at intersections (Warren, Lebanon, Wade, Rolater, Main) on Preston Rd between SH 121 and Main St.*

Project Update: *Design contract awarded by City Council on 8/21/2012.*

Construction Begin: 1/6/2014 ***Estimated Construction Cost: $2,974,505***

Memorial Drive (CIP11-0016) Navaho Lane to Spring Creek Pkwy

Project Manager: Jason Brodigan

Project Description: *Construct a new four-lane divided concrete roadway including a bridge under the BNSF Railroad and the intersection with Town & Country. Project includes paving, drainage, retaining wall, sidewalk, lighting, landscaping and irrigation.*

Project Update: *Design is approximately 90% complete. Construction, to be administered by The Colony, is expected to begin in Fall 2012 with Railroad bridge work. A separate roadway project will be constructed in 2013.*

Construction Begin: 3/18/2013 ***Estimated Construction Cost: $0***

Cotton Gin Road-Guinn Gate to Diamond Pt (CIP11-0017) Daimond Point to 1400 feet south

Project Manager: Tin Nguyen

Project Description: *Build approximately 1400 feet of two southbound lanes of Cotton Gin Road from north of Guinn Gate to Diamond Point.*

Project Update: *Design is 60% complete*

Construction Begin: 1/7/2013 ***Estimated Construction Cost: $835,685***

Coit Road (CIP10-0002) Main Street to Eldorado Parkway

Project Manager: Jason Brodigan

Project Description: *Replace the existing two-lane asphalt roadway with a four-lane divided concrete roadway. Project includes paving, drainage, water, lighting, landscaping, and irrigation.*

Project Update: *Plans are complete. Project is awaiting property acquisition from private property owners. Once the property is acquired, franchise utility relocations can adjust out of the way of planned construction.*

Construction Begin: Not Scheduled ***Estimated Construction Cost: $5,650,072***

Rockhill Road (CIP08-0007) CR 26 to Dallas Parkway

Project Manager: David L Chacon

Project Description: *Construct a new six-lane divided concrete roadway. Project includes paving, drainage, water, lighting, landscaping and irrigation.*

Project Update: *Design is 60% complete. ROW and Easment acquisition in progress.*

Construction Begin: 2/1/2013 ***Estimated Construction Cost: $9,520,000***

Rockhill Road (CIP10-0015) Dallas Parkway to Preston

Project Manager: David L Chacon

Project Description: *Construct a new six-lane divided concrete roadway including a bridge over the BNSF Railroad. Project includes paving, drainage, water, lighting, landscaping and irrigation.*

Project Update: *Design is 60% complete. ROW and Easment acquisition in progress.*

Construction Begin: 2/1/2013 ***Estimated Construction Cost: $17,200,000***

US 380 (CIP10-0017) CR 26 to Coit Rd

Project Manager: Jason Brodigan

Project Description: *Widen the existing five-lane roadway to a freeway section including frontage roads and grade separated intersections at DNT and Preston Road.*

Project Update: *The schematic has been approved by TxDOT and FHWA. A public hearing is expected to be conducted by TxDOT in September or October.*

Construction Begin: 1/6/2015 ***Estimated Construction Cost: $78,000,000***

Custer Road [FM 2478] (CIP10-0018) SH 121 to Stonebridge
Project Manager: Jason Brodigan
Project Description: *Widen existing 4 lane divided roadway to 6 lanes. Project includes paving, bridge widening, signal modifications, and illumination.*
Project Update: *Design contract awarded by City Council on 8/21/2012.*
Construction Begin: 1/6/2014 ***Estimated Construction Cost: $6,607,471***

5th Street Reconstruction and SW Imp (CIP10-0023) Hickory to Main Street
Project Manager: Art Hartle
Project Description: *Reconstruction of 5th Street from Main Street to Hickory and addition of a Hike and Bike Trail connection from Stonebrook to Main Street*
Project Update: *Preliminary design is underway.*
Construction Begin: 1/4/2013 ***Estimated Construction Cost: $1,576,400***

Stonebrook Parkway (CIP10-0024) Fighting Eagles to Longhorn Trail
Project Manager: David L Chacon
Project Description: *Construct a new four-lane divided concrete roadway including a bridge under the BNSF Railroad. Project includes paving, drainage, water, wastewater, sidewalk, lighting, landscaping and irrigation.*
Project Update: *Bid opening 9-11-12. Construction expected to begin on site during October/November.*
Construction Begin: 10/28/2012 ***Estimated Construction Cost: $11,465,738***

Preston Rd (SH 289) Landscape (CIP10-0027) Main St to US 380
Project Manager: Jason Brodigan
Project Description: *Install median irrigation and landscaping. Project to be constructed by TxDOT.*
Project Update: *Design is 90% complete. Construction of the project will begin upon completion of the Preston Road widening project and approval of the plans by TxDOT.*
Construction Begin: 3/4/2013 ***Estimated Construction Cost: $724,000***

Lebanon/DNT Intersection (CIP05-0026) 500 feet east of Starwood Dr to 1100' east of DNT
Project Manager: Art Hartle
Project Description: *Construct additional pavement along Lebanon to widen road to match DNT bridge. Project also includes turn lanes at Lebanon/DNT intersection.*
Project Update: *Design is 90% complete. ROW and easement acquisition is underway. Franchise utility relocation will begin when property is acquired.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $1,801,293***

Main Street [FM 3537] (CIP03-0108) Preston Road to Custer Road
Project Manager: Jason Brodigan
Project Description: *Replace the existing two-lane asphalt roadway with a six-lane divided concrete roadway. Project includes paving, drainage, signals, lighting, landscaping and irrigation.*
Project Update: *TxDOT has bid the project. Texas Sterling, the contractor, will begin work when franchise utility relocation is completed.*
Construction Begin: 2/1/2013 ***Estimated Construction Cost: $2,640,000***

Eldorado Parkway (CIP05-0006) Preston Road to Custer Road
Project Manager: Toyin Fawehinmi
Project Description: *Widen the existing four-lane divided concrete roadway to a six-lane divided roadway from Preston Road to Hillcrest Road and from Fragrant Dr to Custer Road and widen the existing two-lane concrete roadway to a six-lane divided concrete roadway from Hillcrest Road to Fragrant Drive. Also, approximately 700 linear feet of Coit Road north of Eldorado Parkway intersection is included. Project includes paving, drainage, sidewalks, street lights, signals, landcaping and irrigation*
Project Update: *Plans are complete. Project is awaiting property acquisition from private property owners. Once the property is acquired, franchise utility relocations can adjust out of the way of planned construction.*

Construction Begin: Not Scheduled ***Estimated Construction Cost: $8,908,669***

FM 423 [North] (CIP03-0056) Eldorado Parkway to US 380
Project Manager: Jason Brodigan
Project Description: *Replace the existing two-lane asphalt roadway with a six-lane divided concrete roadway. Project includes paving, drainage, signals and lighting.*
Project Update: *Final design plans were submitted to TxDOT in January. ROW acquisition by TxDOT is nearly complete and utility relocations are beginning.*
Construction Begin: 6/3/2013 ***Estimated Construction Cost: $0***

Wastewater Construction Projects

Fairways LS Generator (CIP11-0004) within Fairways LS property
Project Manager: Art Hartle
Project Description: *Install emergency generator*
Project Update: *Contractor is in acquiring equipment. Construction on site should begin this fall.*
Construction End: 3/1/2013 ***Estimated Construction Cost: $740,163***

Wastewater Design Projects

West Rowlett Creek WW Main Extension (CIP11-0021) Independence to Coit
Project Manager: David L Chacon
Project Description: *Preliminary engineering alignment for 28" wastewater main from Independence Parkway to Coit Road; alignment study for two additional mains to extend north to Main Street; and decommissioning of three area lift stations.*
Project Update: *Preliminary alignments are being developed.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $0***

Panther Creek Reuse Line-Prelim Eng (CIP11-0002) Trails Golf Course to Panther Creek WWTP
Project Manager: Art Hartle
Project Description: *Alignment study of reuse water line from the Panther Creek WWTP to connect to the existing reuse water line on Teel Parkway.*
Project Update: *Study began on May 4, 2012.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $4,000,000***

Panther Creek Sewer Interceptor Phase 2 (CIP10-0013)
Project Manager: David L Chacon
Project Description: *Install new 24" wastewater line.*
Project Update: *Project is 90% complete. Easement acquisition is underway.*
Construction Begin: 1/9/2013 ***Estimated Construction Cost: $3,253,434***

Panther Creek Sewer Interceptor Phase 3 (CIP10-0014) Along tributary of Panther Creek to DNT
Project Manager: David L Chacon
Project Description: *(9/22/2010 2:58 PM DLC) 2551 LF of 21" and 15" WW Interceptor*
Project Update: *Project is 60 % complete, easement acquisition is in progress*
Construction Begin: 1/22/2013 ***Estimated Construction Cost: $1,400,000***

Water Construction Projects

Main Street Waterline Relocations (CIP09-0011) Preston Road to Custer Road
Project Manager: David L Chacon
Project Description: *Relocate existing waterline outside of the proposed right of way in preparation for Main Street construction.*
Project Update: *Construction has been initiated for limited areas. Some easements acquistion continues.*
Construction End: 2/19/2013 ***Estimated Construction Cost: $3,635,165***

Dallas Parkway 30" Waterline (CIP06-0026) Along DNT (Panther Creek Pkwy to Rockhill Rd)
Project Manager: David L Chacon
Project Description: *Construct 9,400 linear feet of 30" water main*
Project Update: *Construction has begun.*
Construction End: 1/26/2013 ***Estimated Construction Cost: $2,525,515***

Water Design Projects

Legacy EST (CIP10-0019)
Project Manager: Art Hartle
Project Description: *Construct new 1.5 million gallon elevated water tank to replace existing 0.3 million gallon EST*
Project Update: *Property acquistion for elevated water tank site is ongoing.*
Construction Begin: 3/1/2013 ***Estimated Construction Cost: $4,007,000***

Transportation Highlights:

- **Development/CIP Plan Reviews** – Staff reviewed 73 sets of development and CIP plans this month. Staff also reviewed and processed eight TxDOT permit applications and one railroad permit application, and reviewed one Traffic Impact Analysis.
- **Citizen Inquiries** – Staff has responded to several citizen inquiries that came into the department by telephone, email, and the Q&A Message Board on the City website.
- **Miscellaneous Traffic Studies** – Staff continues to update the crash database (based on police reports) and generates reports and proactively analyzes the data. Staff is currently overseeing two studies that are analyzing the effectiveness and costs of potential options to change the physical configuration of four intersections (Main & Legacy and Ohio Drive at Gaylord, Warren, and Prestmont). This month staff conducted several neighborhood speed studies at the request of citizens.
- **School Zones** – Staff meets monthly with representatives of FISD to discuss any school zone, crossing guard, or sidewalk issues. This month, staff oversaw the installation of school zone signage for the new schools opening in August and coordinated with FISD staff regarding upcoming operations at several existing and new campuses.. Staff also conducted the "before-study" at Cobb Middle School as part of the pilot study to install a new type of crosswalk device—a Rectangular Rapid

Flashing Beacon (RRFB)—for possible use at other midblock school crossings. Staff initiated the construction of the RRFB in front of Cobb Middle School and it is expected to be activated on September 4th.

- **Special Events** – As part of the Special Events Review Committee, staff reviews all pending special event applications for any traffic control needs. Staff continually coordinates with the Police, Fire, Communications, and Public Works Departments regarding any special events that affect traffic flow or parking in the City. Staff also coordinates with FC Dallas Stadium and Dr Pepper Arena staff regarding large events at those venues, which sometimes requires coordination with NTTA. This month staff provided traffic management support for two FC Dallas soccer games, Safetypalooza, and National Night Out.
- **Staff** – This month we extended an offer to hire a person to fill our vacant signal technician position.
- **Traffic Count Map** – The traffic count map is available on the City's website at maps.friscotexas.gov. It provides daily traffic volume counts (and the date of each count) on multiple segments of every major roadway. Staff conducts an annual traffic count program which updates the volumes collected on each major roadway segment every two or three years.
- **Traffic Control** – Each month, staff designs the installation of new and/or replacement signs and pavement markings as needed. Each month, staff reviews the traffic control plans for new and ongoing construction zones and sends announcements to all City services regarding road closures and traffic switches. Staff is coordinating with TxDOT on major detours and weekend closures of sections of FM 423 during that widening project. This month, staff helped oversee the traffic switch on FM 423 between Lebanon Road and Eldorado Parkway.
- **Traffic Signal System Communications** – The system provides communications to all of the traffic signals in the City, allowing staff to monitor and control their operation remotely. Wireless communication relays are installed on four water towers and two communication towers, all of which have battery backup units. Staff can also view the traffic detection cameras at most of the traffic signals, as well as 71 pan-tilt-zoom (PTZ) traffic cameras that can be controlled remotely. The newest PTZ cameras were installed this month on three water towers. These new High Definition (HD) cameras allow a greater coverage area to observe traffic conditions and to provide the Fire Department with better viewing of emergency scenes and weather events. Next month an HD PTZ camera is planned to be installed on another water tower. An additional PTZ camera will also be installed on the traffic signal at US 380 & Preston Road.
- **Traffic Signal Timing** – On an ongoing basis, staff changes the operation of various traffic signals along Preston Road and FM 423 to coincide with TxDOT closures and traffic shifts as part of their widening projects. Monthly travel times on the major corridors are also collected to ensure the coordination between traffic signals is optimized.
- **Flashing Yellow Arrow** – The Flashing Yellow Arrow (FYA) left-turn display is a new federally mandated way of controlling the left-turn movement at traffic signals. Instead of a circular green indication, motorists will now be shown a flashing yellow arrow to indicate when they are permitted to turn left (after yielding to oncoming

traffic). There are currently 14 intersections with FYA left-turn displays including the new traffic signal that recently was turned on at Lebanon Road at Starwood Drive.. Next month staff plans to install FYA left-turn displays at Main Street at Kyser Way, Preston Road at Main Street, Preston Road at Rolater Road and Preston Road at Wade Blvd. All new traffic signal installations will have the FYA and approximately four existing intersections per month are planned to be retrofitted. It is estimated that all existing traffic signals will be converted to FYA operation by mid 2014. A website has been created to inform citizens about the FYA with a link to the FYA video at www.friscotexas.gov/FYA.

- **Training and Conference Attendance** – Staff attends the monthly local meetings of the Texas District of the Institute of Transportation Engineers (TexITE) and the American Society of Civil Engineers (ASCE). Sean Merrell is an active committee member in the Texas Section of ASCE and is the President Elect of the ASCE Dallas Branch.
- **Traffic Signal Maintenance** – The City of Frisco currently operates and maintains 90 traffic signals within the City of Frisco and one traffic signal on FM 423 outside the city limits, 84 of which have automatic battery backup power. City crews provide on-call maintenance seven days per week with a 45-minute response time.

  A significant part of traffic signal maintenance relates to the 352 video cameras and 22 SmartSensor radar units used to detect vehicles at each signal. Currently, 100% of the video is fully operational. Maintaining this video and radar detection is very efficient due to the citywide communication system because diagnosing and troubleshooting detection issues can be performed from our central control center.

  City crews programmed and set in place our electronic message boards to direct traffic at numerous special events (National Night Out, Chunk Your Junk and Safetypalooza) as well as to inform residents in various neighborhoods in advance of the multiple nights of mosquito spraying.

  Beyond responding to items that need to be constructed or repaired, city crews perform regular preventative maintenance on traffic signal equipment each month. This includes testing of each traffic signal's video detection cameras, "conflict monitor" equipment, and Opticom equipment (which provides emergency vehicle preemption of the traffic signal).

  City crews also operate and maintain 125 school zone flashers, two pedestrian crossing flashers, and two warning sign flashers. This includes seven new school zone flashers activated this month for the new school year. This month, all 125 school zone flashers were checked for proper operation and school zones times in accordance with our updated school zone flasher maintenance program in time for the current school year.

- **Roadway Lighting Maintenance** – In general, city crews operate and maintain roadway lighting along major thoroughfares and the power companies operate and maintain the street lights within neighborhoods. City crews performed lighting repairs

at several locations during the month, including replacing bulbs and replacing poles that were knocked down.

Total light poles maintained by City	2386
Total lamp fixtures maintained by City	4122
Proportion of City lighting currently operating	98%

- **Wayfinding Project** – Staff has been involved in the research, stakeholder input, design options, highway agency coordination, and the determination of locations for a system of artistic wayfinding signs throughout the City. These wayfinding signs will welcome visitors to Frisco and direct them to specific districts, and then to specific destinations within those districts. The proposed sign design package was approved by City Council last month and the fabrication of the signs has begun. It is expected that the signs will be installed by December 2012.

Traffic Signal Construction Projects

FM 423 Middle Section Signal Upgrades (CIP07-0051)
Project Manager: Shelley Lang
Project Description: *TxDOT project to replace existing temporary traffic signals with permanent traffic signals on FM 423 at Main, Stonebrook, Del Webb and Lebanon. This project also includes upgrading these signalized intersections to City of Frisco standard materials.*
Project Update: *The traffic signal work is being done as part of TxDOT's roadway widening project. Please see CIP03-0109 for project status.*
Construction End: Not Scheduled ***Estimated Construction Cost: $170,350***

Preston Rd ADA Improvement Project (CIP11-0027)
Project Manager: Shelley Lang
Project Description: *Preston Road ADA improvement project to modify the signalized intersections of Gaylord, Warren, Lebanon and Wade.*
Project Update: *The contractor has completed the ADA ramp improvements at all four locations and the new pedestrian push buttons are operational at Warren, Lebanon and Wade. The final stages of the project will be completed this month, which includes activating the pedestrian push buttons at Gaylord and restriping the crosswalks and stop bars at all four intersections.*
Construction End: 9/7/2012 ***Estimated Construction Cost: $195,755***

Traffic Signal Design Projects

Traffic Signal - Fire Station #6 (CIP12-0002)
Project Manager: Shelley Lang
Project Description: *(4/16/2012 10:06 AM SL) Install an emergency vehicle traffic control signal on Eldorado Pkwy (FM 2934) at Fire Station #6.*
Project Update: *Design is 30% complete.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $110,000***

Permanent Traffic Signal (CIP05-0036) Eldorado Pkwy at Dallas Pkwy
Project Manager: Shelley Lang
Project Description: *Project will construct a third lane on the southbound frontage road (between Eldorado and the entrance ramp), which will allow us to provide dual right-turn lanes on eastbound Eldorado at Dallas Parkway. Project will also replace the temporary "span-wire" traffic signal with a permanent traffic signal and construct a third lane on the northbound frontage road between the exit ramp and Eldorado to improve traffic flow*

approaching the intersection.
Project Update: *Design is 99% complete and is awaiting TxDOT approval of the final plans.*

Construction Begin: Not Scheduled ***Estimated Construction Cost: $595,000***

Traffic Signal - Eldorado / Lenox (CIP03-0077)
Project Manager: Shelley Lang
Project Description: *Traffic Signal for the intersection of Eldorado (FM 2934) at Lenox. This traffic signal will need to be authorized by TxDOT.*
Project Update: *Design is 65% complete.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $200,000***

Traffic Signal - DNT / Cotton Gin (CIP04-0034)
Project Manager: Shelley Lang
Project Description: *Install a traffic signal at Dallas Parkway and Cotton Gin. This project will also include the widening of the westbound approach to provide an extended left turn lane to turn onto southbound Dallas Parkway, two through lanes, and a right turn lane.*
Project Update: *Design is 65% complete.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $223,000***

Permanent Traffic Signal (CIP04-0050) Eldorado Pkwy at Wal-Mart
Project Manager: Shelley Lang
Project Description: *Replace temporary traffic signal with a permanent traffic signal.*
Project Update: *Design is 95% complete and is awaiting TxDOT approval of the plans.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $200,000***

Arterial Lighting Design Projects

Gaylord Pkwy (CIP07-0006) Preston Rd to Ohio Dr
Project Manager: Shelley Lang
Project Description: *Install median lighting on Gaylord between Preston and Ohio.*
Project Update: *Design is 100% complete.*
Construction Begin: 11/12/2012 ***Estimated Construction Cost: $71,035***

Hillcrest Rd (CIP07-0007) Eldorado Pkwy to Haversham Dr
Project Manager: Shelley Lang
Project Description: *Install median lighting on Hillcrest between Eldorado and Haversham.*
Project Update: *Design is 100% complete.*
Construction Begin: 11/12/2012 ***Estimated Construction Cost: $76,221***

OhioDr/College Pkwy (CIP07-0012) Hillcrest Rd to Coit Rd
Project Manager: Shelley Lang
Project Description: *Install median lighting on Ohio/College between Hillcrest and Coit.*
Project Update: *Design is 90% complete.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $266,820***

Ohio Dr (CIP07-0013) SH 121 to Presmont Pl
Project Manager: Shelley Lang
Project Description: *Install median lighting on Ohio between SH 121 and Presmont.*
Project Update: *Design is 100% complete.*
Construction Begin: 11/12/2012 ***Estimated Construction Cost: $146,160***

Parkwood Blvd (CIP07-0015) Lebanon Rd to Stonebrook Pkwy
Project Manager: Shelley Lang
Project Description: *Install median lighting on Parkwood Blvd between Lebanon Rd and Stonebrook Pkwy.*
Project Update: *Design is 90% complete.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $200,760***

Preston Rd [SH 289] (CIP07-0017) SH 121 to Gaylord Pkwy
Project Manager: Shelley Lang
Project Description: *Install median lighting on SH 289 (Preston) between SH 121 and Gaylord.*
Project Update: *Design is 100% complete and is awaiting TxDOT approval of final plans.*
Construction Begin: 11/12/2012 ***Estimated Construction Cost: $123,998***

Preston Road [SH289] (CIP07-0018) Main St to US 380
Project Manager: Shelley Lang
Project Description: *Install median lighting.*
Project Update: *Design is 95% complete and is awating TxDOT final approval. Construction of this project will begin upon completion of the Preston Road widening project.*
Construction Begin: 11/12/2012 ***Estimated Construction Cost: $1,088,650***

Wade Blvd (CIP07-0023) Collin College to Ohio Dr
Project Manager: Shelley Lang
Project Description: *Install median lighting on Wade between Collin College and Ohio Dr.*
Project Update: *Design is 90% complete.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $43,935***

Warren Pkwy (CIP07-0026) Preston Rd to Ohio Dr
Project Manager: Shelley Lang
Project Description: *Install median lighting on Warren Pkwy between Preston Rd and Ohio Dr.*
Project Update: *Design is 100% complete.*
Construction Begin: 11/12/2012 ***Estimated Construction Cost: $62,250***

Lebanon Rd (CIP11-0013) FM 423 to West City Limits
Project Manager: Shelley Lang
Project Description: *Install median lighting on Lebanon Rd between FM 423 and Frisco's West City Limits.*
Project Update: *Design is 90% complete.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $254,210***

Legacy Dr (CIP11-0014) Eldorado Pkwy to Crane Ave
Project Manager: Shelley Lang
Project Description: *Install median lighting on Legacy between Eldorado and Crane.*
Project Update: *Design is 90% complete.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $53,450***

Ohio Dr (CIP11-0015) Wade Blvd to Hillcrest Rd
Project Manager: Shelley Lang
Project Description: *Install median lighting on Ohio between Wade and Hillcrest.*
Project Update: *Design is 90% complete.*
Construction Begin: Not Scheduled ***Estimated Construction Cost: $117,060***

AGENDA ITEM #7.

PROGRESS IN MOTION

City Manager's Office
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

From: **Henry J. Hill, Deputy City Manager**

Date: **August 30, 2012**

Re: **Council Subcommittee Reports**

Action Requested: Reports regarding current activity of Council Subcommittees.

The City Council has requested that regular information regarding any meetings of the standing Council Subcommittees be provided on each Council agenda. The following Subcommittees are the formal appointed Council Subcommittees that meet from time to time.

- Budget and Audit Committee
- Governance Committee
- Legislative Committee
- Frisco Square Management District

The Committees did not meet during the period. The legislative Committee is working on a draft of Legislative Agenda to be submitted for Council's consideration at a upcoming meeting.

AGENDA ITEM #8.

SPECIAL CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034

5:00 PM

MONDAY, AUGUST 27, 2012

MINUTES

Mayor	Maher Maso	Present
Mayor Pro Tem	Jeff Cheney	Present
Deputy Mayor Pro Tem	Scott Johnson	Present
Council Member	John Keating	Present
Council Member	Tim Nelson	Absent
Council Member	Bob Allen	Present
Council Member	Will Sowell	Present

CALL TO ORDER

1. ROLL CALL

Mayor Maso called the meeting to order at 5:14 p.m. with a quorum present.

Council has granted Councilman Tim Nelson an excused absence until his return from active duty.

Representing Staff: George Purefoy, City Manager, and Wendy Withers, Assistant City Secretary.

REGULAR AGENDA

2. Discuss the applications received for Boards and Commissions and nominate and select, by consensus, applicants to be interviewed for certain Boards and Commissions including, but not limited to, Community Development Corporation, Economic Development Corporation, and the Planning and Zoning Commission. (CSO/JP)

Mayor Maso stated that because many of the council members were already well acquainted with the incumbent board members and may know many of the

applicants, council may want to interview only those applicants who they have not met with on a prior occasion. This process would save time and alleviate repetitive interviews.

The Council selected 14 applicants to be interviewed as follows:

ARTS CENTER OF NORTH TEXAS- No applicants selected.
BOARD OF ADJUSTMENT- Bob Allen nominated Robert Holton and Matthew Blanscet.
COMMUNITY DEVELOPMENT CORPORATION- Jeff Cheney nominated John Classe; Will Sowell nominated David Aronoff; Scott Johnson nominated James Wiggins.
COMMUNITY VISITOR'S BUREAU BOARD- John Keating nominated Mark Frankenfeld.
DOWNTOWN ADVISORY BOARD- Will Sowell nominated Laura Radcliffe; John Keating nominated Chad Brubaker.
ECONOMIC DEVELOPMENT CORPORATION-John Keating nominated John Miller and Paul Sheldon; Will Sowell nominated Marie Walters.
FRISCO HOUSING AUTHORITY BOARD- No applicants selected
FRISCO HOUSING TRUST FUND BOARD- Bob Allen nominated Ann Marie Kappel.
PARKS AND RECREATION- John Keating nominated Gary Hickman.
PLANNING AND ZONING COMMISSION- No applicants were selected.
PUBLIC ART BOARD- John Keating nominated Gary Sextro.
URBAN FORESTRY BOARD- No applicants selected.

Applicants may be interviewed for an appointment to any of the boards and commissions.

Applicants will be interviewed on September 11, 2012. Interviews will begin at 2:30 and each interview will take approximately 15 minutes. Applicants will be asked to arrive early for their appointment in the interest of time.

In summary council has agreed that during the appointment process next year, they would like to see weekly updates on the status of applicants, review the appointment and advertising process prior to beginning and review what types of boards and commissions are being used in neighboring cities. Council would like to schedule a work session in the future to discuss the boards and commissions process.

ADJOURN

Bob Allen moved to adjourn at 6:02 p.m. Will Sowell seconded the motion.
Passed
Vote: 5-0
For: Scott Fallon, Jeff Cheney, Will Sowell, John Keating, Bob Allen
Against: (None)

Please note these are preliminary results and are not official until approved at the next scheduled meeting. Approved/signed minutes with all exhibits are available at www.friscotexas.gov/docs.

_____
Maher Maso, Mayor

ATTEST:

_____
Wendy Withers, Assistant City Secretary

SPECIAL CALLED MEETING OF THE FRISCO CITY COUNCIL
FRISCO CITY HALL
CITY COUNCIL CHAMBERS
GEROGE A PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD.
FRISCO, TX 75034

6:30 PM

MONDAY, AUGUST 27, 2012

MINUTES

Mayor	Maher Maso	Present
Mayor Pro Tem	Jeff Cheney	Present
Deputy Mayor Pro Tem	Scott Johnson	Present
Council Member	John Keating	Present
Council Member	Tim Nelson	Absent
Council Member	Bob Allen	Present
Council Member	Will Sowell	Present

CALL TO ORDER

Mayor Maso called the meeting to order at 6:35 p.m. with a quorum present and Councilman Tim Nelson absent.

Council has granted Councilman Nelson an excused absence until his return from active duty.

Representing Staff: City Manager, George Purefoy, Deputy City Manager, Henry Hill; Assistant City Manager, Nell Lange; Assistant City Manager, Ron Patterson; City Attorney Richard Abernathy; Assistant City Secretary Wendy Withers; Development Services Director John Lettelleir; Registered Sanitarian, Julie Stallcup; and Fire Chief Mack Borchardt.

Scott Johnson led the invocation.

Mayor Maso led the Pledges of Allegiance to the United States and Texas Flags.

Mayor Maso noted that there were representatives from Collin County in the audience, including County Commissioner Matthew Shaheen.

REGULAR AGENDA

1. Public Hearing: First Public Hearing on the Fiscal Year 2013 Proposed Tax Rate and proposed tax increase.

   Assistant City Manager Nell Lange stated that this was the first of two required public hearings regarding the 2012/13 Tax rate. These public hearings were required because the FY 13 Proposed budget is based on the current tax rate ($0.461910) which is above the effective tax rate ($0.459411). This is a change of .54% and is an effective tax increase of 4.18% and will cost the average homeowner approximately $9.51 per $100,000 valuation.

   Jeff Cheney moved to open the public hearing. Scott Johnson seconded the motion.
   PASSED
   Vote: 5-0
   For: Bob Allen, Jeff Cheney, Scott Johnson, Will Sowell, John Keating
   Against: (None)

   FOR: No one spoke in favor of the tax rate.
   AGAINST: Darlene Driver 2137 Langdon Drive, Frisco Texas, spoke in opposition to the tax rate. Ms. Driver asked why the council was raising the tax rate and stated that she was not in favor of raising the taxes due to the current state of the economy.

   Ms. Lange stated that the increase in tax revenue would fund an additional 20 general fund positions and would allow for hiring in positions that had previously been frozen, increases in the TMRS program, and proposed raises for employees.

   Scott Johnson responded that the tax rate was staying the same; the valuations of certain properties may have gone up allowing for the collection of more revenue.

   Jeff Cheney moved to close the public hearing. Will Sowell seconded the motion.
   PASSED
   Vote: 5-0
   For: Bob Allen, Jeff Cheney, Scott Johnson, Will Sowell,

John Keating;
Against: (None)

CLOSED SESSION

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;

Mayor Maso stated that the council would recess first to discuss item (i) so that they could receive advice from the City Attorney before hearing the presentations by city staff and Collin County officials.

Jeff Cheney moved to recess into Closed session at 6:50 p.m. John Keating seconded the motion.
PASSED
Vote: 5-0
For: Bob Allen, Jeff Cheney, Scott Johnson, Will Sowell, John Keating
Against: (None)

A. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:

i. Receive legal advice addressing West Nile Virus and aerial spraying.
ii. Receive legal advice regarding household care facilities, group/community homes and related facilities.
iii. Receive legal advice regarding Frisco's involvement in the Arts Center of North Texas and other legal issues related thereto.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

John Keating moved to reconvene into Regular session at 7:15 p.m. Jeff Cheney seconded the motion.
PASSED
Vote: 5-0
For: Bob Allen, Jeff Cheney, Scott Johnson, Will Sowell, John Keating
Against: (None)

Mayor Maso stated there was no action to take regarding item (i) during the executive session.

Mayor Maso introduced Collin County Commissioner Matthew Shaheen.

Also representing Collin County: Candy Blair, Dr. Muriel Marshall and Dr. Peggy Whittie.

4. Consider and act upon participating with Denton County in aerial spraying for West Nile Virus.

Registered Sanitarian Julie Stallcup gave a presentation outlining prevention and possible solutions to the West Nile Virus including statistics of neighboring counties and cities that have persons infected with the virus. Ms. Stallcup also reported on the methods that the city was currently using to keep people informed with the most up to date information.

Development Services Director John Lettelleir provided a document which answered questions submitted by Will Sowell to the staff. Attached as Exhibit A.

Mayor Maso asked Commissioner Shaheen to report on the current status of Collin County and their position if Frisco were to choose aerial spraying as a solution.

Commissioner Shaheen stated that the county was looking at its unincorporated areas, based on the areas affected, which is very small; the county will not be taking any action regarding aerial spraying at this time. Mr. Shaheen says that the county doesn't have a position regarding any action Frisco may take on aerial spraying

Council Members received information and asked questions of city staff related to aerial spraying. Topics of discussion included possible adverse health effects of aerial spraying, the overall effectiveness of aerial spraying in comparison to ground spraying, possible alternative tools to be used in combating the problem. Finally Council members received information from City Attorney Richard Abernathy related to declaring a Disaster situation at a later date should that become necessary.

CITIZEN INPUT: Darlene Driver, 2137 Langdon Drive expressed concerns about the aerial spraying and whether or not there had been reports of individuals having respiratory problems from the spraying. Mrs. Driver stated that she was in favor of aerial spraying.

Will Sowell moved that the City of Frisco will not participate in aerial spraying with Denton County at this time. Jeff Cheney seconded the motion.
PASSED
Vote: 4-1

For: Bob Allen, Jeff Cheney, Will Sowell, John Keating
Against: Scott Johnson

John Keating moved to recess into Closed Session at 8:35 p.m. to discuss items ii and iii. Will Sowell seconded the motion.
PASSED
Vote: 5-0
For: Bob Allen, Jeff Cheney, Scott Johnson, Will Sowell, John Keating
Against: (None)

Jeff Cheney moved to reconvene into Regular Session at 9:00 p.m. Scott Johnson seconded the motion.
PASSED
Vote: 5-0
For: Bob Allen, Jeff Cheney, Scott Johnson, Will Sowell, John Keating
Against: (None)

Mayor Maso stated that there was no action to take as a result of the executive session.

ADJOURN

John Keating made a motion to adjourn at 9:04 p.m. Will Sowell seconded the motion.
PASSED
Vote: 5-0
For: Bob Allen, Jeff Cheney, Scott Johnson, Will Sowell, John Keating
Against: (None)

Please note these are preliminary results and are not official until approved at the next scheduled meeting. Approved/signed minutes with all exhibits are available at www.friscotexas.gov/docs.

Maher Maso, Mayor

ATTEST:

Wendy Withers, Assistant City Secretary

EXHIBIT A

1. What is the infection incident rate that Denton County is seeing?

Other counties WNV counts for total and type of disease (including time/day of update):

- **Tarrant Co: 231** (169 WNF & 62 WNND), 4 deaths as of 11:00 AM, 8/24/12
- **Dallas Co: 288** (139 WNF & 149 WNND); 11 deaths, as of 5:00 PM, 8/23/12.
- **Denton Co: 119** cases (83 WNF, 36 WNND) 2 deaths, as of 3:00 PM, 8/24/12

	County Population Projections for 2012, per DSHS and TX State Demographer, Total persons	WNV cases	WNV incidence, per 100,000 persons	WNND cases
Collin	927,466	49	5.3	15
Dallas	2,484,816	288	11.6	149
Denton	770,509	119	15.4	36
Tarrant	1,920,714	231	12.0	62

2. What is the incident rate that Frisco has seen especially on the Denton County side?
Frisco – 5 cases (3 Denton/ 2 Collin). All West Nile Fever.

3. What do we do to monitor how WNV is spreading?
A. Do we trap and test mosquitoes and test them for WNV?
We start trapping in May. The trapping was insufficient for testing. A minimum of 10 live mosquitoes are required for testing. Testing stops with a confirmation of a positive pool or confirmed human case.
Testing is not effective for two reasons:

i. Need sufficient sample for testing.
ii. Lag time to receive results.

B. In how many areas do we test these and do we need to do this in more areas?
There are no standard operating procedures stating the number of traps or distances between traps. Staff confirmed this information with Center of Disease Control and other health districts/organizations to see if they had any standard operating procedures for setting traps. Staff discovered today that the Department of Defense specifies setting traps for every two square miles.

C. If we do test what are we seeing from infected mosquitoes? Is the infection rate of these increasing or not?
We stopped testing as noted earlier per the City's SOP on WNV.

D. How will we determine if aerial spraying is successful? It would seem that robust testing would be needed to determine success and honestly to determine whether we need aerial spraying

We did find one study, "Efficacy of Aerial Spraying of Mosquito Adulticide in Reducing Incidence of West Nile Virus, California, 2005."

The conclusion of the study indicated that the odds of infection directly after spraying were 6 times higher in untreated areas than sprayed areas.

Citation:
Carney RM, Husted S, Jean S, Glaser C, Kramer V. Efficacy of aerial spraying of mosquito adulticide in reducing incidence of West Nile virus, California, 2005.

7. We have case studies from other cities on side effects (real data) to humans or animals?
No studies were found of side effect other than those listed in the Material Safety Data Sheet (MSDS) sheet of the chemical Duet. Other information would be determined on two factors, concentration of the chemical and exposure time to the chemical. See USHHS Toxicologic Information About Insecticides Used for Eradicating Mosquitoes (WNV Control).

8. I've read that Dallas County has identified high concentration mosquito breeding grounds and works to address these areas - is that realistic for Frisco to do?
The Departments of Development Services, Engineering Services, Parks & Recreation and Public Works are working together. Development Services works with private property owners, Engineering Services on construction sites, Parks & Recreation on parks, public hike and bike trails and Public Works on city property.
Code Enforcement is working with GIS to identify property owners for ponds and work with them to treat stagnant water and best management practices to control WNV.

9. . If Frisco were to participate in the aerial spraying:
- When would it happen?
Thursday August 30th.
- Where would it occur?
Depends on who opts in for aerial spraying.
- What would be the cost?
This is estimate:
Dallas County: quote of $1.78 per acre would cost us = $79,996.01
VDCI Aerial Spraying (After hurricane in summer 2010) cost Galveston County $1.35 per acre. At same rate, would cost us $60,671.13.

Frisco City – 42,851.87 acres. 66.96 Sq. Mi
Frisco ETJ – 2,089.71 acres. 3.27 Sq Mi

- How would we notify residents?
Press release, email blasts, reverse 911 etc.

REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034

5:00 PM

TUESDAY, AUGUST 21, 2012

MINUTES

CALL TO ORDER

Mayor Maso Called the meeting to order at 5:04 p.m. with a quorum present.

Councilman Tim Nelson has been granted an excused absence while on active military duty.

1. ROLL CALL

Mayor	Maher Maso	Present
Mayor Pro Tem	Jeff Cheney	Present
Deputy Mayor Pro Tem	Scott Johnson	Present (arrived 7:38 p.m.)
Council Member	John Keating	Present
Council Member	Tim Nelson	Absent
Council Member	Bob Allen	Present
Council Member	Will Sowell	Present

Representing staff: City Manager, George Purefoy; Deputy City Manager, Henry Hill; Assistant City Manager, Nell Lange; Assistant City Manager, Ron Patterson; City Attorneys, Rebecca Brewer and Richard Abernathy; City Secretary, Jenny Page; Assistants to the City Manager; Ben Brezina, John Eaglen, and Kathleen Stewart; Assistant City Secretary, Wendy Withers; Assistant Police Chief, John Bruce; CVB Executive Director Marla Roe;

Financial Services Director, Anita Cothran; Assistant Finance Director, Jenny Hundt; Administrative Services Director, Tom Johnston; Fire Chief Mack Borchardt; Development Services Director, John Lettelleir; Engineering Director, Paul Knippel; and EDC Director of Business Retention & Expansion, Stephanie Wagoner.

CLOSED SESSION

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;

Bob Allen moved to enter Closed Session at 5:05 p.m. and added item 27 for discussion with the City Attorney. John Keating seconded the motion.

Passed

Vote: 4 – 0
For: John Keating, Bob Allen, Jeff Cheney, Will Sowell;
Against: (None)

A. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:

i. Receive legal advice regarding Frisco's involvement in the Arts Center of North Texas and other legal issues related thereto.
ii. Receive legal advice regarding household care facilities, group/community homes and related facilities.
iii. Receive legal advice regarding hiring additional counsel for potential litigation.

B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:

i. Bordered by Eldorado Parkway on the north, Teel Parkway on the west, Preston Road on the east and Gaylord Parkway on the south.

C. Section 551.074. Personnel Matters: Section 551.074 authorizes certain deliberations about officers and employees of the governmental body to be held in executive session:

i. Deliberation regarding the annual evaluation of Richard Abernathy, City Attorney.

D. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Jeff Cheney moved to reconvene into Regular Session at 7:08 p.m. Bob Allen seconded the motion.

Passed

Vote: 4 – 0

For: John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

INVOCATION

Bob Allen led the invocation.

PLEDGE OF ALLEGIANCE

Boy Scout Troops 298 and 51 led the pledge of allegiance to the United States and the Texas Flag.

PROCLAMATIONS

4. Frisco Celtics -- 15U AAU Div. II 2012 Basketball National Champions

Coaches Paul and Sherry Washington and the Team Celtics were present to accept a proclamation in honor of the 15U AAU National Basketball Champions.

REPORTS

5. Frisco EDC World Premier Video – Inc 500 | 5000 Presenting Sponsor

Stephanie Wagoner, EDC Director of Business Retention & Expansion, presented a video that focused on the highlights of Frisco and what makes us attractive to young entrepreneurs.

6. Public Works Report on Water Usage and Other Monthly Activities

Deputy City Manager Henry Hill gave a report on water usage for the month of July.

Mayor Maso moved to Citizen Input at 7:31 p.m.

7. Development Services Activities Monthly Update July 2012

Development Services Director John Lettelleir reported on monthly activities for July 2012 and gave an update on the West Nile Virus.

8. Financial Services Monthly Budget Status Report for July 2012

   Financial Services Director Anita Cothran gave a report on the July 2012 Financial report.

9. Police Department's crime statistics and response times for the months of June and July 2012. (GW/Police)

   Assistant Police Chief John Bruce reminded everyone that car burglaries were up and don't forget to Lock, Take or Hide, school will be starting next week, and Dove Hunting will begin on September 1, 2012. Chief Bruce also gave a report on the National Night out which was held on August 7th, 2012 and reported that there will be an additional NNO on October 2, 2012.

   Scott Johnson arrived at 7:38 p.m.

10. Fire Department Monthly Report on Incident Response and Educational Activities, July 2012.

    Fire Chief Mack Borchardt reported on Fire Department activities for the month of July 2012, commented on the opening of Fire Station 7, and the upcoming Citizens Fire Academy.

11. Frisco CVB July report on economic impact, CVB activities and in-kind media results.

    CVB Executive Director Marla Roe reported CVB activities for the month of July 2012 and that this will be the third weekend for the Jehovah's Witness group to clean at Dr. Pepper Arena and on September 1st the North Texas Football Classic will be taking place at FC Dallas Stadium. Ms. Roe also mentioned that the CVB sales team is at 140% of their yearly goal with bookings still coming in.

12. Council Subcommittee reports for current activities of the Legislative, Governance, Frisco Square Management District and the Budget and Audit Committee.

    The Legislative Committee has had two meetings since the last Council meeting. The latest meeting was today and Texas House Representative Ken Paxton was present to update Council on recent legislative activity in Austin.

    The Budget and Audit Committee met and Jeff Cheney reported that the information would be covered in the budget item later in the agenda.

Mayor Maso continued with the Consent Agenda.

CITIZEN INPUT (to begin approximately at 7:30 p.m.)

No one wished to speak and Mayor Maso moved back to Item 7.

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Jeff Cheney moved to approve the Consent Agenda. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

13. Consider and act upon approval of the minutes from the August 6, 2012 Regular City Council meeting. (CSO/JP)

14. Consider and act upon award of bid to Fuquay, Inc. and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for the Sanitary Sewer Rehabilitation Project (west of Hillcrest Road and north of Canoe Road) and authorizing construction phase contingencies (Engineering/AH) **RESOLUTION 12-08-147R**

15. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Underpass Agreement and Pipeline Licenses by and between the City of Frisco and the BNSF Railway Company (BNSF) for the construction of the Stonebrook Parkway Underpass U.S. D.O.T. No. 675214G (Engineering/DLC) **RESOLUTION 12-08-148R**

16. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Pass-Through Agreement by and between the City of Frisco and the Texas Department of Transportation to provide funding for the construction of Custer Road (FM 2478) from SH 121 to Stonebridge Drive. (Engineering/JB) **RESOLUTION 12-08-149R**

17. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an Advance Funding Agreement for funds from the SH 121 Subaccount and an Advance Funding Agreement for funds from Category STP-MM by and

between the City of Frisco and the Texas Department of Transportation to provide funding for right of way acquisition and construction of the SH 289 (Preston Road) Intersection Improvements and SH 121 Turn Lane at Ohio Drive projects. (Engineering/JB) **RESOLUTION 12-08-150R**

18. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Halff Associates, Inc. to perform Engineering Design Services for the SH 289 (Preston Road) Intersection Improvements and SH 121 Turn Lane at Ohio Drive projects. (Engineering/JB) **RESOLUTION 12-08-151R**

19. Consider and act upon adoption of a Resolution repealing Resolution No. 11-01-07R and authorizing the City Manager to execute a Professional Services Agreement by and between the City of Frisco and Kennedy Consulting, Ltd. to perform Environmental Analysis, Schematic Design, and Final Plans, Specifications, and Estimates for Custer Road (FM 2478) from SH 121 to Stonebridge Drive. (Engineering/JB) **RESOLUTION 12-08-154R**

20. Consider and act upon approval of a purchase order to Loftin Equipment Company for the purchase of two (2) diesel powered emergency generators. (Fire/TJ)

21. Consider and act upon approval of a professional service agreement with Burgess and Niple, and authorization for the City Manager to execute this agreement to perform sanitary sewer system evaluation. (PW/TJ)

22. Consider and act upon a professional services agreement with Franklin Legal Publishing for codification services for the City of Frisco Code of Ordinances. (CSO/JP)

23. Consider and act upon authorization for the City Manager to execute a Release of Letter Agreement for Independence Partners, Ltd. (Engineering Services/KS)

24. Consider and act upon an amendment to the Development Agreement for the Museum of the American Railroad. (CMO)

25. Consider and act upon accepting Laverne Forwark's resignation from the Public Art Board. (CSO/WW)

26. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Development Services, pursuant to Subsection 6.19 of the Zoning Ordinance and/or Section 4.02 of the Subdivision Ordinance, regarding action taken by the Planning & Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Development Services. (Development Services)

LEGISLATIVE AGENDA

(These items may legally require Council Action, but by Council Policy should be the City Manager's responsibility. The Legislative Agenda can be acted upon in one motion. The concurrence of two council members is required to remove any item for separate discussion and action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Bob Allen moved to pull Item 27 from the Legislative Agenda. John Keating seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Jeff Cheney moved to pull Item 29 from the Legislative Agenda. John Keating seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Jeff Cheney moved to approve the remainder of the Legislative Agenda. Will Sowell seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson; John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Bob Allen asked John Lettelleir to explain and he reported that the applicant for voluntary annexation had withdrawn his application and no action was needed on Item 27.

Council took no action.

Jeff Cheney pulled Item 29 because there was a comment card submitted from K. Lee Gray, 10224 Casetta Dr., Frisco, TX, who did not wish to speak but was in opposition to this item and in support of a ten (10) to twelve (12) foot wall around the Brazos Substation.

Mr. Kevin Gaskey, 12700 Park Central Dr., #1800, Dallas, TX, representing Kimley-Horn, spoke in favor of the project and was available for questions. Mr. Gaskey explained that pictures were submitted in the agenda packet reflecting the eight (8), ten (10), and twelve (12) foot high walls, and that the power line

height would not need to be raised for a six (6) to eight (8) foot wall in compliance with the City Code. The Energy Safety Code requires a three (3) foot unobstructed radius around the electrical line.

Bob Allen moved to approve Item 29 of the Legislative Agenda as presented with eight (8) foot wall height. Scott Johnson asked that the motion be amended to approve the height of the perimeter wall to ten (10) feet instead of eight (8). Bob Allen declined. John Keating seconded the motion.

Passed

Vote: 3 – 2

For: John Keating, Bob Allen, Jeff Cheney;

Against: Scott Johnson, Will Sowell;

27. Consider and act upon adoption of an Ordinance on the voluntary annexation of 463.4± acres in the Samuel Whittenberg Survey, Abstract No. 1510; the J.L. Saling Survey, Abstract No. 1675; the J. Bates Survey, Abstract No. 1620; the A.W. Robertson Survey, Abstract No. 1487; the F. Hawkins Survey, Abstract No. 582; and the W.P. Bates Survey, Abstract No. 73, Denton County, Texas, generally located on the south side of US Highway 380, 1,150± east of FM 423. Neighborhood #51. Annexation Case A12-0004. (Development Services/MW)

28. Consider and act upon adoption of an Ordinance for a Specific Use Permit for a Utility Distribution Facility on one lot on 4.3± acres on the south side of Panther Creek Road, 850± feet east of FM 423. Zoned Agricultural. Neighborhood #51. Case No. SUP12-0011. (Development Services/SM) **Ordinance 12-08-47**

29. Consider and act upon adoption of an Ordinance for a Specific Use Permit for a Utility Distribution Facility on one lot on 4.7± acres on the west side of Independence Parkway, 500± feet south of Casarosa Drive. Zoned Agricultural. Neighborhood #14. Case No. SUP12-0012. (Development Services/SM) **Ordinance 12-08-48**

30. Consider and act upon adoption of an Ordinance for a Specific Use Permit for a Major Automobile Repair facility and an Accessory Leasing facility on one lot on 4.5± acres on the northeast corner of Preston Road and Centenary Way. Zoned Commercial-1 with a Specific Use Permit (S-139) for a Private Club. Neighborhood #24. Case No. SUP12-0007 (Development Services/RC) **Ordinance 12-08-49**

REGULAR AGENDA

31. Public Hearing: SUP12-0015. A request for a Specific Use Permit for a Licensed Child Care Center on one lot on 3.6± acres on the east side of Parkwood Boulevard, 720± feet north of Stonebrook Parkway and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-108-Office-1. Neighborhood #23. (Development Services/JE)

Development Services Director John Lettelleir reported that the applicant, Greenleaf Montessori School, requests a Specific Use Permit (SUP) for a licensed child care center. The facility will be located in a one-story office condo complex that has been vacant since 2006. The facility will be licensed by the State for a maximum of 309 children and they will be providing 20,135 square feet of open play area, exceeding the minimum amount of 20,085 square feet required. The Planning Commission held a public hearing on the request at its July 10, 2012 meeting and voted 4-0 to approve the request.

Jeff Cheney moved to open the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

No one wished to speak.

Jeff Cheney moved to close the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Bob Allen moved to approve Public Hearing: SUP12-0015. A request for a Specific Use Permit for a Licensed Child Care Center on one lot on 3.6± acres on the east side of Parkwood Boulevard, 720± feet north of Stonebrook Parkway and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-108-Office-1. Neighborhood #23. Jeff Cheney seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

32. Public Hearing: Zoning Case Z12-0001. A request to amend Planned Development-52, rezoning a 50.0± acre tract on the north side of Rockhill Road, 2,200± feet west of FM 423 from Planned Development-52-Industrial to Planned Development-Patio Home, and rezoning the remaining tracts in PD-52 to straight zoning of Townhome, Retail, and Industrial and consider and act to direct staff to prepare an Ordinance of the same. The property contains 225.8±

acres and is located on the west side of FM 423 north of Panther Creek Road. Zoned Planned Development-52-Townhome/Retail/Industrial. Neighborhood #50. (Development Services/MW)

Mr. Lettelleir reported that the applicant is requesting to rezone the property to allow the development of a patio home community similar to the Queen's Gate Development on the north side of Rolater Road, east of Preston Road. The development standards proposed closely match those of the Queen's Gate development and to the recently approved Oakmont development on Main Street, east of FM 423. Staff is also recommending that the remainder of the Planned Development tracts be rezoned to straight zoning districts of Townhome, Retail and Industrial. The Planned Development contains no additional development standards for the Industrial, Retail, or Townhome Districts. The Planning & Zoning Commission held a public hearing on the request at their July 10, 2012 meeting and recommended approval of the request by a vote of 4-0. Since the Planning & Zoning Commission meeting, staff has received one letter of opposition to the request. The opposition is based on the location of flood plain zones. This zoning request does not affect flood plain zones and does not rezone any property not already zoned for retail, townhome, or industrial uses.

Jeff Cheney moved to open the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

John Ross, 4215 Walnut Hill Lane, Dallas, TX representing the applicant, spoke in favor of the project.

Jeff Cheney moved to close the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Scott Johnson moved to approve Public Hearing: Zoning Case Z12-0001. A request to amend Planned Development-52, rezoning a 50.0± acre tract on the north side of Rockhill Road, 2,200± feet west of FM 423 from Planned Development-52-Industrial to Planned Development-Patio Home, and rezoning the remaining tracts in PD-52 to straight zoning of Townhome, Retail, and Industrial and consider and act to direct staff to prepare an Ordinance of the

same with stipulations contained within the report. The property contains 225.8± acres and is located on the west side of FM 423 north of Panther Creek Road. Zoned Planned Development-52-Townhome/Retail/Industrial. Neighborhood #50. Will Sowell seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

33. Public Hearing: Zoning Case Z12-0008. A request to rezone 29.1± acres on the southeast corner of Stonebrook Parkway and Teel Parkway from Planned Development-183-Retail/Office-1 to Single Family-7 (21.3± acres) and Planned Development-183-Office-1 (7.8± acres) and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-183-Retail/Office-1. Neighborhood #39. (Development Services/MW)

Mr. Lettelleir reported that the applicant is requesting to rezone the Retail portion (Tract 2) of the Planned Development to allow for a single-family residential development. The only change recommended for the Office-1 portion (Tract 1) is to eliminate the requirement for cross access between the two Tracts. The Planning & Zoning Commission held a public hearing on the request at their July 10, 2012 meeting and recommended approval of the request by a vote of 4-0.

Jeff Cheney moved to open the public hearing. Bob Allen seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Matt Dorsett, 765 Custer Rd., #100, Plano, TX, with Spiars Engineering and representing the applicant, was available for questions.

Jeff Cheney moved to close the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Scott Johnson moved to approve Public Hearing: Zoning Case Z12-0008. A request to rezone 29.1± acres on the southeast corner of Stonebrook Parkway and Teel Parkway from Planned Development-183-Retail/Office-1 to Single

Family-7 (21.3± acres) and Planned Development-183-Office-1 (7.8± acres) and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-183-Retail/Office-1. Neighborhood #39. John Keating seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

34. Public Hearing: Specific Use Permit SUP12-0006. Consider and act on a request for a Specific Use Permit for a Nursing/Convalescent Home and an Assisted Living Facility on two lots on 4.9± acres on the south side of Lebanon Road, 1,700± feet west of Coit Road and consider and act to direct staff to prepare an Ordinance of the same. Zoned: Highway with a Specific Use Permit for a Nursing/Convalescent Home (SUP-198). Neighborhood #28. (Development Services/MW)

Mr. Lettelleir reported that the applicant is requesting a Specific Use Permit to allow the development of a Nursing/Convalescent Home and an Assisted Living Facility. The Planning & Zoning Commission held a public hearing on the request at their July 24, 2012 meeting and recommended approval of the request by a vote of 5-0.

Jeff Cheney moved to open the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

No one wished to speak.

Jeff Cheney moved to close the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

After discussion, Bob Allen moved to approve Public Hearing: Specific Use Permit SUP12-0006. Consider and act on a request for a Specific Use Permit for a Nursing/Convalescent Home and an Assisted Living Facility on two lots on 4.9± acres on the south side of Lebanon Road, 1,700± feet west of Coit Road

and consider and act to direct staff to prepare an Ordinance of the same. Zoned: Highway with a Specific Use Permit for a Nursing/Convalescent Home (SUP-198). Neighborhood #28. Jeff Cheney seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

35. Public Hearing: Zoning Case Z12-0013. A request to amend Planned Development-151-Single Family-10 to allow a church and allow for a maximum height of 60-feet for the church building and consider and act to direct staff to prepare an Ordinance of the same. The Property contains 68.0± acres on the west side of Independence Parkway, 2,100± feet south of Main Street. Zoned Planned Development-151-Single Family-10. Neighborhoods #17. (Development Services/JE)

Mr. Lettelleir reported that the applicant is requesting to amend the development standards for Planned Development-151 to allow a church by right and allow for a maximum height of 60-feet for the church building. The Planning & Zoning Commission held a public hearing on the request at their July 24, 2012 meeting and recommended approval of the request by a vote of 5-0.

Jeff Cheney moved to open the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

No one wished to speak.

Jeff Cheney moved to close the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Jeff Cheney moved to approve Public Hearing: Zoning Case Z12-0013. A request to amend Planned Development-151-Single Family-10 to allow a church and allow for a maximum height of 60-feet for the church building and consider and act to direct staff to prepare an Ordinance of the same. The Property contains 68.0± acres on the west side of Independence Parkway, 2,100± feet

south of Main Street. Zoned Planned Development-151-Single Family-10. Neighborhoods #17. John Keating seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

36. Consider and act upon approval of an amendment to Resolution 12-08-142R calling the November 6, 2012 Special Local Option election for the Legal Sale of Beer and Wine for Off-Premise Consumption Only, and The Legal Sale of Mixed Beverages in Restaurants By Food and Beverage Certificate Holders Only in the City of Frisco, Texas. (CSO/JP)

City Secretary Jenny Page stated that all property annexed into the city each year must be reported to the Department of Justice for preclearance before each election requiring the Resolution calling the November Local Option Election to be amended to include this property. Since the applicant has withdrawn the application as discussed in Item 27, the Resolution did not need to be amended and no action was needed.

No action was taken.

37. Consider and act upon Resolutions of the Frisco Community Development Corporation and the Frisco Economic Development Corporation approved the sale of revenue bonds for the purchase of land. (CMO/NL)

A. Consider adoption of a Resolution approving a resolution of the Frisco Community Development Corporation authorizing the issuance and sale of bonds by the Corporation; and enacting other provisions relating to the subject. (CMO/NL) **RESOLUTION 12-08-152R, C12-08-01R**

B. Consider adoption of a Resolution approving a resolution of the Frisco Economic Development Corporation authorizing the issuance and sale of bonds by the Corporation; and enacting other provisions relating to the subject. (CMO/NL) **RESOLUTION 12-08-153R, EDC 12-08-046**

Assistant City Manager Nell Lange reported that the FEDC and the FCDC Boards met on August 15, 2012 and August 16, 2012 respectively and approved resolutions approving the issuance of Series 2012 Revenue Bonds for the purchase of land currently owned by Exide. The Resolutions approved by the two Boards are also present for Council review. The Corporations approved a parameters resolution, which will allow the Financial Advisors and the Bond Attorney to move forward with the sale if the bids received fall within the ranges set by the resolutions. The interest rate shall be no more than 5.5% and the life of the bonds will not be more than 20 years. The Resolutions presented for City

Council approval approve the actions taken by the two corporations. Bids will be taken for the sale of the Revenue Bonds on Thursday August 23, 2012. The City's Financial Advisor, David Medanich from First Southwest, has provided information concerning the current market situation and revised estimates of interest rates. Current projections are around 3.8%. The total amount of funding for purchase of land is $27 million for the FEDC and $25.5 million for the FCDC. The total amount of bonds to be issued will cover not only the cost of the land, but issuance cost and reserve funds for debt service coverage. Total estimated bonds to be issued are $27,675,000 for the FCDC and $29,300,000 for the FEDC.

Jeff Cheney moved to approve Resolutions of the Frisco Community Development Corporation and the Frisco Economic Development Corporation approving the sale of revenue bonds for the purchase of land. Bob Allen seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

38. Public Hearing: First Hearing on the City of Frisco Fiscal Year 2013 Annual Budget, including Frisco Economic Development Corporation Fiscal Year 2013 Budget and the Frisco Community Development Corporation Fiscal Year 2013 Budget.

Ms. Lange stated this was the first public hearing on the proposed Annual 2013 Budget for the City of Frisco, the Frisco Economic Development Corporation and the Frisco Community Development Corporation. Article VII, Section 7.05 of the City Charter requires the City Council to conduct a public hearing on the proposed budget. The Council called the public hearings at their meeting on August 6, 2012. They received a copy of the proposed budget on August 6, 2012, at which time it was also posted to the City's website. All notices have been published as required. A copy of the Proposed 2013 Annual Budget may be viewed on the City's website.

Ms. Lange gave a presentation with an overview of the FY 13 Proposed Budget and mentioned that there had been a few changes since the first presentation to Council at the August 13, 2012 Budget Work Session.

Jeff Cheney moved to open the public hearing. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will

Sowell;
Against: (None)

Judie Morrison, 688 Winterberry Lane, Frisco, TX spoke in opposition of spending more money.

Tom Fabry, 4992 Iroquois Dr., Frisco, TX spoke in opposition to raising taxes, thanked the city for its transparency in posting the Proposed Budget online, and asked to have a meeting with Ms. Lange to discuss details of the budget to get a better understanding.

Jeff Cheney moved to close the public hearing. Scott Johnson seconded the motion.

Passed
Vote: 5 – 0
For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;
Against: (None)

At the request of Council, Ms. Lange presented a list of items that she would recommend to possibly be removed or added back into the proposed budget. (Exhibit A) Ms. Lange stated that revenue was currently budgeted very conservatively at 5% but she would be comfortable increasing the projected sales tax $500,000, provided there was a stipulation that if tax revenue did not meet the expected levels, the additional funds would not be transferred to the Capital Reserve Fund until the end of next year to ensure the funds were available. Ms. Lange stated that she would not want to increase sales tax to fund equipment and salaries.

Ms. Lange mentioned that media had incorrectly stated that the tax rate had been approved at the August 13, 2012 Work Session. The tax rate had not been approved but Council did approve advertising the tax rate of 0.461910. The second public hearing on the budget will be September 4th and public hearings on the tax rate will be August 27th and September 4th with adoption of both on September 18, 2012.

Jeff Cheney thanked Ms. Morrison for her comments since usually there was only Mr. Fabry present to ask questions. He stated that Frisco has in recent years taken a very conservative outlook in a very fast growing city.

Ms. Morrison asked to speak again and said it didn't seem to be necessary to hire this many people and give employee raises.

Scott Johnson added that there has only been one tax increase and one tax decrease since 2006 when Ms. Morrison moved to Frisco, while other cities

cannot say the same. He said that the California cities that she mentioned were in a totally different growth structure and Frisco was doing a good job addressing necessary services and maintenance for a city growing as fast as Frisco without added employees and services over the past several years.

Jeff Cheney moved to recess into Closed Session at 9:20 p.m. in compliance with Texas Local Government Code 551.071. Scott Johnson seconded the motion.

Passed

Vote: 5 – 0

For: Scott Johnson, John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Scott Johnson left the meeting as Council went into Closed Session.

City Attorney Rebecca Brewer had left the meeting due to an emergency and Richard Abernathy was available by phone for the discussion.

John Keating moved to reconvene into Regular session at 9:38 p.m. Bob Allen seconded the motion.

Passed

Vote: 4 – 0

For: John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

39. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

- Schedule work sessions
- Look at Holiday Calendars for Council Meetings

40. Discussion on Governance Monitoring of present City Council Meeting.

Bob Allen gave the council a grade of satisfactory but stated that he wished there had been more discussion on Item 29.

ADJOURN

With no further business to discuss, Will Sowell moved to adjourn at 9:40 p.m. John Keating seconded the motion.

Passed

Vote: 4 – 0

For: John Keating, Bob Allen, Jeff Cheney, Will Sowell;

Against: (None)

Please note these are preliminary results and are not official until approved at the next scheduled meeting. Approved/signed minutes are available at www.friscotexas.gov/docs.

Maher Maso, Mayor

ATTEST:

Jenny Page, City Secretary

AGENDA ITEM #9.

PROGRESS IN MOTION

Convention and Visitors Bureau
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

Cc: **George A. Purefoy, City Manager**
Henry Hill, Deputy City Manager

From: **Marla Roe**

Date: **August 22, 2012**

Agenda Caption: Consider and Act on the adoption of a Resolution authorizing the City Manager to submit documents to the Texas Comptroller's Office Trust Fund for the reimbursement of state tax revenue acquired from three events.

Action Requested: Consider and Act on the adoption of a Resolution authorizing the City Manager to submit to the Texas Comptroller's Office Trust Fund for the reimbursement of state tax revenue acquired from three events which include:

1. **2012 USA Cycling Collegiate Track Championships -** estimate of state tax revenue reimbursement - $26,040
2. **2012-2013 North American Prospects Hockey League Tournament –** estimate of state tax revenue reimbursement - $178,974
3. **2013 NCAA Division I Football Championship Series** – estimate of state tax revenue reimbursement - $292,680

Background Information: Under Vernon's Texas Civil Statutes Article 5190.14 and Article 398, the state of Texas has established a mechanism to promote and fund national and international events in the state through the contribution to the host city or county a portion of the state sales tax revenue from the event. An Economic Impact Study is required to analyze the increase in tax revenue associated with the event.

The Texas Comptroller is authorized to deposit state tax revenues from events after the revenues have been collected, and to the extent that these deposits are matched by the deposit of local tax revenues (usually matched on the basis of $1 in local revenue for $6.25 in state revenue). The host city or county requests the

reimbursement of the sales tax deposited from the event from the State Comptroller's Office after the event.

Board Review/Citizen Input: None

Alternatives: Approve, deny, or table request.

Financial Considerations: None

Legal Review: None

Supporting Documents:

- 2012 USA Cycling Collegiate Track Championships Economic Impact Study
- 2012-2012 North American Prospects Hockey League Tournament Economic Impact Study
- 2013 NCAA Division I Football Championship Series Economic Impact Study

Resolution - for three events

Staff Recommendation: Staff recommends adoption of a Resolution authorizing the City Manager to submit to the Texas Comptroller's Office Trust Fund for the reimbursement of state tax revenue acquired from three events.

CITY OF FRISCO, TEXAS RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS AUTHORIZING THE CITY MANAGER TO SUBMIT DOCUMENTS TO THE TEXAS COMPTROLLER'S OFFICE TRUST FUND TO REQUEST THE REIMBURSEMENT OF STATE TAX REVENUE ACQUIRED FROM 2012 USA CYCLING COLLEGIATE TRACK CHAMPIONSHIPS, 2012-2013 NORTH AMERICAN PROSPECTS HOCKEY LEAGUE TOURNAMENT AND THE 2013 NCAA DIVISION I FOOTBALL CHAMPIONSHIP SERIES

WHEREAS, The City of Frisco finds it in the best interest of the citizens of Frisco that the 2012 USA Cycling Collegiate Track Championships, 2012-2013 North American Prospects Hockey League Tournament and the 2013 NCAA Division I Football Championship Series be operated; and

WHEREAS, the City of Frisco agrees that the reimbursement of state tax revenue from the events will provide the City of Frisco with the funds to operate the event.

WHEREAS, the City of Frisco designates the City Manager or his designee as the authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the request for reimbursement of state tax revenue on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, COLLIN COUNTY, TEXAS THAT:

The City of Frisco approves submission of documents to the Texas Comptroller's Office Event Trust Fund requesting the reimbursement of state tax revenue generated from one event.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, COLLIN COUNTY, TEXAS ON THIS THE _____ DAY OF _____ 2012.

_____
Maher Maso, Mayor

ATTEST:

_____
Jenny Page, City Secretary

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Economic Impact Study
2012 USA Cycling Collegiate Track Championship

Frisco, Texas

September 21-23, 2012

Submitted for consideration under the Events Trust Fund by:

Don Hoyte, Ph.D.
TexasTrustFunds.com
10704 Scotland Well Drive
Austin, Texas 78750

On behalf of

City of Frisco

and the Frisco Convention and Visitors Bureau

May 3, 2012

Event Background

Each year USA Cycling organizes nearly two dozen major events, including national championship events for all categories of amateur and professional cycling. As the official governing body for bicycle racing in the United States of America, USA Cycling USA Cycling is a 501(c)3 not-for-profit corporation recognized by the International Cycling Union (UCI) and the United States Olympic Committee (USOC). USA Cycling is the official governing body for all disciplines of competitive cycling in the United States, including road, track, mountain bike, BMX and cyclo-cross.

USA Cycling's mission is to achieve sustained success in international cycling competition and to grow competitive cycling in America. USA Cycling is responsible for identifying, selecting and training cyclists to represent the United States in international competition. The main goal of USA Cycling is to ensure the ongoing development of and safe participation in the sport of cycling.

The company was organized in 1920 as the Amateur Bicycle League of America and was incorporated in New York in 1921. In 1975, the name was changed to the United States Cycling Federation. In 1995, a new organization, USA Cycling, was incorporated in Colorado, and on July 1, 1995, the two corporations merged, with USA Cycling as the umbrella corporation. USA Cycling's corporate headquarters is located at 210 North USA Cycling Point, Suite 100, Colorado Springs, CO 80919.

After considering offers from a variety of locations across the nation, USA Cycling announced in October 2011 that the 2012 Collegiate Track Championships would be held at the Superdrome in Frisco, Texas from September 21 – 23, 2012 (See Appendix A for USA Cycling Press Release).[1]

This event typically attracts about 150 competitors from as many as 50 different schools in addition to coaches, timers, referees, officials and fans over the four day period. In the past five years, the Collegiate Track National Championships have been held only at sites outside Texas:

USA Cycling Collegiate Track National Championships

Year	Host City	Competitors	Percent from Texas	Schools Represented
2011	Indianapolis, Indiana	149	8.7%	35
2010	Indianapolis, Indiana	144	6.9%	30
2009	Trexlertown, Pennsylvania	130	3.8%	33
2008	Colorado Springs, Colorado	156	3.8%	50
2007	San Diego, California	na	na	Na

Source:http://www.usacycling.org/news

In 2012, the Championships will formally begin September 21 although riders arrive early to familiarize themselves with the facility. Based on entries over the past four years, it is estimated that 90% of the participants will be from outside of Texas. Table 1 presents the expected attendance at the event.

Table 1

Estimated Player, Coach, Fan and Other Attendance
2012 USA Cycling Collegiate Track National Championship

September 21 - 23, 2012 in Frisco, Texas

Day	Date	Championship Schedule	Athletes	Coaches, Officials & Staff	Families & Fans	Out of State Family & Fans
1	20-Sep	Arrive	150	58	373	335
2	21-Sep	Day 1	150	58	373	335
3	22-Sep	Day 2	150	58	373	335
4	23-Sep	Day 3	150	58	373	335
5	24-Sep	Return	38	10	88	79

Total Economic Gain

The economic gains from events such as the USA Cycling's Collegiate Track Championships are significant for the state and for the local economy. When calculated correctly, this "gain" is not merely the dollars that Texans might have otherwise spent in the state, but it represents a true addition to the local and state economy by: (1) keeping expenditures in Texas that likely would have otherwise left the state, and (2) bringing in expenditures from outside the state.

As is detailed in Table 2, USA Cycling's Collegiate Track Championships should fill more than 850 hotel room nights and generate an estimated total spending by competitors, coaches, officials and out–of-state fans of $425,000. This gain is composed of $135,000 in lodging expenditures, more than $103,000 in food and beverage expenditures and more than $137,000 in entertainment and shopping expenditures.[2]

Table 2
Expenditure and Impact Summary for the
2012 USA Cycling Collegiate Track National Championship
September 21 - 23, 2012 in Frisco, Texas

Total Room nights	859
Hotel Expenditure	$135,117
Food and Beverage	$103,134
Entertainment & Shopping	$137,761
Other Expenditures & Tips	$49,980
Total Economic Impact	***$425,991***

Event Trust Fund Tax Gain

In 2009, the Texas legislature established the Events Trust Fund to assist in attracting to Texas or retaining in Texas sporting and other events that could be moved or held outside the state. The provisions of this law allow the Comptroller to deposit into a trust fund established for a qualifying event the amount of state hotel, sales and use, motor vehicle rental and alcohol taxes that can be attributed to the incremental gain in economic activity to the state from hosting the event. To qualify for reimbursement from the Trust Fund, the local sponsoring municipality or county must contribute matching tax revenues received from hosting the event at the rate of $1 local tax dollar for every $6.25 in state tax contributions.

Based on the attendance and schedule of events presented in Table 1, Table 3 estimates the incremental tax gain to the state and to the City of Frisco from hosting USA Cycling's Collegiate Track Championships.[3] This event is estimated to generate a total of $24,932 in state tax revenues which could be deposited into a trust fund supporting this event. Table 3 also notes that the total local tax gain is estimated to reach $13,268. Of this local gain, a total of $3,989 would be required from the City of Frisco to fully match the state funds for a maximum total trust fund level of $28,921 for this event.

Table 3

State and Local Tax and Expenditure Summary for the

2012 USA Cycling Collegiate Track National Championship

September 21 - 23, 2012 in Frisco, Texas

Hotel Expenditures:

		Athletes	Staff & Officials	Out of State Family & Fans		
Persons/ hotel room		2.00	1.0	1.9		
Percent Staying in hotel		90%	100%	80%		
Hotel Cost rm/night		$137	$137	$137		
Day	Date				**State Tax**	**Local Tax**
1	20-Sep	$9,234	$7,934	$19,262	$2,186	$3,279
2	21-Sep	$9,234	$7,934	$19,262	$2,186	$3,279
3	22-Sep	$9,234	$7,934	$19,262	$2,186	$3,279
4	23-Sep	$2,309	$1,368	$4,525	$492	$738
				Total Tax	**$7,050**	**$10,574**

Food & Bev. Expend.:

Day	Date	Athletes	Staff & Officials	Out of State Family & Fans	State Tax	Local Tax
1	20-Sep	$3,671	$1,420	$8,205	$831	$133
2	21-Sep	$7,343	$2,839	$16,410	$1,662	$266
3	22-Sep	$7,343	$2,839	$16,410	$1,662	$266
4	23-Sep	$7,343	$2,839	$16,410	$1,662	$266
5	24-Sep	$918	$245	$1,927	$193	$31
				Total Tax	**$6,010**	**$962**

Entertain. & Shopping:

Day	Date	Athletes & Coaches	Staff & Officials	Out of State Family & Fans	State Tax	Local Tax
1	20-Sep	$4,808	$1,859	$10,745	$1,088	$174
2	21-Sep	$9,615	$3,718	$21,490	$2,176	$348
3	22-Sep	$9,615	$3,718	$21,490	$2,176	$348
4	23-Sep	$9,615	$3,718	$21,490	$2,176	$348
5	24-Sep	$1,202	$321	$5,048	$411	$66
				Total Tax	**$8,028**	**$1,284**

Table 3, continued

State and Local Tax and Expenditure Summary for the
2012 USA Cycling Collegiate Track National Championship

September 21 - 23, 2012 in Frisco, Texas

State Mixed Bev. Tax:

Day	Date	Athletes	Staff & Officials	Out of State Family & Fans	State Tax	Local Tax
1	20-Sep	$0	$406	$2,347	$182	$41
2	21-Sep	$0	$812	$4,694	$363	$83
3	22-Sep	$0	$812	$4,694	$363	$83
4	23-Sep	$0	$812	$4,694	$363	$83
5	24-Sep	$0	$70	$551	$41	$9
				Total Tax	**$1,313**	**$298**

Title 5 ABC State Tax:

Day	Date	Athletes	Staff & Officials	Out of State Family & Fans	State Tax	Local Tax
1	20-Sep	$0	$406	$2,347	$11	$0
2	21-Sep	$0	$812	$4,694	$22	$0
3	22-Sep	$0	$812	$4,694	$22	$0
4	23-Sep	$0	$812	$4,694	$22	$0
5	24-Sep	$0	$70	$551	$2	$0
				Total Tax	**$80**	**$0**

Vehicle Rental Tax:

		Athletes	Staff & Officials	Out of State Family & Fans		
Percent Renting		0%	75%	20%		
Cost per Day		$40	$40	$40		
Day	Date				State Tax	Local Tax
1	20-Sep	$0	$1,740	$1,341	$308	$0
2	21-Sep	$0	$1,740	$1,341	$308	$0
3	22-Sep	$0	$1,740	$1,341	$308	$0
4	23-Sep	$0	$300	$315	$62	$0
				Total Tax	**$986**	**$0**

Other Expenditures:	Hotel	Food & Bev.		
Tip Income	$5,875	$9,616		
		Total Tax	**$929**	**$149**
Event Expenses	$51,992		**$537**	**$86**
Total All Taxes			**$24,932**	**$13,268**
Required Local Tax match			$3,989	
Total Event Trust Fund			**$28,921**	

Table 4 presents the estimated expenses to host this event in Frisco which are expected to reach nearly $52,000. Since expected expenditures on this event are above expected state and local tax gains, this report requests that the Comptroller of Public Accounts approve a trust fund for this event under Section 5C of Article 5190.14 Vernon's Texas Civil Statutes to receive $24,932 in state tax contributions when matched by $3,989 in tax contributions by the City of Frisco for a total Trust Fund level of $28,921.

Table 4
City and Sponsor Expenditures
2012 USA Cycling Collegiate Track National Championship
Frisco, Texas

Item		**Total**	**State Tax**
Event Planning	Meals/Food/Water	$1,500	$94
Event Volunteers	Meals/Food/Water	$2,000	$125
Officials Travel	Meals & Transportation	$6,000	(1)
Officials Fees	Labor	$6,000	
Facility	Improvements	$16,000	
Event Timing	Labor	$12,500	
Event Supplies	Misc	$600	$38
Event Signage	Promotion	$4,500	$281
Administration and Funding		$2,892	
TOTAL		$51,992	$537

(1) included elsewhere

Appendix A:

USA Cycling Event Award Information

USA Cycling unveils 2012 National Championship Calendar

This Article Published October 21, 2011 For more information contact: asmith@usacycling.org

USA Cycling is pleased to announce its complete 2012 National Championship Calendar. Seventeen events in 13 states will present cyclists of all ages and skill levels with opportunities to race for national titles in all five disciplines of the sport. While several events will re-visit their 2011 host cities, four events are moving to new locations for 2012.

Cyclo-cross racers will grab the year's first titles. Although BMX has typically been the discipline to kick off the national championship calendar, 2012 will mark the first year of the USA Cycling Cyclo-cross National Championships being held in January, instead of December. The event is one of the national governing body's most highly attended national championships and is expected to draw more than 1,200 racers and 7,500 spectators to its venue in Madison, Wisc., right after the new year, Jan. 4-8. (Click here for the full announcement about this event's date change.)

For the second year in a row, the **USA Cycling BMX National Championships** will be held at the Olympic Training Center in Chula Vista, Calif. The currently under construction London Olympic-replica Supercross track will host the elite and junior elite races while amateur racing will take place on an adjacent, traditional BMX track. This event is scheduled for April 1 and is expected to draw approximately 250 competitors.



Collegiate Road is one of four national championships headed to a new home in 2012. Next up will be the **USA Cycling Collegiate Road National Championships**, May 4-6, in Ogden, Utah. Approximately 100 colleges and universities will send riders to this fourth and final cycling national championship event of the 2011-12 academic year. It won't just be national titles on the line in Ogden as the overall rankings for the entire school year will be determined there as well.

Heading back to Greenville, S.C. will be the USA Cycling Professional Road and Time Trial National Championships, May 26 and 28. Dave Zabriskie and Matthew Busche will look to defend their time trial and road race national titles in this event which will attract an estimated 40,000 spectators.

After a successful trip to Augusta, Ga. in 2011, the **USA Cycling Elite, U23, Juniors, & Paralympic Road National Championships** will return there for a second year in 2012. The event is slated for June 20-24 and over 1,100 will compete for national titles in the time trial, road race, and criterium events.

In its second year being separated from gravity competition, the **USA Cycling Mountain Bike Cross-Country National Championships** will return to the Idaho Rockies. The event will crown national champs

in cross-country, short track cross-country, and Super-D competitions in Sun Valley, Idaho, July 5-8.

Just before the world's best track cyclists take center stage at the 2012 Olympic Games in London, the nation's future track cycling stars will take center stage in Trexlertown, Pa. as the **USA Cycling Juniors Track National Championships** roll into town July 11-15.

Moving to the heat of the summer, the **USA Cycling Mountain Bike Gravity National Championships** will return to Beech Mountain, N.C. after a very popular debut year of being separated from the cross-country national championships. Gravity athletes will again fight for national titles on their own at Beech Mountain, July 20-22.



Winners at each national championship are presented with these gold, silver or bronze medals.

The nation's top sprinters will return to Grand Rapids, Mich. on July 28 to race in the **USA Cycling Professional Criterium National Championship**. The new date puts the event just before the NRC's Tour of Elk Grove, thus allowing for better travel flow for competitors.

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Being held in conjunction with the track racing portion of the Olympic Games in London, the **USA Cycling Masters Track National Championships** will take place in Colorado Springs, Colo., Aug. 2-7. The United States Olympic Committee will play host.

One month later, masters cyclists will gather again, this time in Bend, Ore. for the **USA Cycling Masters Road National Championships**. The event, scheduled for Sept. 5-9, returns to the cycling mecca of Bend, Ore. after participants enjoyed competing there in 2011.

Next on the agenda, Bend will host yet another national championship event. This time, ultra-endurance mountain bikers will head to the Oregon destination, Sept. 15, for the **USA Cycling Mountain Bike Marathon National Championships**.

Just as college students around the country return to school for the fall, the collegiate cycling season will kick off, Sept. 21-23 with the **USA Cycling Collegiate Track National Championships**. Valuable team ranking points will be on the line as coeds from colleges and universities across the nation converge on the Superdrome in suburban Dallas.

Many of those collegiate track racers will join the ranks of elite racers the following week for the **USA Cycling Elite Track National Championships**. The event is scheduled for Sept. 27-30 and the location will be announced soon.

After departing its traditional location of Moab, Utah and seeing 2011 success in Colorado Springs, the **USA Cycling Mountain Bike 24-Hour National Championships** will return to Southern Colorado, Sept. 29-30.

Collegiate racing will heat up Oct. 19-21 as the **USA Cycling Collegiate Mountain Bike National Championships** head back to Angel Fire, N.M. for a second year in a row. Student-athletes will fight for overall omniums, as well as national titles in cross-country, short track cross-country, dual slalom, and downhill competitions.

National champions will also be crowned in 2012 at the USA Cycling Tandem Track National Championships. The location and dates of this event will be made available as soon as they are determined.

Visit USA Cycling's National Championship calendar page for a complete look into the calendar.

2012 USA Cycling National Championship Calendar
*All dates and locations subject to change.

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Jan. 4-8: Cyclo-cross National Championships – Madison, Wisc.
April 1: BMX National Championships – Chula Vista, Calif.
May 4-6: Collegiate Road National Championships – Ogden, Utah
May 26-28: Professional Road & Time Trial National Championships – Greenville, S.C.
June 20-24: Elite, U23, Juniors, & Paralympic Road National Championships – Augusta, Ga.
July 5-8: Mountain Bike Cross-Country National Championships – Sun Valley, Idaho
July 11-15: Juniors Track National Championships – Trexlertown, Pa.
July 20-22: Mountain Bike Gravity National Championships – Beech Mountain, N.C.
July 28: Professional Criterium National Championships – Grand Rapids, Mich.
Aug. 2-7: Masters Track National Championships – Colorado Springs, Colo.
Sept. 5-9: Masters Road National Championships – Bend, Ore.
Sept. 15: Mountain Bike Marathon National Championships – Bend, Ore.
Sept. 21-23: Collegiate Track National Championships – Frisco, Texas
Sept. 27-30: Elite Track National Championships – TBA
Sept. 29-30: Mountain Bike 24-Hour National Championships – Colorado Springs, Colo.
Oct. 19-21: Collegiate Mountain Bike National Championships – Angel Fire, N.M.
TBA: Tandem Track National Championships - TBA

[1] See also announcement listing at : https://www.usacycling.org/news/user/story.php?id=97

[2] Total family and fans in Table 1 assumes that each competitor will bring 2 family/fans and each coach, referee and official will bring 1.25 family members.

[3] Note sales tax gain from tips estimated as 6 percent of total tips based on the expenditures of the lowest quartile of income earners in the Comptroller's 2011 Tax Exemptions and Tax Incidence study (page 45, Table 1: Incidence Analysis). In: http://www.window.state.tx.us/taxinfo/incidence/96-463TaxIncidence02-11.pdf

Room rates based on the average rate listed at hotels in Frisco from: http://i-maps.com/hotel-locator/usa/hotels/TX/Frisco.html

Letter from city

Economic Impact Study of the

2011-2 North American Prospects Hockey League Tournament

December 27, 2012 – Jan 1, 2013

in Frisco, Texas

Submitted for consideration under the Events Trust Fund by:

Don Hoyte, Ph.D.
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10704 Scotland Well Drive
Austin, Texas 78750

On behalf of

City of Frisco and

the Frisco Convention and Visitors Bureau

August 5, 2011

Event Background

Now in its fourthseason, the North American Prospects Hockey League (NAPHL) is made up of 44 Midget Major (18), Midget Minor (18) and Bantam Major (8) teams from 19 programs that compete at the Tier I AAA level. By the time the season begins, it is expected this should grow to 48 teams in total?.

In its inaugural season of 2009-10, the NAPHL wasted little time establishing itself as one of the premier grounds for development and exposure. Not only did players receive year-long recognition from the NHL Central Scouting Bureau, some also received scholarships to NCAA Division I schools and many were drafted and tendered by NAHL and United States Hockey League (USHL) teams.

The NAPHL, which is sanctioned by USA Hockey is designed to maximize the exposure of all the Midget and Bantam participants through the NAHL's high-profile recruiting events which attract hundreds of college, junior and professional scouts. Orchestrated by the NAHL's experienced and professional staff that makes player promotion a priority, the NAPHL provides an organized and competitive experience with an unrivaled scouting presence guaranteed to benefit all of the participating student-athletes and programs.

The NAPHL season is comprised a series of four- and five-game regular-season tournament events held around the country leading up to its Championship Tournament Series in which the top eighty prospects are selected to compete in a heavily-scouted championship. Each regular-season tournament allows players to display their skills in hopes of being selected for the championship.

In 2011-12, five NAPHL regular-season tournament events were held in Blaine, Minnesota; San Jose, California; Darien Illinois; Frisco, Texas; and Troy, Michigan;. In 2012-13, seven tournaments will be held at six sites chosen from among the cities bidding to host the tournaments: Blaine, Minnesota (September 14-17, 2012); San Jose California (October 19-22, 2012); Geneva, Illinois (November 9-12, 2012); Blaine, Minnesota (November 30 – December 3 2012); Frisco, Texas (December 27, 2012 – January 1, 2013); and Troy, Michigan (January 18 –

21, 2013 and February 15 – 18, 2013). The stop in Frisco, Texas marks the time the NAPHL has visited Texas and is likely to attract all teams to a five-day event held during a holiday period.

The season culminates with the NAPHL Top Prospects Tournament held in conjunction with the 2012 NAHL Robertson Cup Championship Tournament, which this year will be hosted by at the Dr. Pepper Star Arena in Frisco Texas in May, 2012. This is up for bid right now and Texas is one of the two options

The stop in Frisco will be held over the Christmas-New Year's holidays and will be the only 5 game tournament event on the schedule. All expected 48 teams with arrive on December 26 and will stay through January 1, 2013. The expected 48 teams in the three age divisions (Midget Major, Midget Minor and Bantam Major) means 960 players will likely take part in the event plus coaches, parent and spectators. Only 3 of the anticipated 48 teams attending will be from Texas.

*we quit editing adding at this point but all the date changes and details should be above.

Based on this level of play for the various age groups participating, the expected pattern of attendance at the 20112 NAPHL Tournament in Frisco Texas is presented in Table 1.

Table 1

Estimated Player, Coach, Fan and Other Attendance
2011-2 NAPHL Tournament

December 28, 2011 - January 1, 2012

Day	Date	Tournament Schedule	Athletes & Coaches	Officials	Athlete Families	Daily Fan Attendance	Total Family & Fan Attend.	Out-of-State Fans*	Out of State Family &Fans
1	28-Dec	Arrive	960	15	1920	0	1,920	-	1,800
2	29-Dec	Day 1	960	20	1920	100	2,020	20	1,820
3	30-Dec	Day 2	960	20	1920	100	2,020	20	1,820
4	31-Dec	Day 3	960	20	1920	100	2,020	20	1,820
5	1-Jan	Day 4	960	20	1920	100	2,020	20	1,820

* non-family members

*** We think the number of attendees could reflect three per player/coach instead of two per player/coach.**

**** We feel we had more local fan attendance than the 100 above.**

Total Economic Gain

The economic gains from events such as the 2011-2 NAPHL Tournament which brings in competitors, support personnel and fans to Texas are significant for the state and for the local economy. When calculated correctly, this "gain" is not merely the dollars that Texans might have otherwise spent in the state, but it represents a true addition to the local and state economy by: (1) keeping expenditures in Texas that likely would have otherwise left the state, and (2) bringing in expenditures from outside the state.

For the 2011-2 NAPHL Tournament, this gain to Texas and Frisco is pegged at nearly $2.2 million (Table 2):

Table 2
Expenditure and Impact Summary for the
2011-2 NAPHL Tournament
December 28, 2011 - January 1, 2012

Total Room nights	3,427
Hotel Expenditure	$449,731
Food and Beverage	$585,962
Entertainment & Shopping	$767,317
Other Expenditures & Tips	$396,480
Total Economic Impact	***$2,199,490***

In total Texas should realize a gain in filling more than 3,400 hotel rooms by visitors from out-of-state. This includes about 1,700 room-nights to accommodate teams and coaches at hotels in Frisco.[i]

Event Trust Fund Tax Gain

In 2009 the Texas legislature established the Events Trust Fund to assist in attracting to Texas or retaining in Texas sporting events that could well be moved outside the state. The provisions of this law allow the Comptroller to deposit into a trust fund established for a qualifying event the amount of state hotel, sales and use, motor vehicle rental and alcohol taxes that can be attributed to the incremental gain in economic activity to the state from hosting the event. To qualify for reimbursement from the Trust Fund, the local sponsoring municipality or County must contribute matching tax revenues received from hosting the event at the rate of $1 local tax dollar for every $6.25 in state tax contributions.

The attendance profile in Table 1 provides the basis for the calculations used to estimate the incremental tax gain to the state and to the City of Frisco from hosting the 2011-2 NAPHL Tournament for the taxes allowed to be deposited into the fund under Section 5C of Article 5190.14 Vernon's Texas Civil Statutes. Table 3 details these net tax gains.

In total, the 2011 TOHRS Championships are estimated to generate $119,087 in state tax revenues which can be deposited into a Trust Fund for supporting this event. The total local tax gain is estimated to reach $29,745.[ii] To fully match the state amount the city of Frisco would need to deposit $19,054 into the trust fund bringing the total to $138,141.

The costs of presenting the 2011-2 NAPHL Tournament are estimated in Table 4.

Since expenses for this event will slightly exceed the tax revenue gain generated under the trust funds, this report requests that the Comptroller of Public Accounts approve establishing a Trust Fund for this event under Section 5c of Article 5190.14 Vernon's Texas Civil Statutes to receive a maximum of $119,087 in state tax contributions when matched by $19,054 in tax contributions by the City of Frisco.

Table 3

State and Local Tax and Expenditure Summary for the 2011-2 NAPHL Tournament

December 28, 2011 - January 1, 2012

Hotel Expenditures:

	Athletes & Coaches	Staff & Officials	Out of State Family & Fans*		
Persons/ hotel room	4.00	1.1	2.40		
Percent Staying in hotel	84%	95%	84%		
Hotel Cost rm/night	$119	$119	$119		
Day Date				**State Tax**	**Local Tax**
1 28-Dec	$24,098	$1,542	$75,305	$6,057	$4,542
2 29-Dec	$24,098	$2,055	$76,141	$6,138	$4,603
3 30-Dec	$24,098	$2,055	$76,141	$6,138	$4,603
4 31-Dec	$24,098	$2,055	$76,141	$6,138	$4,603
			Total Tax	**$24,470**	**$18,352**

Food & Bev. Expend.:

Day	Date	Athletes	Staff & Officials	Out of State Fans & Family	State Tax	Local Tax
1	28-Dec	$23,496	$367	$44,055	$4,245	$509
2	29-Dec	$46,992	$979	$89,089	$8,566	$1,028
3	30-Dec	$46,992	$979	$89,089	$8,566	$1,028
4	31-Dec	$46,992	$979	$89,089	$8,566	$1,028
5	40909	$23,496	$490	$44,545	$4,283	$514

				Total Tax	**$34,227**	**$4,107**

Entertain. & Shopping:

Day	Date	Athletes	Staff & Officials	Out of State Fans & Family	State Tax	Local Tax
1	28-Dec	$30,768	$481	$57,690	$5,559	$667
2	29-Dec	$61,536	$1,282	$116,662	$11,218	$1,346
3	30-Dec	$61,536	$1,282	$116,662	$11,218	$1,346
4	31-Dec	$61,536	$1,282	$116,662	$11,218	$1,346
5	1-Jan	$30,768	$641	$58,331	$5,609	$673
				Total Tax	**$44,820**	**$5,378**

Table 3, Continued

State and Local Tax and Expenditure Summary for the

2011-2 NAPHL Tournament

December 28, 2011 - January 1, 2012

State Mixed Bev. Tax:

Day	Date	Athletes	Staff & Officials	Out of State Fans & Family	State Tax	Local Tax
1	28-Dec	$0	$53	$6,300	$445	$33
2	29-Dec	$0	$280	$25,480	$1,700	$134
3	30-Dec	$0	$280	$25,480	$1,700	$134
4	31-Dec	$0	$280	$25,480	$1,700	$134
5	1-Jan	$0	$70	$6,370	$425	$34
				Total Tax	**$5,970**	**$470**

Title 5 ABC State Tax :

Day	Date	Athletes	Staff & Officials	Out of State Fans & Family	State Tax	Local Tax
1	28-Dec	$0	$53	$6,300	$25	$0
2	29-Dec	$0	$280	$25,480	$103	$0
3	30-Dec	$0	$280	$25,480	$103	$0
4	31-Dec	$0	$280	$25,480	$103	$0
5	1-Jan	$0	$70	$6,370	$26	$0
				Total Tax	**$360**	**$0**

Vehicle Rental Tax:

		Athletes & Families	Staff & Officials	Out of State Fans		
Percent Renting		0%	60%	20%		
Cost per Day		$40	$40	$40		
Day	Date				State Tax	Local Tax
1	28-Dec	$0	$360	$0	$36	$0
2	29-Dec	$0	$480	$73	$55	$0
3	30-Dec	$0	$480	$73	$55	$0

4	31-Dec	$0	$480	$73	$55	$0
5	1-Jan	$0	$480	$73	$55	$0
				Total Tax	**$257**	**$0**

Other Expenditures:		Hotel	Food & Bev.	**State Tax**	**Local Tax**
Tip Income		$40,783	$109,526	$7,305	$1,169
Event Expenses	$135,950			$1,678	$269
			Total Tax	**$8,983**	**$1,437**
Total All Taxes				**$119,087**	**$29,745**
Required Local Tax match				$19,054	
Total Event Trust Fund				**$138,141**	

Table 4

City and Sponsor Expenditures
2011-2 NAPHL Tournament
December 28, 2011 - January 1, 2012

	Total	State Tax
Advertising/Promotion	$2,500	-
Printing	$4,100	$256
Postage/Shipping	$250	-
Facility		
Ice Time	$52,000	-
Food & Beverage	$1,500	$94
Timing System Upgrade	$25,000	$1,172
Facility Staff		
Off-Ice Officials	$3,200	-
Medical Trainers/Doctor/EMT	$2,400	-
On-Ice Officials	$24,000	-
NAHL Staff Travel/Accom.	$3,500	-
Administration and Funding	$15,000	-
Miscellaneous	$5,000	$313
Total Expense	$138,450	$1,834

Appendix A

NAPHL Tournament Award Letter

THE NORTH AMERICAN HOCKEY LEAGUE PROUDLY PRESENTS THE:

2011-12 Prospects Hockey League

The North American Prospects Hockey League (PHL), which will begin its third season in 2011-12, has already established itself as the premier prospects hockey league in North America. With a junior, college and professional scouting presence at all of its events, the PHL offers unparalleled exposure and opportunity for every participating program. Additionally, the PHL shares a partnership with USA Hockey's Officiating Education Program, helping to develop and educate on-ice officials using PHL games and events as the training ground.

- The PHL is managed and operated by the experienced staff of the North American Hockey League (NAHL).
- The PHL offers a guaranteed scouting presence at all events and an exclusive NAHL procurement system for players.
- The PHL hosts a season ending Top Prospects event during the NAHL's Robertson Cup Tournament.
- The PHL provides USA Hockey sanctioned events that deliver a 4-5 game guarantee per event.
- The PHL uses *Pointstreak* to provide real time statistics and game tracking.
- The PHL provides each team with a custom designed *Pointstreak* website on the naphl.com network.
- The PHL provides live broadcasts of every game via *FASTHockey*, the official broadcast provider of the PHL.
- All member clubs receive a license for *Steva*, a state-of-the-art game video editing program.
- All member clubs may elect to participate in the NAHL's equipment supplier and sponsor programs.
- The PHL operates under USA Hockey rules and standards at the Tier I level. All PHL member clubs and players must be properly registered and in good standing with their local USA Hockey affiliate.

2011-12 PHL Schedule of Events

September 15-18, 2011 • Schwan Super Rink, Blaine, MN

- Held in conjunction with the NAHL Showcase, which offers maximum exposure to NCAA and junior scouts.
- All Midget Major, Midget Minor and Bantam Major clubs will compete in a four-day, five game event.

October 21-24, 2011 • Sharks Ice, San Jose, CA

- Midget Major, Midget Minor, and the Western Bantam Major clubs will play four games each.
- Held in conjunction with the NAHL West Division symposium.

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December 2-4, 2011 • Darien Sportsplex, Darien, IL

- Midget Major clubs will compete in four games.
- Held in conjunction with the NAHL's first Top Prospects Event and the Central Division symposium.

December 28, 2011-January 1, 2012 • Dr Pepper StarCenter, Frisco/McKinney, Texas

- All PHL clubs will compete in five games.
- Held in conjunction with the NAHL South Division symposium.

January 13-16, 2012 • Troy Sports Center, Troy, MI

- Midget Major, Midget Minor and Eastern Bantam Major clubs will compete at this four game event.
- Held in conjunction with the NAHL North Division symposium.

February 17-20, 2012 • Troy Sports Center, Troy, MI

- All PHL clubs will compete in the PHL's 2011-12 Championship Tournament.
- Held in conjunction with the second NAHL Top Prospects Event.

May 4-6, 2012 • NAHL Robertson Cup/PHL Top Prospect Tournament • Dr Pepper Star Center, Dallas, Texas

- The top eighty PHL prospects will compete in a four game round-robin tournament in conjunction with the NAHL's Robertson Cup Championship Tournament.

anlon@nahl.com.

TexasTrustFunds.com

[i] Total visitors to Frisco should account for about half of total out-of-state and competitors staying in Texas for the event. Cities adjacent to and nearby Frisco will accommodate the remaining visitors.

[ii] As noted, total hotel usage in Frisco is projected to be about half of all hotel accommodations for the event. But since visitors will be spending a significant amount of time at the tournament in Frisco, it is expected that Frisco will garner 75% of the other total local tax gains due largely to shopping and food expenditures.

Transmittal Letter From City

Economic Impact Study
2012 NCAA Division I Football Championship Game

Frisco, Texas

January 5, 2013

Submitted for consideration under the Events Trust Fund by:

Don Hoyte, Ph.D.
TexasTrustFunds.com
10704 Scotland Well Drive
Austin, Texas 78750

On behalf of

City of Frisco

and the Frisco Convention and Visitors Bureau

August 13, 2012

Event Background

The NCAA Division I Football Championship is an American college football tournament played each year to determine the champion of the NCAA Division I Football Championship Subdivision (FCS). Prior to the year 2006, the game was known as the NCAA Division I-AA Football Championship. The FCS is the highest division in college football to hold a playoff tournament to determine its champion (until 2014 when the FBS adopts a four-team playoff system). Contrary to popular belief, currently it is the FCS national champion that is considered the Division I champs for NCAA football, as the BCS champion is not formally recognized by the NCAA as the Division I national champion.

When Division I-AA was formed for football in 1978, the playoffs included just four teams, doubling to eight teams in its fourth season of 1981. In 1982 the I-AA playoffs were expanded to 12 teams, with each of the top four seeds receiving a first-round bye and a home game in the quarterfinals. In its ninth season of 1986, the I-AA playoffs were expanded again to a 16-team format, requiring four post-season victories to win the title. Eight conference champions receive automatic bids, with the remaining eight bids available on an at-large basis. The field is traditionally set the Sunday before Thanksgiving and play begins that weekend. The top four teams are seeded; however, the matchups are not strictly set up by these seedings as geographic considerations are also taken into account to minimize travel. In April 2008 the NCAA announced that the playoff field would again expand to include 20 teams beginning in 2010. At the same time, it announced that the number of conferences receiving automatic bids would increase to 10.

The tournament has historically been played in November and December; with the latest expansion to a 20-team field, the championship game moved from December to January. From 1997 through 2009, the title game had been played in Chattanooga, Tennessee at Finley Stadium, the home football venue of the University of Tennessee at Chattanooga, and at Marshall University Stadium (now Joan C. Edwards Stadium) on the Marshall University campus in the 5 years prior to that.

On February 26, 2010 Frisco, Texas was selected as the new host site for the NCAA Division I Football Championship Subdivision (FCS) game that was held January 7, 2011. Frisco emerged from a pool of several cities that submitted bids to serve as the host site for the championship game for the next three years, beginning with the 2010 football season. The Championship will be hosted by the Southland Conference, with the championship game to be played at Pizza Hut Park in 2011, 2012, and 2013.

The first game held in Frisco was won by the Eagles of Eastern Washington University, who defeated the University of Delaware Fightin' Blue Hens 20–19 on January 7, 2011. Attendance at that game was officially 13,027, lower than in recent years, but out-of-state ticket sales accounted for 54 percent of the total—substantially higher than in previous years.[1]

The 2011 national champions are the Bison of North Dakota State University, who defeated the Sam Houston State University Bearkats 17–6 on January 7, 2012. Sam Huston State was the first Texas team to participate in the Championship since Stephen F. Austin University in 1989.

Not surprisingly, attendance for the 2011 Championship was high with a Texas team participating. But interest was also high from North Dakota State fans as they about matched attendance with Texans attending to cheer on Sam Houston State.[2] Overall, attendance at the event during the last six years averaged in excess of 18,500 fans.

Recent FCS Championship Games

Season	Champion	Attendance	Team Sales %
2011	North Dakota State	20,580	50%
2010	Eastern Washington	13,027	54%
2009	Villanova	14,328	n.a.
2008	Richmond	17,823	26%
2007	Appalachian State	23,010	48%
2006	Appalachian State	22,808	45%
	Average	18,596	47%

Staff for the event typically arrive a few days early and teams arrive in time to practice and become familiar with the venue. Hotels typically require multiple night reservations. Table 1 presents the estimated pattern of attendance at the 2012 Championship in Frisco currently scheduled for January 5, 2013 based on a game attendance matching the six year average of 18,596 with 47% of the fans attending from outside Texas.[3] Seating capacity at Pizza Hut field is at least 21,000. In addition Table 1 indicates the teams arrive on Tuesday and fan arrivals are based both on the team travel plans and on hotel registrations (two-night minimum stays are typical of Championship weekend).

Table 1

Estimated Player, Coach, Fan and Other Attendance
2012 NCAA Division I Football Championship Series

January 5, 2013

Date	Tournament Schedule	Athletes & Bands	Officials & Media	Families	Total Fans	Out-of-State Fans*	Out of State Family & Fans
1-Jan	Tuesday - Staff Arrive		40				
2-Jan	Wednesday - Players Arrive	140	40	308	2,516	2,287	2,595
3-Jan	Thursday - Players Practice	140	40	308	5,032	4,574	4,882
4-Jan	Friday - Practice & Band	260	50	572	9,149	7,624	8,196
5-Jan	Saturday - FCS Game	260	50	572	18,024	8,471	9,043
6-Jan	Sunday - Return	260	50	572	9,149	7,624	8,196
* non-family members					18,596	47%	

Total Economic Gain

The economic gain from events such as the FCS Football Championship is significant for the state and for the local economy. When calculated correctly, this "gain" is not merely the dollars that Texans might have otherwise spent in the state, but it represents a true addition to the local and state economy by: (1) keeping expenditures in Texas that likely could have otherwise left the state, and (2) bringing in expenditures from outside the state.

As is detailed in Table 2, the FCS Football Championship should fill more than 12,000 hotel room nights and generate an estimated total spending by competitors, coaches, officials and out–of-state fans of $5.9 million. This gain is composed of $1.7 million in lodging expenditures, more than $1.5 million in food and beverage expenditures and about $2.0 million in entertainment and shopping expenditures.

Table 2
Expenditure and Impact Summary for the
2012 NCAA Division I Football Championship Series
January 5, 2013

Total Room nights	12,808
Hotel Expenditure	$1,734,578
Food and Beverage	$1,493,739
Entertainment & Shopping	$1,956,051
Other Expenditures & Tips	$707,876
Total Economic Impact	***$5,892,244***

Event Trust Fund Tax Gain

In 2009, the Texas legislature established the Events Trust Fund to assist in attracting to Texas or retaining in Texas sporting and other events that could be moved or held outside the state. The provisions of this law allow the Comptroller to deposit into a trust fund established for a qualifying event the amount of state hotel, sales and use, motor vehicle rental and alcohol taxes that can be attributed to the incremental gain in economic activity to the state from hosting the event. To qualify for reimbursement from the Trust Fund, the local sponsoring municipality or county must contribute matching tax revenues received from hosting the event at the rate of $1 local tax dollar for every $6.25 in state tax contributions.

Based on the attendance and schedule of events presented in Table 1, Table 3 estimates the incremental tax gain to the state and to the City of Frisco from hosting the FBS Championship. This event is estimated to generate a total of $338,096 in state tax revenues which could be deposited into a trust fund supporting this event. However, because this is the third year for Texas to host this event, this amount is reduced to $252,311. Table 3 also notes that the total local tax gain is estimated to reach $70,299. Of this local gain, a total of $40,370 would be

required from the City of Frisco to fully match the state funds for a maximum total trust fund level of $292,681 for this event.

Table 3

State and Local Tax and Expenditure Summary for the 2012 NCAA Division I Football Championship Series

January 5, 2013

Hotel Expenditures:		Athletes, Coaches & Band	Staff & Officials	Out of State Family	Out-of-State Fans		
Persons/ hotel room		2.00	1.0	1.9	1.9		
Percent Staying in hotel		100%	100%	100%	85%		
Hotel Cost rm/night[4]		$122	$154	$122	$122		**Frisco**
Day	Date					**State Tax**	**Local Tax[5]**
1	1-Jan	$0	$6,160	$0	$0	$370	$554
2	2-Jan	$8,554	$6,160	$19,331	$134,223	$10,096	$15,144
3	3-Jan	$8,554	$6,160	$19,331	$268,447	$18,149	$17,513
4	4-Jan	$15,885	$7,700	$35,900	$488,085	$32,854	$17,491
5	5-Jan	$15,885	$7,700	$35,900	$488,085	$32,854	$17,491
6	6-Jan	$0	$0	$0	$0	$0	$0
				Total Tax		**$83,858**	**$52,494**

Food & Bev. Expend.:		Athletes, Coaches &	Staff &	Out of State	Out-of-		**Frisco**
Day	Date	Band	Officials	Family	State Fans	**State Tax**	**Local Tax**
1	1-Jan	$0	$979	$0	$0	$61	$10
2	2-Jan	$3,427	$1,958	$7,538	$55,980	$4,306	$689
3	3-Jan	$6,853	$1,958	$15,077	$223,921	$15,488	$1,594
4	4-Jan	$12,727	$2,448	$27,999	$373,202	$26,024	$1,478
5	5-Jan	$12,727	$2,448	$27,999	$414,669	$28,615	$1,625
6	6-Jan	$6,364	$1,224	$14,000	$186,601	$13,012	$739
				Total Tax		**$87,506**	**$6,135**

Entertain. & Shopping:		Athletes, Coaches &	Staff &	Out of State	Out-of-		**Frisco**
Day	Date	Band	Officials	Family	State Fans	**State Tax**	**Local Tax**

1	1-Jan	$0	$1,282	$0	$0	$80	$13
2	2-Jan	$4,487	$2,564	$9,871	$73,306	$5,639	$902
3	3-Jan	$8,974	$2,564	$19,743	$293,225	$20,282	$2,088
4	4-Jan	$16,666	$3,205	$36,665	$488,708	$34,078	$1,935
5	5-Jan	$16,666	$3,205	$36,665	$543,009	$37,472	$2,128
6	6-Jan	$8,333	$1,603	$18,333	$244,354	$17,039	$968
				Total Tax		**$114,589**	**$8,033**

Table 3, continued

State and Local Tax and Expenditure Summary for the 2012 NCAA Division I Football Championship Series

January 5, 2013

State Mixed Bev. Tax:

Day	Date	Athletes, Coaches & Band	Staff & Officials	Out of State Family	Out-of-State Fans	**State Tax**	**Frisco Local Tax**
1	1-Jan	0	$280	$0	$0	$18	$4
2	2-Jan	0	$560	$2,156	$16,011	$1,236	$281
3	3-Jan	0	$560	$4,312	$64,043	$4,548	$665
4	4-Jan	0	$700	$8,008	$106,738	$7,619	$615
5	5-Jan	0	$700	$8,008	$118,598	$8,402	$678
6	6-Jan	0	$350	$4,004	$53,369	$3,810	$307
				Total Tax		**$24,380**	**$2,265**

Title 5 ABC State Tax (1):

Day	Date	Athletes, Coaches & Band	Staff & Officials	Out of State Family	Out-of-State Fans	**State Tax**	**Frisco Local Tax**
1	1-Jan	$0	$280	$0	$0	$1	$0
2	2-Jan	$0	$560	$2,156	$16,011	$75	$0
3	3-Jan	$0	$560	$4,312	$64,043	$276	$0
4	4-Jan	$0	$700	$8,008	$106,738	$462	$0
5	5-Jan	$0	$700	$8,008	$118,598	$509	$0
6	6-Jan	$0	$350	$4,004	$53,369	$231	$0
				Total Tax		**$1,554**	**$0**

Vehicle Rental Tax:

		Athletes, Coaches & Band	Staff & Officials	Out of State Family	Out-of-State Fans		
Percent Renting		10%	75%	25%	25%		
Cost per Day		$40	$40	$40	$40		
Day	Date					**State Tax**	**Frisco Local Tax**
1	1-Jan	$0	$1,200	$0	$0	$120	$0
2	2-Jan	$560	$1,200	$1,400	$10,397	$1,356	$0
3	3-Jan	$560	$1,200	$1,400	$20,793	$2,395	$0
4	4-Jan	$1,040	$1,500	$2,600	$34,655	$3,980	$0
5	5-Jan	$1,040	$1,500	$2,600	$38,506	$4,365	$0
				Total Tax		**$12,215**	**$0**

Other Expenditures:		Food & Bev.		
Tip Income		$140,010	$8,401	$477
Event Presentation Cost	$395,000		$5,594	$895
		Total Tax	**$13,994**	**$1,372**
Total All Taxes			**$338,096**	**$70,299**
Multi-year Reduction			**$252,311**	
Required Local Tax match			$40,370	
Total Event Trust Fund			**$292,681**	

Table 4 presents the estimated expenses required to host this event in Frisco which are expected to reach $395,000. Since expected expenditures on this event are above expected state and local tax gains, this report requests that the Comptroller of Public Accounts approve a trust fund for this event under Section 5C of Article 5190.14 Vernon's Texas Civil Statutes to receive $252,311 in state tax contributions when matched by $40,370 in tax contributions by the City of Frisco for a total Trust Fund level of $292,680.

Table 4

City and Sponsor Expenditures

2012 NCAA Division I Football Championship Series

in Frisco, Texas

	Total	State Tax
Facility Rental	$50,000	-
Advertising	$50,000	$1,563
Ticket Printing	$10,000	$625
Catering	$17,500	$1,094
VIP Entertainment	$12,500	-
Stadium Staffing	$32,000	-
Dedicated Sales Mgr	$25,000	-
Signage Covering	$15,000	-
Field Prep Labor	$3,500	-
Field Painting	$8,500	-
Field Stencils	$7,500	$469

Equipment Rental	$10,000	$625
Fan Fest	$10,000	$625
Insurance	$7,500	-
Transportation	$11,500	-
Guarantee to NCAA	$100,000	-
Miscellaneous	$9,500	$594
Consultant Fees	$15,000	-
Total	$395,000	$5,594

Appendix A:

NCAA Division I FCS Championship Press Release

Frisco, Texas to Host 2010 Division I Championship:

Frisco emerged from a pool of several cities that submitted bids

Feb. 26, 2010

NCAA Release

INDIANAPOLIS - Frisco, Texas, has been selected as the new host site for the NCAA Division I Football Championship game. Frisco emerged from a pool of several cities that submitted bids to serve as the host site for the championship game for the next three years, beginning with the 2010 season. Hosted by the Southland Conference, the championship game will be played at Pizza Hut Park on Jan. 7, 2011.

"We are excited about the opportunity for the football championship game to be played in Frisco," said Damani Leech, NCAA director of baseball and football. "With the quality of bids that were submitted, it was not an easy decision to make. But we feel the right decision and right place to serve as the site for the Division I football championship is indeed Frisco."

"This is a great day for the city of Frisco, Texas," said Tom Burnett, commissioner of the Southland Conference. "The strong community, football fan base, and dedication to putting on an event that will excite the participants in the championship game is something we are confident we can do. We are thrilled the NCAA feels the same by awarding us with this championship."

The championship game will be the culmination of a newly expanded 20-team championship bracket. As a result of this expansion, the game will be played a few weeks later than in years past. The 2010 NCAA Division I Football Championship Game is scheduled for Friday, Jan. 7, 2011.

The Football Championship Subdivision (FCS) includes the conferences and institutions that compete in the NCAA Division I Football Championship, in addition to two conferences who choose not to participate in the football championship, the Ivy League and the Southwestern Athletic Conference. The FCS embodies a tradition of excellence through high level competition, student-athlete character and sportsmanship throughout the regular season and the championship experience.

The decision to award the championship site to Frisco, Texas, was recommended by the Division I Football Championship Committee and approved by the Administrative Committee of the Division I Championships/Sports Management Cabinet.

For more information on the NCAA Division I Football Championship, log on to NCAA.com/football.

TexasTrustFunds.com

[1] These sales were those made through the participating schools. Additional attendees from those participating schools could purchase tickets through other outlets.

[2] The 50-50 split for the 2011 championship was estimated from comments by announcers and Frisco representatives at the game.

[3] While it is hoped a Texas team would again reach Championship game, this has proven less than certain in the past so this estimate reverts back to historical averages of attendance and percentages of out-of-state attendees under the assumption that should another Texas team reach the finals, this estimate will no doubt prove conservative. Note that while out-of-state fans are assumed to constitute only 47 percent of all fans, all participant families are assumed to be from outside Texas in keeping with the conservative assumption that both teams are from outside Texas.

[4] The room rates are the average rates for 33 hotels in Frisco and Plano listed in http://i-maps.com/hotel-locator/usa/hotels/TX/Frisco.html and http://i-maps.com/hotel-locator/usa/hotels/TX/Plano.html. Although hotel capacity in Frisco currently listed by the State Comptroller as 1,762 rooms will be clearly insufficient to meet estimated peak event needs of 4,468 rooms, the combined 5,825 rooms available in both Plano and Frisco should be sufficient to house the most of the attendees needing hotel accommodations.

[5] Frisco tax gains are limited to only about 35% of total local tax gains during the two peak nights of the event in line with the expected hotel accommodations which assumed 90% of Frisco rooms (1,586) used to house event participants and fans of the total peak needs of 4,468 rooms.

AGENDA ITEM #10.

PROGRESS IN MOTION

Department of Administrative Services
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and City Council Members**

Thru: **George Purefoy, City Manager**
Nell Lange, Assistant City Manager

From: **Tom Johnston, Director of Administrative Services**

Date: **August 28, 2012**

Subject: **Consider and Act Upon Approval of Additional Expenditures with Bob Tomas Ford for the Purchase of Ford OEM Parts and Service to Maintain the City's Fleet**

Action Requested: City Council approval of additional expenditures with Bob Tomas Ford for the purchase of Ford OEM parts and service to maintain the City's fleet, in the estimated additional amount of $19,500.

Background Information: Council awarded bid #1210-001, Ford OEM Parts and Service to Bob Tomas Ford as the best value to the City of Frisco in November 2011. Estimated annual expenditures consisted of an estimate of $19,000 in parts and $7,000 in service. This estimate was based on historical usage and trends. This annual contract pricing portion was evaluated as a percentage over cost on parts and a set labor rate per hour. Due to the age of the fleet, the historical numbers and trends need to be adjusted. This adjustment will increase the original estimate of $26,000 per year to a new estimate of $45,500 per year and will be our new estimate for the renewals of this annual contract.

Board/ Citizen Input: N/A

Alternatives: City Council could choose not to award at this time.

Financial Considerations: Funding is available through various departmental operating budgets.

Legal Review: N/A

Supporting Documents: Department memo, bid evaluation matrix and bid.

TO: TOM JOHNSTON, DIRECTOR OF ADMINIS SERVICES

FROM: DAVID MCBURNETT, FLEET MANAGER

SUBJECT: BOB TOMES FORD CHANGE ORDER

DATE: August 21, 2012

Fleet Services is requesting a 75% increase in the original Purchase Order for Bob Tomes Ford.

Thus, the change order will raise the PO amount from $26,000 to $45,500. The increase is due to higher part prices and more repairs due to an aging fleet.

Please present this item to the City Council. Your assistance will be appreciated.

Please contact me if you have any questions.

	RFP No. 1210-001 Best Value Bid for Ford OEM Parts and Service	Scoring	Bob Tomes Ford	North Central Ford
	Criteria	Max Pts		
1	Cost for Parts and Repair	5	5	4
2	Delivery Time	5	5	3
3	Estimated Inventory Value	5	5	4
4	Services Provided	5	4	4
5	Authorized Dealer	Yes/No	Yes	Yes
		Total:	19	15

GENERAL INFORMATION
CITY OF FRISCO, TEXAS

BEST VALUE COMPETITIVE SEALED BID NO. 1210-001

FORD OEM PARTS AND SERVICE

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DOCUMENTS ARE DUE TO THE OFFICE OF THE DIRECTOR OF ADMINISTRATIVE SERVICES PRIOR TO:

October 18, 2011 @ 2:00PM Central Standard Time

NO LATE BIDS WILL BE ACCEPTED

ORIGINAL AND ONE COPY, PLUS A CD OR FLASHDRIVE REQUIRED

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DOCUMENTS MAY BE DELIVERED OR MAILED TO:

CITY OF FRISCO
TOM JOHNSTON, DIRECTOR OF ADMINISTRATIVE SERVICES
6101 Frisco Square Blvd.,
FRISCO, TX 75034

FOR ADDITIONAL INFORMATION CONCERNING THIS BID PLEASE CONTACT:

Tom Johnston C.P.M., CPPO
Director or Administrative Services
tjohnston@friscotexas.gov
972 292 5540

Daniel Ford, CPPB
Buyer
dford@friscotexas.gov
972 292 5542

PROGRESS IN MOTION

CITY OF FRISCO

BEST VALUE COMPETITIVE SEALED BID NUMBER 1210-001
FORD OEM PARTS AND SERVICE

BIDDER MUST SUBMIT ORIGINAL BID AND ONE COPY, PLUS A CD OR FLASH DRIVE TO FACILITATE EVALUATION. IF A "COPY" AND CD OR FLASH DRIVE IS NOT SUBMITTED WITH THE ORIGINAL, THE BID MAY BE CONSIDERED AS "NON-RESPONSIVE TO SPECIFICATIONS" AND MAY NOT BE CONSIDERED FOR FURTHER EVALUATION.

The City of Frisco (the "City") is accepting Best Value Competitive Sealed Bids for Ford OEM Parts and Service. This is an annual contract with the option to extend the term of the contract for four (4) additional one (1) year periods upon the same terms and conditions. The City will also have the right and option to terminate the contract upon thirty (30) days written notice.

It is the policy of the City to involve small businesses and qualified minority/woman owned businesses to the greatest extent possible in the procurement of goods, equipment, services, and construction projects.

Bid must be received by October 18, 2011 at 2:00 PM CENTRAL STANDARD TIME (CST) BY THE DIRECTOR OF ADMINISTRATIVE SERVICES. NO BID WILL BE ACCEPTED AFTER THAT DATE AND TIME. ALL BIDS RECEIVED AFTER THIS DATE AND TIME WILL BE CONSIDERED UNRESPONSIVE.

Bids will be publicly opened and read at the Frisco City Hall located at 6101 Frisco Square Blvd., Frisco, Texas 75034 on October 18, 2011 at 2:05 PM CST.

Write the Best Value competitive sealed bid number 1210-001, name of bid, Ford OEM Parts and Service, and the name of your organization on the outer envelope.

Bids are to be submitted in accordance with the attached City specifications and the "General Conditions of Bidding" attached hereto. Each bidder is required to fill in every blank; failure to do so may be used as a basis for rejection of a bid. The City reserves the right to reject any or all bids, to waive formalities, or to proceed otherwise when in the best interest of the City.

SEE ATTACHED SPECIFICATIONS/BID FORM

The successful bidder may be required to execute a written contract.

GENERAL CONDITIONS OF BIDDING

1. INSTRUCTIONS: These instructions apply to all bids/proposals and become a part of the terms and conditions of any bid/proposal submitted and any agreement entered into subsequent thereto, unless exception is taken in writing by bidder when submitting bid.

BIDDING

2. FORM: Bidders must submit original and one (1) copy, plus a CD or Flash Drive of the sealed bid/written quote/proposal to the Director of Administrative Services prior to response due date/time. Failure to submit the additional copy and CD or Flash Drive may result in the bid being declared unresponsive to specification and may not be further evaluated.

3. PRICING: Price(s) quoted must be held firm for a minimum of ninety (90) days from the date of bid closing. In the case of estimated requirement contract bid, the prices must remain firm for the period as specified in the bid. "Discount from list" bids are not acceptable unless specifically requested in the bid.

4. QUANTITIES: In the case of estimated requirements contract bid, quantities appearing are estimated as realistically as possible. However, the City reserves the right to increase, decrease or delete any item or items of material to be furnished while continuing to pay the price quoted on this bid regardless of quantity. The successful bidder shall have no claim against the City for anticipated profits for the quantities called for, diminished, or deleted.

5. ERROR-QUANTITY: Bids must be submitted on units of quantity specified, extended, and show total. In the event of discrepancies in extension, the unit prices shall govern.

6. F.O.B./DAMAGE: Quotations shall be bid F.O.B. delivered to the designated Municipal Facility, Frisco, Texas and shall include all delivery and packaging costs. The City assumes no liability for goods delivered in damaged or unacceptable condition. The successful bidder shall handle all claims with carriers, and in case of damaged goods, shall ship replacement goods immediately upon notification by the City.

7. DELIVERY PROMISE-PENALTIES: Bids MUST show the number of calendar days required to place the material in the possession of the City. Do not quote shipping dates. When delivery delay can be foreseen, the bidder shall give prior written notice to the City, who shall have the right, in its sole discretion, to extend the delivery date if reasons for delay appear acceptable. Default in promised delivery, without acceptable reasons, or failure to meet specifications, authorizes the City to purchase the goods elsewhere, and charge any increase in cost and handling to the defaulting bidder.

8. BIDDER SHALL PROVIDE: With this bid response, the bidder shall provide all documentation required. Failure to provide this information may result in rejection of bid.

9. ALTERING/WITHDRAWAL OF BIDS: Bids cannot be altered or amended after submission deadline. The signer of the bid, guaranteeing authenticity, must initial any interlineations alteration, or erasure made before opening time. No bid may be withdrawn after opening time without first submitting a written reason to the Director of Administrative Services and obtaining the Director of Administrative Services approval.

10. PRESENTATION OF BIDS: No oral, telegraphic, telephonic, e-mailed, or facsimile bids will be considered at this time. All bids must be submitted in a sealed envelope.

11. CORRESPONDENCE: This bid number must appear on ALL correspondence, inquiries, bid submittal documents, etc. pertaining to this Invitation for Bid.

12. ADDENDA: Any interpretations, corrections or changes to this Invitation for Bid and specifications will be made by addenda. Sole issuing authority of addenda shall be vested in the City of Frisco Purchasing Division. An attempt will be made to mail, fax, or e-mail any addenda to all who are known to have received a copy of this Invitation for Bid. Bidders shall acknowledge receipt of all addenda in the designated area on the bid document. It is the responsibility of the bidder to ensure receipt of all addenda and to include the changes in this bid document.

13. LATE BIDS: Bids received by the City after submission deadline shall be returned unopened and will be considered void and unacceptable. The City is not responsible for lateness of mail, carrier, etc.

14. BID OPENINGS: All bids submitted will be read at the City's regularly scheduled bid opening for the designated project. However the reading of a bid at bid opening should not be construed as a comment on the responsiveness of such bid or as any indication that the City accepts such bid as responsive.

    The City will make a determination as to the responsiveness of bids submitted based upon compliance with all applicable laws, City of Frisco Purchasing Guidelines, and project documents, including but not limited to the project specifications and contract documents. The City will notify the successful bidder upon award of the contract and according to state law; all bids received will be available for inspection at that time, unless otherwise provided by law.

15. BID TABULATION: Bidders desiring a copy of the bid tabulation may request it by enclosing a self-addressed stamped envelope with bid. BID RESULTS WILL NOT BE GIVEN BY TELEPHONE. You can also download a copy on our website, www.friscotexas.gov. If you have any questions, please contact the City of Frisco, Purchasing Division, at (972) 292-5542.

16. PROTESTS: All protests regarding the bid solicitation process must be submitted in writing to the City within five (5) working days following the opening of bids. This includes all protests relating to advertising of bid notices, deadlines, bid opening, and all

other related procedures under the Local Government Code, as well as any protests relating to alleged improprieties or ambiguities in the specifications.

This limitation does not include protests relating to staff recommendations as to award of this bid. Protests relating to staff recommendations may be directed to the City Manager within in five (5) days of the staff recommendation memo. Unless otherwise provided by law, all staff recommendations will be made available for public review prior to consideration by the City Council.

17. BID AWARD: The City reserves the right to award a separate contract to separate bidders for each item/group or to award one contract for the entire bid. Unless stipulated in the attached bid specifications, the contract will be awarded to the lowest responsible bidder or to the bidder who provides the goods or services specified herein at the best value for the City in compliance with Texas Local Government Code, Section 252.043.

18. CHANGE ORDERS: No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract. All change orders to the contract will be made in writing by the City.

PERFORMANCE

19. MINIMUM STANDARDS FOR RESPONSIBLE PROSPECTIVE BIDDERS: A prospective bidder must affirmatively demonstrate bidder's responsibility. A prospective bidder must meet the following requirements:
    A. Have adequate financial resources or the ability to obtain such resources as required;
    B. Be able to comply with the required or proposed delivery schedule;
    C. Have a satisfactory record of performance;
    D. Have a satisfactory record of integrity and ethics; and
    E. Be otherwise qualified and eligible, as determined by the City, to receive an award.

    The City may request representation and other information sufficient to determine bidder's ability to meet these minimum standards listed above.

20. ASSIGNMENT: The successful bidder shall not sell, assign, transfer or convey this contract in whole or in part, without the prior written consent of the City.

21. SPECIFICATION-SAMPLES: Any catalog, brand name, or manufacturer's reference used is considered to be descriptive, not restrictive, and is indicative of the type and quality the City desires to purchase. Bids on brands of like nature and quality may be considered unless specifically excluded. If bidding on other than reference, bid must certify article offered is equivalent to specifications and it is subject to approval by the using department and the Purchasing Division. Samples, if required, shall be furnished free of expense to the City. SAMPLES SHOULD NOT BE ENCLOSED WITH BID UNLESS REQUESTED.

22. TESTING: An agent so designated, by the City, without expense to the City, may perform testing at the request of the City or any participating entity.

23. PACKAGING: Unless otherwise indicated, items will be new, unused, and in first class condition in containers suitable for damage-free shipment and storage.
24. DELIVERY: Deliveries will be acceptable only during normal working hours at the designated City Municipal Facility. The place of delivery shall be set forth in the purchase order. The terms of this agreement are "no arrival, no sale".

25. TITLE AND RISK OF LOSS: The title and risk of loss of goods shall not pass to the City until the City actually receives and takes possession of the goods at the point(s) of delivery.

26. PATENT RIGHTS: The Bidder agrees to indemnify and hold the City harmless from any claim involving patent right infringement or copyrights on goods supplied.

PURCHASE ORDERS AND PAYMENT

27. PURCHASE ORDERS: A purchase order(s) shall be generated by the City Director of Administrative Services to the successful bidder. The purchase order number must appear on all itemized invoices and packing slips. The City will not be held responsible for any work orders placed and/or performed without a valid current purchase order number. Payment will be made for all services rendered and accepted by the contract administrator for which a valid invoice has been received.

28. BID SECURITY/BOND REQUIREMENTS: If required, bid security shall be submitted with bids. Any bid submitted without bid bond, or cashiers/certified check, shall be considered non-responsive and will not be considered for award. Performance and/or payment bonds, when required, shall be submitted to the City, prior to commencement of any work pursuant to the agreement provisions.

29. FUNDING: The City is a home-rule municipal corporation operated and funded on an October 1 to September 30 basis, accordingly, the City reserves the right to terminate, without liability to the City, any contract for which funding is not available.

30. TAXES: The City is exempt from Federal Manufacturer's Excise, and State sales taxes. TAX MUST NOT BE INCLUDED IN BID PRICING. Tax exemption certificates will be executed by the City and furnished upon request by the Finance Division.

31. PAYMENT TERMS: Payment terms are Net 30 unless otherwise specified by the City in this document. Prompt payment discounts may be used by the City in determining the lowest responsible bidder.

32. INVOICES: Invoices must be submitted by the successful bidder in duplicate to the City of Frisco, Finance Division, 6101 Frisco Square Blvd., Frisco, Texas 75034.

CONTRACT

33. CONTRACT PERIOD/RENEWAL OPTIONS: In the case of an annual contract bid, the contract shall be for a predetermined period as specified in the Invitation for Bids. If a clause for option to renew for additional period(s) is (are) included, renewal(s) will be based solely upon the option and written agreement between both the City and the Contractor. Either party dissenting will terminate the contract in accordance with its initial specified term.

34. INTERLOCAL AGREEMENT: Successful bidder agrees to extend prices to all entities that have entered into or will enter into joint purchasing Interlocal Cooperation Agreements with the City. The City is a participating member of the Collin County Governmental Purchasing Forum (the "Forum"). As such, the City has executed Interlocal Agreements, as permitted under Section 791.025 of the Texas Government Code with certain other governmental entities in Collin County authorizing participation in a cooperative purchasing program. The successful bidder may be asked to provide products/services, based upon bid price, to any other participant in the Forum.

35. AUDIT: The City reserves the right to audit the records and performance of successful bidder during the term of the contract and for three (3) years thereafter.

36. SUCCESSFUL BIDDER SHALL: Defend, indemnify and save harmless the City and all its officers, Managers and employees and all entities, their officers, Managers and employees who are participating in this contract from all suits, actions or other claims of any character, name and description brought for or on account of any injuries, including death, or damages received or sustained by any person, persons, or property on account of any negligent act or fault of the successful bidder, or of any Manager, officer, director, representative, employee, subcontractor or supplier in the execution of, or performance under, any contract which may result from bid award. Successful bidder shall pay any judFordent with cost which may be obtained against the City and participating entities growing out of such injury or damages.

37. TERMINATION FOR DEFAULT: The City reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of this contract. The City reserves the right to terminate the contract immediately in the event the successful bidder fails to: (1) meet delivery schedules; or (2) otherwise performs in accordance with these specifications. Breach of contract or default authorizes the City to, among other things, award to another bidder, purchase elsewhere and charge the full increase in cost and handling to the defaulting successful bidder.

38. ACCEPTABILITY: All articles enumerated in the bid shall be subject to inspection by a City officer or employee designated for the purpose. If found inferior to the quality called for, or not equal in value to the specifications, deficient in workmanship or otherwise, this fact shall be certified to the Director of Administrative Services who shall have the right to reject the whole or any part of the same. Work determined to be contrary to specifications must be replaced by the bidder and at its expense. All disputes concerning quality of supplies utilized in the performance of this bid will be determined solely by the City Director of Administrative Services or designated representative.

39. REMEDIES: The successful bidder and the City agree that each party has all rights, duties, and remedies available as stated in the Uniform Commercial Code and any other available remedy, whether in law or equity.

40. VENUE: This contract will be governed and construed according to the laws of the State of Texas. This contract is performable in Collin County, Texas.

41. SILENCE OF SPECIFICATION: The apparent silence of these specifications as to any detail or to the apparent omission from it of a detailed description concerning any point shall be regarded as meaning that only the best commercial practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement.

42. NO PROHIBITED INTEREST: The bidder acknowledges and represents they are aware of the laws and City Charter regarding conflicts of interest. The City Charter states in part that "No officer, whether elected or appointed, or any employee, whether full or part time, of the City shall have a substantial financial interest, direct or indirect, in any contract, other than employment contracts, with the City; or have a substantial financial interest, direct or indirect in the sale to the City of any land, materials, supplies or services."

42. FORCE MAJEURE: If, by reason of Force Majeure, either party hereto shall be rendered unable wholly or in part to carry out its obligations under this contract, then such party shall give notice and full particulars of such Force Majeure in writing to the other party within a reasonable time after occurrence of the event or cause relied upon, and the obligation of the party giving such notice, so far as it is affected by such Force Majeure, shall be suspended during the continuance of the inability then claimed, except as hereinafter provided, but for no longer period, and such party shall endeavor to remove or overcome such inability with all reasonable dispatch. The term Force Majeure as employed herein, shall mean acts of God, strikes, lockouts, or other industrial disturbances, act of public enemy, orders of any kind of government of the United States or the State of Texas or any civil or military authority, insurrections, riots, epidemics, landslides, lightning, earthquake, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines, or canals, or other causes not reasonable within the control of the party claiming such inability. It is understood and agreed that the settlement of strikes and lockouts shall be entirely within the discretion of the party having the difficulty, and that the above requirement that any Force Majeure shall be remedied with all reasonable dispatch shall not require the settlement of strikes and lockouts by acceding to the demands of the opposing party or parties when such settlement is unfavorable in the judFordent of the party having the difficulty.

43. DISCLOSURE OF CERTAIN RELATIONSHIPS
Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that any vendor or person considering doing business with a local government entity disclose in the Questionnaire Form CIQ, the vendor or person's affiliation or business relationship that might cause a conflict of interest with a local government entity. By law, this questionnaire must be filed with the records administrator of the City of Frisco not later than the 7th business day after the date the person becomes aware of facts that

require the statement to be filed. See Section 176.006, Local Government Code. A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor. Chapter 176 and the questionnaire may be found at www.friscotexas.gov.

By submitting a response to this request, vendor represents that it is in compliance with the requirements of Chapter 176 of the Texas Local Government Code.

CITY OF FRISCO CONTRACTOR INSURANCE REQUIREMENTS

Contractors providing good, materials and services for the City of Frisco shall, during the term of the contract with the City or any renewal or extension thereof, provide and maintain the types and amounts of insurance set forth herein. All insurance and certificate(s) of insurance shall contain the following provisions:

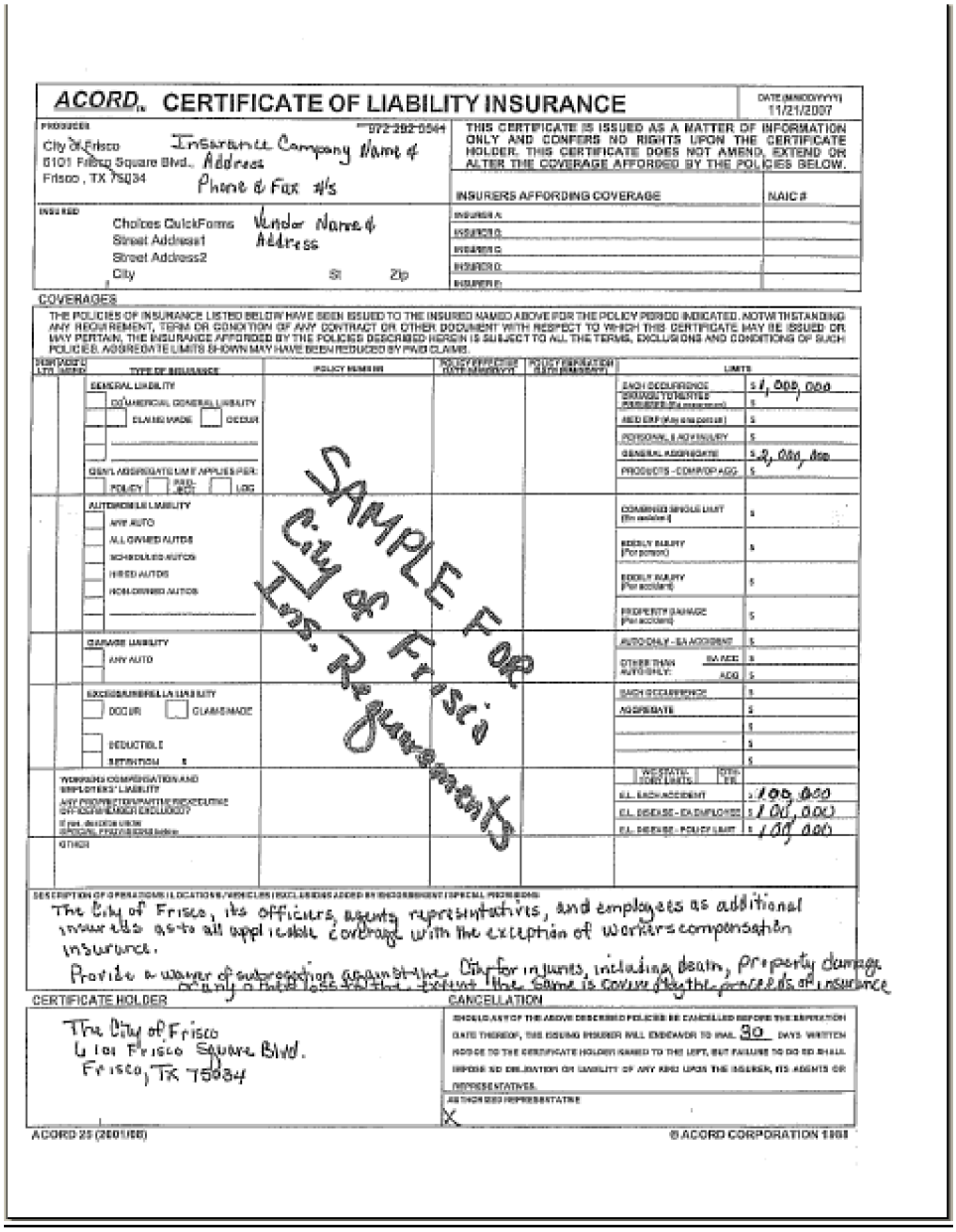
1. Name the City, its officers, Managers, representatives, and employees as additional insureds as to all applicable coverage with the exception of workers compensation insurance.
2. Provide for at least thirty (30) days prior written notice to the City for cancellation, non-renewal, or material change of the insurance.
3. Provide for a waiver of subrogation against the City for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance.

Insurance Company Qualification: All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service.

Certificate of insurance: A certificate of insurance evidencing the required insurance shall be submitted with the contractor's bid or response to proposal. If the contract is renewed or extended by the City a certificate of insurance shall also be provided to the City prior to the date the contract is renewed or extended.

Type of Contract	Type and amount of Insurance
Special Events	General Liability insurance for personal injury (including death) and property damage with a minimum of $1 Million Dollars per occurrence and $2 Million Dollars aggregate, including coverage for advertising injury and products coverage Statutory Workers compensation insurance as required by state law (If the contractor serves alcoholic beverages) Liquor Liability with a minimum of $1 Million Dollars per Occurrence and $2 Million Aggregate.

	(If high risk or dangerous activities) Umbrella Coverage or Liability Excess Coverage of $ 2 Million Dollars (If automobile or limousine service is involved even if volunteers) Automobile Liability with a minimum of $1 Million Dollars combined single limit.
Public Works and Construction	General Liability insurance for personal injury (including death) and property damage with a minimum of $1 Million Dollars per occurrence and $2 Million Dollars aggregate, including advertising injury, products coverage and (XCU) Explosion, collapse and underground (If high risk or dangerous activities) Umbrella Coverage or Excess Liability Coverage of $2 Million Dollars Statutory Workers compensation insurance as required by state law
Professional Services	Professional Liability Insurance with a minimum of $1 Million Dollars per occurrence and $2 Million Dollars aggregate. (If size or scope of project warrant) Umbrella Coverage or Excess Liability Coverage of $2 Million Dollars



ACORD. CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/21/2007

PRODUCER
City Of Frisco
6101 Frisco Square Blvd.
Frisco, TX 75034
***972-292-5544
Insurance Company Name &
Address
Phone & Fax #'s

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE | NAIC #

INSURED
Chelses QuickForms
Street Address1
Street Address2
City St Zip
Vendor Name &
Address

INSURER A:
INSURER B:
INSURER C:
INSURER D:
INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY COMMERCIAL GENERAL LIABILITY CLAIMS MADE OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC				EACH OCCURRENCE $1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) $ MED EXP (Any one person) $ PERSONAL & ADV INJURY $ GENERAL AGGREGATE $2,000,000 PRODUCTS - COMP/OP AGG $
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) $ BODILY INJURY (Per person) $ BODILY INJURY (Per accident) $ PROPERTY DAMAGE (Per accident) $
	GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT $ OTHER THAN AUTO ONLY: EA ACC $ AGG $
	EXCESS/UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE $ AGGREGATE $ $ $ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				WC STATU-TORY LIMITS / OTH-ER E.L. EACH ACCIDENT $ 100,000 E.L. DISEASE - EA EMPLOYEE $ 100,000 E.L. DISEASE - POLICY LIMIT $ 100,000
	OTHER				

SAMPLE FOR City of Frisco's Ins. Requirements

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

The City of Frisco, its officers, agents representatives, and employees as additional insureds as to all applicable coverage with the exception of Workers compensation insurance.

Provide a waiver of subrogation against the City for injuries, including death, property damage or any loss which may arise from the same is covered by the proceeds of insurance

CERTIFICATE HOLDER

The City of Frisco
6101 Frisco Square Blvd.
Frisco, TX 75034

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
X

ACORD 25 (2001/08) © ACORD CORPORATION 1988

Supplemental Information

Texas Government Code Section 2252.002 Non-resident bidders. A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

In order to make this determination, please answer the following questions:

1. Address and phone number of your principal place of business:

   _____
   _____
   _____

2. Name and address of principal place of business, and phone number of your company's majority owner:

   _____
   _____
   _____
   _____

3. Name and address of principal place of business, and phone number of your company's ultimate parent company:

   _____
   _____
   _____
   _____

MINORITY/WOMAN-OWNED BUSINESS PARTICIPATION

It is the policy of the City of Frisco to involve small businesses and qualified minority/women-owned businesses to the greatest extent possible in the procurement of goods, equipment, services and construction projects. To assist us in our record keeping, please list below the names of the minority or woman-owned firms you would be utilizing in this bid, and note the monetary involvement:

NAME OF FIRM	TELEPHONE #	$ INVOLVEMENT

AFFIDAVIT OF NO PROHIBITED INTEREST

(Supplemental Information)

(I) (WE), the undersigned declare and affirm that no person or officer in (my) (our) firm, business, corporation, or board has or will have during the term of this contract a prohibited interest as that is defined in City Charter.

(I) (WE) further understand and acknowledge that the existence of a prohibited interest at any time during the term of this contract will render the contract voidable.

Name of Contractor: _____

Title of Officer: _____

Signature of Contractor: _____

Date: _____

ACKNOWLEDFORDENT

STATE OF TEXAS *
*
COUNTY OF COLLIN *

BEFORE ME, the undersigned authority, on this day personally appeared, a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of _____, for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this the _____ day of _____, 2011.

_____

Signature of Notary Public in and for the State of Texas STAMP

SUPPLEMENTAL INFORMATION

Please provide the following information for contract development.

Is your firm?

1. Sole Proprietorship _____YES _____NO
2. Partnership _____YES _____NO
3. Corporation _____YES _____NO

If company is a sole proprietorship, list the owner's full legal name:
_____

If company is a partnership, list the partner's full legal name(s):
_____
_____
_____
_____

If company is a corporation, list the full legal name as listed on the corporate charter:
_____

Is this firm a minority, or woman-owned business enterprise?

____ NO ____ YES If yes, specify (____) MBE (____) WBE

Has this firm been certified as a minority/woman-owned business enterprise by any governmental agency? _____ NO _____ YES

If yes, specify governmental agency: _____

Date of certification: _____

For explanation please see Terms and Conditions Item #43

CONFLICT OF INTEREST QUESTIONNAIRE — FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the governmental entity.

By law this questionnaire must be filed with the records administrator of the local government not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. *See* Section 176.006, Local Government Code.

A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY
Date Received

1	**Name of person doing business with local governmental entity.**
2	☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than September 1 of the year for which an activity described in Section 176.006(a), Local Government Code, is pending and not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)
3	**Name each employee or contractor of the local governmental entity who makes recommendations to a local government officer of the governmental entity with respect to expenditures of money AND describe the affiliation or business relationship.**

4	**Name each local government officer who appoints or employs local government officers of the governmental entity for which this questionnaire is filed AND describe the affiliation or business relationship.**

Adopted 11/02/2005

FORM CIQ

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

5 **Name of local government officer with whom filer has affiliation or business relationship. (Complete this section only if the answer to A, B, or C is YES.**

This section, item 5 including subparts A, B, C & D, must be completed for each officer with whom the filer has affiliation or other relationship. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income from the filer of the questionnaire? ❑ Yes ❑ No

B. Is the filer of the questionnaire receiving or likely to receive taxable income from or at the direction of the local government officer named in this section AND the taxable income is not from the local governmental entity? ❑ Yes ❑ No

C. Is the filer of this questionnaire affiliated with a corporation or other business entity that the local government officer serves as an officer or director, or holds an ownership of 10 percent or more? ❑ Yes ❑ No

D. Describe each affiliation or business relationship.

6

Signature of person doing business with the governmental entity

Date

Adopted 11/02/2005

BEST VALUE COMPETITIVE SEALED BID #1210-001
CITY OF FRISCO
FORD OEM PARTS AND SERVICE

Background
The City of Frisco Fleet Services Division is responsible for repair and maintenance of the City fleet. This fleet consists of approximately 200 Ford vehicles including cars and pickups (about 30 Crown Victorias, 117 F150's, 8 F250's, 34 F350's, 5 F550's, 1 F650, 1 F750, and 3 F800's). To maintain and repair these vehicles the City requires a significant amount of Ford OEM parts and Ford OEM repairs. In Fiscal Year 2011, the City spent approximately $19,000 on parts and $7,000 in Service. This is the estimated annual expenditure that will be used to evaluate pricing.

Bid Evaluation
This is a Best Value Bid. The City of Frisco intends to award the entire bid, both parts and service, to one contractor. Contractors will be evaluated for award based on the following criteria, listed in order of importance.

- Cost-Both Cost of Parts and Cost of Repair Rates
- Delivery Time
- Estimated Inventory Value
- Services Provided (Services are listed throughout the bid; towing provided, rush service, etc.)
- Contractor is required to be an Authorized Dealer for sale of Ford OEM Parts and Certified Repairs

All items provided shall be in new and first class condition, and packaged in containers suitable for damage free transport and storage.

Bids must be submitted completely on these forms to insure complete uniformity of wording of all proposals. Bids may be rejected if they show any omissions, alterations of wording conditional clauses, or irregularities of any kind.

1. PARTS: The intent of this specification is to secure an annual contract based upon dealer cost plus a firm percent (%) added. Prices associated with any other method of pricing may not be considered. The attached list provides examples of various automotive items purchased and stocked by the City. The purpose of the proposed contract will be to allow the City to purchase any item in the manufacturer's catalog at the established discount.

1.1 Only one percentage will be allowed. Bid evaluation will be based upon lowest "Dealer cost percentage added" price.

1.2 NOTE: The City expects a maximum of 24 hours delivery after receipt of order (ARO). Vendor must indicate at time of order if delivery time will be longer than 24 hours. If so, the City will have the option to cancel and purchase elsewhere.

1.3 Special handling charges will be allowed with prior approval of the City of Frisco Parts Supervisor, Fleet Manager or authorized representative.

1.4 The City may require rush items on certain parts throughout the term of this contract. This is on an exception basis, and rush service will be requested by the City of Frisco Fleet Department. If the contracted vendor is unable to provide the part in a sufficient time frame, the City reserves the right to place the expedited order with another vendor.

2 SERVICE: The intent of this specification is to secure an annual contract based upon dealer's labor rate per hour for all service and repair work. Vendor is to submit their hourly rate with all repairs being billed according to published flat rate for repairs.

2.1 Only one hourly labor rate will be allowed. Bid evaluation will be based upon lowest "Hourly Labor Rate" quoted.

2.2 All parts provided for service requests shall be charged based on the parts portion of this agreement.

EVALUATION FORM-PARTS

The below listed items are a sampling of common parts used by the City. This section will be used for evaluation purposes only. Any vendor that has bid a category on the bid sheet is required to complete the appropriate category listed below. All items must be completed in the appropriate category and a total cost must be shown. Any shipping charges must be figured in to the unit price after applied discount.

FORD AUTOMOBILE & LIGHT TRUCK OEM PARTS

DESCRIPTION	MFG/PART #	DEALERS COST (EACH)	UNIT PRICE AFTER APPLIED % MARK-UP (Each)
UPPER BALL JOINT	8C3Z-3049-B		
LOWER BALL JOINT	8C3Z-3050-D		
LIGHT CONTROL MODULE	1W7Z-13C788-BC		
A/C EVAPORATOR	4C3Z19860-AB		
A/C DRYER	6C3Z-19C836-A		
DIESEL OIL COOLER	3C3Z-6A642-CA		
INTAKE MANIFOLD	7K3Z-9424-F		
E.G.R. VALVE	5C3Z-9F452-AA		
HYDRO BOOSTER	5C7Z-2005-B		
TIE-ROD END	8C3Z-3A131-H		

Quoted percentage over Dealer's cost: _____%

Delivery time for City items: _____ARO

Please note additional discount, if applicable, if City personnel pick up parts: _____%

Number of parts deliveries per day: _____

Estimated average on hand inventory value of parts: $ _____

Please complete the information below regarding whom the City of Frisco should contact when placing parts orders:

Name _____Phone Number _____ Email_____

Name _____Phone Number _____ Email_____

Rush/Priority Service for Parts Delivery

Do you provide a rush/priority service? Yes____No_____

If so, what is the cost of the service: _____

Delivery time for rush/priority service: _____ ARO

EVALUATION FORM-SERVICE

Hourly labor rate for all service or repair: _____/hour

Do you offer vehicle pickup and delivery (vehicle drivable) ____yes ____no

If yes, is there a cost? $_____/trip (one direction)

Do you offer vehicle pickup and delivery (vehicle not drivable) ____yes ____no

If yes, is there a cost? $_____/tow (one direction)

It is requested that the Bidder provide the name and phone number of the person(s) to contact when requesting service against this contract:

Name _____Phone Number _____ Email_____

Name _____Phone Number _____ Email_____

INVOICES

Route all invoices and statements to the City of Frisco Accounting Department. All invoices and statements must contain the Purchase Order Number. Invoices should be broken out to provide labor costs and parts cost. Please mail or deliver all invoices to the following address:

City of Frisco
Accounts Payable
6101 Frisco Square Blvd.
Frisco, Texas 75034

City of Frisco
Fleet Services
11300 Research Road
Frisco, Texas 75034

Invoices may also be emailed to accountspayable@friscotexas.gov

REFERENCES

References shall be made available upon request by the City of Frisco.

ADDITIONAL INFORMATION

For additional information, contact the Purchasing Division at Purchasing@friscotexas.gov . In the event of conflicts between the written bid and information obtained verbally, the vendor is specifically advised that the written bid will prevail in the determination of the successful bidder.

BIDDER REMINDER LIST:
REQUESTED DOCUMENTATION INCLUDED?
ORIGINAL AND ONE (1) COPY INCLUDED, PLUS CD OR FLASH DRIVE?
ALL BLANKS COMPLETED ON THIS BID FORM?
COMPLETED COMPANY PROFILE/REFERENCES?
COMPLETED SIGNATURE?

GENERAL INFORMATION
CITY OF FRISCO, TEXAS
CITY OF FRISCO PURCHASING DIVISION

BID FORM
Best Value Bid #1210-001
FORD OEM PARTS AND SERVICE

The undersigned certifies that the bid prices contained in this bid have been carefully reviewed and are submitted as correct and final. Bidder further certifies and agrees to furnish any and/or all product/service upon which prices are extended at the price offered, and upon the conditions in the specifications of the Invitation for Bid.

I hereby certify that the foregoing bid has not been prepared in collusion with any other bidder or other person or persons engaged in the same line of business prior to the official opening of this bid. Further, I certify that the bidder is not now, nor has been for the past six (6) months, directly or indirectly concerned in any pool or agreement or combination to control the price of product/service bid on, or to influence any person or persons to bid or not to bid thereon."

Name of Bidder:_____

Address of Bidder:_____

_____

Telephone Number: _____Fax:_____

E-mail address: _____

By: _____(print name)

Title: _____Federal ID#/SSN #: _____

Signature: _____

Acknowledgement of Addenda: #1 ____ #2_____#3 _____#4 _____#5_____

AGENDA ITEM #11.

DEVELOPMENT SERVICES

GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
TEL 972.292.5300 · FAX 972.292.5388
WWW.FRISCOTEXAS.GOV

To: Honorable Mayor and City Council

From: John Webb, Planning Manager, AICP *JW*

XC: George Purefoy, City Manager
John Lettelleir, AICP, Director of Development Services

Date: August 29, 2012

Subject: Planning & Zoning Commission Site Plan and Plat Approvals

---

In accordance with the Zoning and Subdivision Ordinances, the City Council may appeal the decision of the Planning & Zoning Commission regarding their action taken on any site plan or plat by submitting a written notice of appeal to Development Services. A favorable motion of four members of the City Council is required to appeal the decision of the Planning & Zoning Commission and to direct staff to submit a written notice of appeal on behalf of the City Council.

Following are the memos detailing the preliminary site plans, site plans, preliminary plats, final plats, replats, conveyance plats, and/or amended plats approved by the Planning & Zoning Commission at their August 28, 2012 meeting. Clint Richardson arrived at the beginning of agenda item #10.

FRISCO
DEVELOPMENT SERVICES

CITY OF FRISCO
GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
TEL 972.292.5300 · FAX 972.292.5388
WWW.FRISCOTEXAS.GOV

August 29, 2012

TO: Applicant

FROM: John Webb, AICP **JW**
Planning Manager

SUBJECT: Results of the Planning & Zoning Commission, August 28, 2012

Site Plan and Final Plat: Cobb Hill Drive Substation, Block A, Lot 1 (SPFP12-0023)
Owner(s): Brazos Electric Power Cooperative, Inc.

Description:
A Utility Distribution Facility on one lot on 3.7± acres on the south side of Cobb Hill Drive, 800± feet east of Bethel Drive. Zoned Agricultural with a Specific Use Permit (S- 123) for an Electrical Substation. Neighborhood #47. SM

Result/Action:

Approved: 6-0
Denied:
Tabled:

ACTION:

The item was approved subject to:

Site Plan:

1. Staff approval of a landscape plan.
2. Payment for sidewalks adjacent to Cobb Hill Drive and Frisco Street.
3. Additions and/or alterations resulting from Engineering Services' review of the construction plans.
4. City Council adoption of an Ordinance for a Specific Use Permit (SUP12-0013) for a Utility Distribution Facility.

Final Plat:

Recommended for approval as submitted.

This Site Plan will expire on 06-11-2014.

SM/kj

cc:				
	Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
	Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
	Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
	Paul Knippel	Phillip Climer	Poly Birika	

DEVELOPMENT SERVICES

GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
TEL 972.292.5300 · FAX 972.292.5388
WWW.FRISCOTEXAS.GOV

August 29, 2012

TO: Applicant

FROM: John Webb, AICP *JW*
Planning Manager

SUBJECT: Results of the Planning & Zoning Commission, August 28, 2012

Site Plan: Frisco City Gate (SP12-0012)
Owner(s): Bert Fields, Jr.

Description:
A utility distribution facility for an ATMOS measuring station on 0.1+ acre site, on an overall 93.0± acres, on the west side of Legacy Drive, 1,550± feet south of Academy Drive. Zoned Planned Development-167-Information and Technology. Neighborhood #39. SM

Result/Action:

Approved: 5-0 (Richardson absent)
Denied:
Tabled:

ACTION:

The item was approved subject to:

1. Staff approval of a landscape plan.
2. Additions and/or alterations resulting from Engineering Services' review of the construction plans.
3. City Council adoption of an Ordinance for a Specific Use Permit (SUP12-0010) for a Utility Distribution Facility.

This Site Plan will expire on 05-14-2014.

SM/kj

cc:	Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
	Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
	Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
	Paul Knippel	Phillip Climer	Poly Birika	

FRISCO
DEVELOPMENT SERVICES

CITY OF FRISCO

GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
TEL 972.292.5300 · FAX 972.292.5388
WWW.FRISCOTEXAS.GOV

August 29, 2012

TO: Applicant

FROM: John Webb, AICP *JW*
Planning Manager

SUBJECT: Results of the Planning & Zoning Commission, August 28, 2012

Preliminary Plat: Kingswood Village, Phase 1 & 2 (PP12-0021)
Owner(s): Meritage Homes

Description:
150 Single Family-7 lots and nine Homeowners' Association lots on 53.3± acres on the southwest corner of Lebanon Road and Rock Creek Parkway. Zoned Patio Home. Neighborhood #36. JE

Result/Action:

Approved: 5-0 (Richardson absent)
Denied:
Tabled:

ACTION:

The item was approved subject to:

1. Planning & Zoning Commission approval of a Major Waiver to allow the school district boundary to bisect a dwelling on Block A, Lots 10 & 28 and Block C, Lots 6, 7, 9, and 10.
2. Staff approval of a Landscape Plan.

This Preliminary Plat will expire on 08-28-2014.

JE/kj

cc:

Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
Paul Knippel	Phillip Climer	Poly Birika	

FRISCO
DEVELOPMENT SERVICES

GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
TEL 972.292.5300 · FAX 972.292.5388
WWW.FRISCOTEXAS.GOV

August 29, 2012

TO: Applicant

FROM: John Webb, AICP *JW*
Planning Manager

SUBJECT: Results of the Planning & Zoning Commission, August 28, 2012

Preliminary Plat: Frisco Lakes by Del Webb, Village 6 (PP12-0020)
Owner(s): Pulte Homes of Texas, L.P.

Description:
28 Single Family-7 lots, 44 Single Family-8.5 lots, and three common area Homeowners' Association lots on 19.0± acres on the north side of future Crown Park Lane, 1,520± feet west of Frisco Lakes Drive. Zoned Planned Developoment-185-Single Family-7/Patio Home/Two Family. Neighborhood #43. RC

Result/Action:

Approved: 5-0 (Richardson absent)
Denied:
Tabled:

ACTION:

The item was approved subject to:

1. Staff approval of a Landscape Plan.
2. Additions and/or alterations resulting from Engineering Services' review of construction plans.

This Preliminary Plat will expire on 08-28-2014.

RC/kj

cc:

Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
Paul Knippel	Phillip Climer	Poly Birika	

FRISCO
DEVELOPMENT SERVICES

CITY OF FRISCO

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August 29, 2012

TO: Applicant

FROM: John Webb, AICP *JW*
Planning Manager

SUBJECT: Results of the Planning & Zoning Commission, August 28, 2012

Preliminary Plat: Austin Ridge at Lone Star Ranch, Phase 2 (PP12-0008)
Owner(s): One Austin Ridge Investments, LP

Description:
75 Single-Family-7 lots and four Homeowners' Association lots on 29.9± acres on the south side of Lone Star Ranch Parkway, 600± feet east of FM 423. Zoned Single-Family-7. Neighborhood #37. SM

Result/Action:

Approved: 5-0 (Richardson absent)
Denied:
Tabled:

ACTION:

The item was approved subject to:

1. Planning & Zoning Commission approval of a Major Waiver to allow the school district boundary to bisect a dwelling on Block A, Lot 58 and Block I, Lot 10.
2. Staff approval of Landscape Plans.
3. Abandonment of alley right-of-way within Austin Ridge at Lone Star Ranch, Phase 1 prior to release for construction.
4. Additions and/or alterations resulting from Engineering Services' review of construction plans.

This Preliminary Plat will expire on 08-28-2014.

SM/kj

cc:

Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
Paul Knippel	Phillip Climer	Poly Birika	

FRISCO
DEVELOPMENT SERVICES

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August 29, 2012

TO: Applicant

FROM: John Webb, AICP *JW*
Planning Manager

SUBJECT: Results of the Planning & Zoning Commission, August 28, 2012

Final Plat: Richwoods, Phase 6 (FP12-0021)
Owner(s): Richwoods Development LLC.

Description:
66 Single Family-7, seven Single Family-8.5 lots and five common area Homeowners' Association lots, on 20.0± acres on the south side of Rolater Road, 820± feet west of Independence Parkway. Zoned Planned Development-146-Single Family-7 and Planned Development-144-Single Family-8.5 with a Specific Use Permit (S-201) for Private Streets. Neighborhood #26. RC

Result/Action:

Approved: 5-0 (Richardson absent)
Denied:
Tabled:

ACTION:

The item was approved as submitted.

RC/kj

cc:

Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
Paul Knippel	Phillip Climer	Poly Birika	

AGENDA ITEM #12.

PROGRESS IN MOTION

Development Services Department
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

Cc: **George A. Purefoy, City Manager**
John Lettelleir, AICP, Director of Development Services

From: **Michael Walker, AICP, Senior Planner**

Date: **8/23/2012**

Agenda Caption: **Consider and act upon adoption of five Ordinances to amend Planned Development-12 and Planned Development-38, rezoning a 13.1± acre tract of land on the southeast corner of Rolater Drive and Hillcrest Road from Planned Development-12-Business Center and Planned Development-38-Retail to Single Family-7 and reclassify zoning designations. Neighborhoods #18 & 25. Zoning Case No. Z12-0012.**

Action Requested: City Council adoption of five Ordinances approving the zoning.

Background Information: On July 31, the City Council held a public hearing and directed staff to prepare an Ordinance by a vote of 4-0. As approved, the attached ordinances reflect the rezoning of the 13.1± acre tract, rezoning tracts to straight zoning and reclassifying the zoning designations of Planned Development-12 and Planned Development-38.

Board Review/Citizen Input: On July 24, the Planning & Zoning Commission held a public hearing and voted 5-0 to recommend approval of the request.

Alternatives: The City Council may:

- Approve the Ordinances;
- Approve the Ordinances with modifications;
- Deny the Ordinances; or
- Table for further review.

Financial Considerations: None.

Legal Review: The Ordinances were prepared by the City Attorney's office.

Supporting Documents:

- City Council Outcome Memo dated May 2, 2012.
- Ordinances.

Recommendation: Recommended for adoption.

DEVELOPMENT SERVICES

GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
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WWW.FRISCOTEXAS.GOV

August 1, 2012

TO: Applicant

FROM: John Webb, AICP *JW*
Zoning & Subdivision Administrator

SUBJECT: Results of the City Council meeting, July 31, 2012

Public Hearing - Zoning: Stonebryck Manor (Z12-0012)
Owner(s): Multiple Property Owners

Description:
A request to amend Planned Development-12 and Planned Development-38, rezoning a 13.1± acre tract of land on the southeast corner of Rolater Drive and Hillcrest Road from Planned Development-12-Business Center and Planned Development-38-Retail to Single Family-7 and reclassify zoning designations and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-12-Single Family-7/Duplex/Business Center and Planned Development-38-Single Family/Duplex/Retail. Neighborhoods #18 & 25.

Result/Action:

Approved: 4-0 (Nelson & Sowell absent)
Denied:
Tabled:

ACTION:
City Council approved the Zoning request and directed staff to prepare an Ordinance.

MW/kj

cc:	Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
	Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
	Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
	Paul Knippel	Phillip Climer	Poly Birika	

CITY OF FRISCO, TEXAS **ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, REPEALING ORDINANCE NO. 93-06-03, SAVE AND EXCEPT ITS EXISTING APPLICATION TO A TRACT OF LAND CONSISTING OF 92.3 ACRES OF LAND, MORE OR LESS, SITUATED IN THE J.M. BOUNDS SURVEY, ABSTRACT NO. 77, CITY OF FRISCO, COLLIN COUNTY, TEXAS; IDENTIFYING THE SAVE AND EXCEPT TRACT; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (the "City Council") has previously adopted Ordinance No. 93-06-03, which created Planned Development 12; and

WHEREAS, the City Council has investigated and determined that Ordinance No. 93-06-03, save and except its existing application to a tract of land consisting of 92.3 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract No. 77, City of Frisco, Collin County, Texas, as identified in Exhibit "A," attached hereto and incorporated herein for all purposes, should be repealed; and

WHEREAS, the City Council has further investigated and determined that it would be advantageous and beneficial to Frisco and its inhabitants to repeal Ordinance No. 93-06-03, save and except its existing application to a tract of land consisting of 92.3 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract No. 77, City of Frisco, Collin County, Texas.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Repeal Ordinance No. 93-06-03, save and except its existing application to a tract of land consisting of 92.3 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract No. 77, City of Frisco, Collin County, Texas. Ordinance No. 93-06-03, save and except its existing application to a tract of land consisting of 92.3 acres of land, more or less, situated in

the J.M. Bounds Survey, Abstract No. 77, City of Frisco, Collin County, Texas, is hereby repealed in its entirety and replaced by this Ordinance. The effective date of the repeal discussed in this Section shall not occur until the effective date of this Ordinance at which time Ordinance No. 93-06-03 save and except its existing application to a tract of land consisting of 92.3 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract No. 77, City of Frisco, Collin County, Texas, is hereby repealed in its entirety. Such repeal shall not abate any pending prosecution and/or lawsuit or prevent any prosecution and/or lawsuit from being commenced for any violation of Ordinance No. 93-06-03 occurring before the effective date of this Ordinance.

SECTION 3: Penalty. Any, person, firm, corporation or entity that violates this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not exceeding two thousand dollars ($2,000.00) if the violation relates to the public health and sanitation, otherwise the fine shall be a sum not exceeding five hundred dollars ($500.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5: Savings/Repealing Clause. Ordinance No. 93-06-03 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6: Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law and the Frisco City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this 4th day of September, 2012.

Maher Maso, Mayor

ATTESTED TO AND CORRECTLY RECORDED BY:

Jenny Page, City Secretary

APPROVED AS TO FORM:

Abernathy Roeder Boyd & Joplin P.C.
Courtney A. Kuykendall, City Attorneys

DATES OF PUBLICATION: _____, Frisco Enterprise

Exhibit "A"
Tract C-1

BEING a tract or parcel of land situated in the City of Frisco, Collin County, Texas; and being a part of the J.M. Bounds Survey, Abstract Number 77; and being part of a tract of land conveyed to Scott Kerr, trustee by Donald Kerr and Associates, Inc. Trustee by Deed recorded in Volume 981, Page 648, Deed Records, Collin County, Texas; and being more particularly described as follows:

COMMENCING at a point at the Southwest corner of said Scott Kerr tract, said point also being in the East line of Hillcrest Road (100 foot wide Right-of-Way);

THENCE North 15°57'00" East along the East line of said Hillcrest Road, a distance of 246.21 feet to a point for corner in the centerline of Rolater Road (proposed 100 feet wide Right-of-Way);

THENCE North 08°14'00" East continuing along the East line of said Hillcrest Road, a distance of 792.99 feet to the POINT OF BEGINNING;

THENCE North 08°14'00" East continuing along the East line of said Hillcrest Road, a distance of 876.42 feet to a point for corner;

THENCE North 89°57'00" East a distance of 1404.14 feet to a point for corner;

THENCE South 00°00'30" West a distance of 135.00 feet to a point for corner;

THENCE South 18°48'24" East a distance of 1141.63 feet to a point for corner;

THENCE North 89°57'00" East a distance of 775.00 feet to a point for corner;

THENCE South 00°00'30" West a distance of 672.71 feet to a point for corner in the centerline of said Rolater Road;

THENCE South 89°57'00" West along the centerline of said Rolater Road, a distance of 1672.08 feet to a point at the beginning of a curve to the right whose chord bears North 88°40'36" West;

THENCE in a Westerly direction along said curve to the right having a central angle of 02°44'48", a radius of 1000.00 feet and an arc length of 47.94 feet to a point for corner;

THENCE North 00°00'30" East a distance of 1019.31 feet to a point for corner;

THENCE North 89°59'30" West a distance of 952.71 feet to the POINT OF BEGINNING and containing 64.96 acres of land, more or less.

Exhibit A
Tract C-2

BEING a tract or parcel of land situated in the City of Frisco, Collin County, Texas; and being a part of the J.M. Bounds Survey, Abstract Number 77; and being part of a tract of land conveyed to Scott Kerr, trustee by Donald Kerr and Associates, Inc. Trustee by Deed recorded in Volume 981, Page 648, Deed Records, Collin County, Texas; and being more particularly described as follows:

COMMENCING at a point at the Southwest corner of said Scott Kerr tract, said point also being in the East line of Hillcrest Road (100 foot wide Right-of-Way);

THENCE North 15°57'00" East along the East line of said Hillcrest Road, a distance of 246.21 feet to a point for corner in the centerline of Rolater Road (proposed 100 foot wide Right-of-Way);

THENCE North 08°14'00" East continuing along the East line of said Hillcrest Road, a distance of 1669.41 feet to a point for corner;

THENCE North 89°57'00" East a distance of 1404.14 feet to the POINT OF BEGINNING;

THENCE North 89°57'00" East a distance of 1143.19 feet to a point for corner;

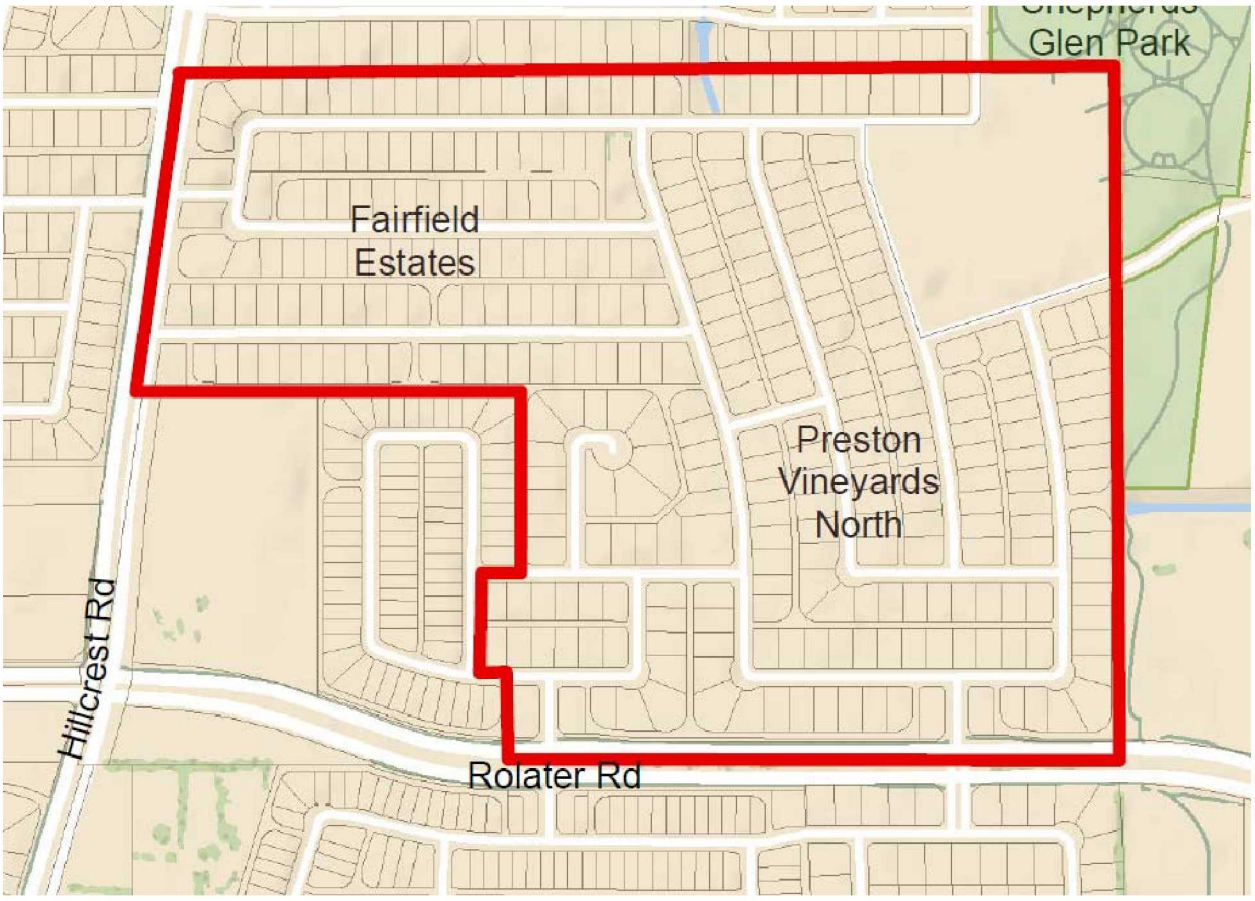
THENCE South 00°00'30" West a distance of 1216.00 feet to a point for corner;

THENCE South 89°57'00" West a distance of 775.00 feet to a point for corner;

THENCE North 18°48'24" West a distance of 1141.63 feet to a point for corner;

THENCE North 00°00'30" East a distance of 135.00 feet to the POINT OF BEGINNING and containing 27.34 acres of land, more or less.

92.3 Acres


Glen Park
Fairfield
Estates
Preston
Vineyards
North
Hillcrest Rd
Rolater Rd

CITY OF FRISCO, TEXAS **ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING FRISCO'S ZONING ORDINANCE NO. 11-04-09, REZONING A TRACT OF LAND CONSISTING OF 13.6 ACRES OF LAND, MORE OR LESS, SITUATED IN THE J.M. BOUNDS SURVEY, ABSTRACT NO. 77, CITY OF FRISCO, COLLIN COUNTY, TEXAS HERETOFORE ZONED PLANNED DEVELOPMENT-12-BUSINESS CENTER (PD-12-BC) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF RETAIL (9.9 ACRES) AND SINGLE FAMILY-7 (3.7 ACRES); DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (the "City Council") has investigated and determined that Zoning Ordinance No. 11-04-09 ("CZO") should be amended; and

WHEREAS, the City of Frisco, Texas ("Frisco") initiated a request to rezone 13.6 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract No. 77, City of Frisco, Collin County, Texas; and

WHEREAS, the City Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the City Council has further investigated into and determined that it will be advantageous and beneficial to Frisco and its inhabitants to rezone this property as set forth below.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendments to Zoning Ordinance No. 11-04-09. Zoning Ordinance No. 11-04-09 is amended as follows: The zoning designation of the below-described property containing 13.6 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract No. 77, City of Frisco, Collin County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto are hereby rezoned as Retail (9.9 acres) and Single Family-7 (3.7 acres). The Property as a whole and the boundaries are more particularly described in Exhibit "A", attached hereto and incorporated herein for all purposes as if set forth verbatim. The general location of the Property is depicted on Exhibit "A-1" attached hereto.

Except as amended by this Ordinance, the development of the Property must comply with the requirements of all ordinances, rules and regulations of Frisco, as they currently exist or may be amended.

SECTION 3: No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the City Council in the manner provided for by law.

SECTION 4: Unlawful Use of Premises. It shall be unlawful for any person, firm, entity or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, entity or corporation to construct on said premises any building that is not in conformity with the permissible uses under this zoning Ordinance.

SECTION 5: Penalty. Any person, firm, corporation or entity violating this Ordinance or any provision of Zoning Ordinance No. 11-04-09, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Two Thousand Dollars ($2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7: Savings/Repealing Clause. Zoning Ordinance No. 11-04-09 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8: Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law and the Frisco City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this 4th day of September, 2012.

Maher Maso, Mayor

ATTESTED TO AND CORRECTLY RECORDED BY:

Jenny Page, City Secretary

APPROVED AS TO FORM:

Abernathy Roeder Boyd & Joplin P.C.
Courtney A. Kuykendall, City Attorneys

DATES OF PUBLICATION: _____, Frisco Enterprise

Exhibit "A"
9.9 Acres – North of Rolater
PD-12-BC to Retail

Being a tract or parcel of land situated in the City of Frisco, Collin County, Texas; and being a part of the J.M. Bounds Survey, Abstract Number 77; and being part of a tract of land conveyed to Scott Kerr, Trustee by Donald Kerr and Associates, Inc. Trustee, by Deed recorded in Volume 981, Page 648, Deed Records, Collin County, Texas; and being more particularly described as follows:

COMMENCING at a point at the Southwest corner of said Scott Kerr tract, said point also being in the East line of Hillcrest Road (100 foot wide Right-of-Way);

THENCE North 15°57'00" East along the East line of said Hillcrest Road, a distance of 246.21 feet to the POINT OF BEGINNING in the centerline of Rolater Road (proposed 100 foot wide Right-of-Way);

THENCE North 08°14'00" East continuing along the East line of said Hillcrest Road, a distance of 792.99 feet to a point for corner;

THENCE South 89°59'30" East a distance of 476.71 feet to a point for corner;

THENCE South 00°00'30" West a distance of 876.74 feet to a point for corner in the centerline of said Rolater Road, said point being at the beginning of a curve to the left whose chord bears North 77°37'51" West;

THENCE in a Westerly direction along the centerline of said Rolater Road and along said curve to the left having a central angle of 24°50'19", a radius of 1000.00 feet and an arc length of 433.51 feet to a point for corner;

THENCE South 89°57'00" West continuing along the centerline of said Rolater Road, a distance of 170.00 feet to the POINT OF BEGINNING and containing 9.90 acres of land, more or less.

Exhibit "A"
3.7 Acres – South of Rolater
PD-12-BC to Single Family-7

Being a tract or parcel of land situated in the City of Frisco, Collin County, Texas; and being a part of the J.M. Bounds Survey, Abstract Number 77; and being part of a tract of land conveyed to Scott Kerr, Trustee by Donald Kerr and Associates, Inc. Trustee, by Deed recorded in Volume 981, Page 648, Deed Records, Collin County, Texas; and being more particularly described as follows:

BEGINNING at a point at the Southwest corner of said Scott Kerr tract, said point also being in the East line of Hillcrest Road (100 foot wide Right-of-Way);

THENCE North 15°57'00" East along the East line of said Hillcrest Road, a distance of 246.21 feet to a point for corner in the centerline of Rolater Road (proposed 100 foot wide Right-of-Way);

THENCE North 89°57'00" East along the centerline of said Rolater Road, a distance of 170.00 feet to a point at the beginning of a curve to the right whose chord bears South 75°58'14" East;

THENCE in an Easterly direction continuing along the centerline of said Rolater Road and along said curve to the right having a central angle of 28°09'32", a radius of 1000.00 feet and an arc length of 491.47 to a point at the beginning of a curve to the left whose chord bears South 75°58'14" East;

THENCE in an Easterly direction continuing along the centerline of said Rolater Road and along said curve to the left having a central angle of 28°09'32", a radius of 1000.00 feet and an arc length of 491.47 feet to a point for corner;

THENCE South 89°57'00" West a distance of 1181.71 feet to the POINT OF BEGINNING and containing 3.67 acres of land, more or less.

EXHIBIT "A-1"
13.6 Acres



CITY OF FRISCO, TEXAS **ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING FRISCO'S ZONING ORDINANCE NO. 11-04-09, REZONING A TRACT OF LAND CONSISTING OF 92.3 ACRES OF LAND, MORE OR LESS, SITUATED IN THE J.M. BOUNDS SURVEY, ABSTRACT NO. 77, CITY OF FRISCO, COLLIN COUNTY, TEXAS, HERETOFORE ZONED PLANNED DEVELOPMENT-12-SINGLE FAMILY-7 (PD-12-SF-7) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANED DEVELOPMENT-12-SINGLE FAMILY-7; DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (the "City Council") has investigated and determined that Zoning Ordinance No. 11-04-09 ("CZO") should be amended; and

WHEREAS, the City of Frisco (the "Frisco") initiated a request to rezone 92.3 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract 77, City of Frisco, Collin County, Texas; and

WHEREAS, the City Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the City Council has further investigated into and determined that it will be advantageous and beneficial to Frisco and its inhabitants to rezone this property as set forth below.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendments to Zoning Ordinance No. 11-04-09. Zoning Ordinance No. 11-04-09 is amended as follows: The zoning designation of the below-described property containing 92.3 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract No. 77, City of Frisco, Collin County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto are hereby rezoned as Planned Development-12-Single Family-7. The Property as a whole and the boundaries are more particularly described in Exhibit "A", attached hereto and incorporated herein for all purposes as if set forth verbatim. The general location of the Property is depicted on Exhibit "A-1" attached hereto.

The development standards and uses for the Property in this Planned Development District shall conform to the Planned Development Standards attached hereto as Exhibit "B", attached hereto and incorporated herein for all purposes as if set forth verbatim. Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules and regulations of Frisco, as they currently exist or may be amended.

Three (3) originals, official and identical copies of the zoning exhibit map adopted and shall be filed and maintained as follows:

a. Two (2) copies shall be filed with the City Secretary and retained as the original records and shall not be changed in any manner; and

b. One (1) copy shall be filed with the building inspector and shall be maintained up-to-date by posting thereon all changes and subsequent amendment for observation, issuing building permits, certificates of compliance and occupancy and enforcing the zoning ordinance. Reproduction for information purposes may from time-to-time be made of the official zoning district map.

Written notice of any amendment to this Planned Development District shall be sent to all property owners within two hundred feet (200') of the specific area to be amended.

SECTION 3: No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the City Council in the manner provided for by law.

SECTION 4: Unlawful Use of Premises. It shall be unlawful for any person, firm, entity or corporation to make use of said premises in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, entity or corporation to construct on said premises any building that is not in conformity with the permissible uses under this zoning Ordinance.

SECTION 5: Penalty. Any person, firm, corporation or entity violating this Ordinance or any provision of Zoning Ordinance No. 11-04-09, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Two Thousand Dollars ($2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7: Savings/Repealing Clause. Zoning Ordinance No. 11-04-09 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8: Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law and the Frisco City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this 4th day of September, 2012.

Maher Maso, Mayor

ATTESTED TO AND CORRECTLY RECORDED BY:

Jenny Page, City Secretary

APPROVED AS TO FORM:

Abernathy Roeder Boyd & Joplin P.C.
Courtney A. Kuykendall, City Attorneys

DATES OF PUBLICATION: _____, Frisco Enterprise

Exhibit "A"
Tract C-1

BEING a tract or parcel of land situated in the City of Frisco, Collin County, Texas; and being a part of the J.M. Bounds Survey, Abstract Number 77; and being part of a tract of land conveyed to Scott Kerr, trustee by Donald Kerr and Associates, Inc. Trustee by Deed recorded in Volume 981, Page 648, Deed Records, Collin County, Texas; and being more particularly described as follows:

COMMENCING at a point at the Southwest corner of said Scott Kerr tract, said point also being in the East line of Hillcrest Road (100 foot wide Right-of-Way);

THENCE North 15°57'00" East along the East line of said Hillcrest Road, a distance of 246.21 feet to a point for corner in the centerline of Rolater Road (proposed 100 feet wide Right-of-Way);

THENCE North 08°14'00" East continuing along the East line of said Hillcrest Road, a distance of 792.99 feet to the POINT OF BEGINNING;

THENCE North 08°14'00" East continuing along the East line of said Hillcrest Road, a distance of 876.42 feet to a point for corner;

THENCE North 89°57'00" East a distance of 1404.14 feet to a point for corner;

THENCE South 00°00'30" West a distance of 135.00 feet to a point for corner;

THENCE South 18°48'24" East a distance of 1141.63 feet to a point for corner;

THENCE North 89°57'00" East a distance of 775.00 feet to a point for corner;

THENCE South 00°00'30" West a distance of 672.71 feet to a point for corner in the centerline of said Rolater Road;

THENCE South 89°57'00" West along the centerline of said Rolater Road, a distance of 1672.08 feet to a point at the beginning of a curve to the right whose chord bears North 88°40'36" West;

THENCE in a Westerly direction along said curve to the right having a central angle of 02°44'48", a radius of 1000.00 feet and an arc length of 47.94 feet to a point for corner;

THENCE North 00°00'30" East a distance of 1019.31 feet to a point for corner;

THENCE North 89°59'30" West a distance of 952.71 feet to the POINT OF BEGINNING and containing 64.96 acres of land, more or less.

Tract C-2

BEING a tract or parcel of land situated in the City of Frisco, Collin County, Texas; and being a part of the J.M. Bounds Survey, Abstract Number 77; and being part of a tract of land conveyed to Scott Kerr, trustee by Donald Kerr and Associates, Inc. Trustee by Deed recorded in Volume 981, Page 648, Deed Records, Collin County, Texas; and being more particularly described as follows:

COMMENCING at a point at the Southwest corner of said Scott Kerr tract, said point also being in the East line of Hillcrest Road (100 foot wide Right-of-Way);

THENCE North 15°57'00" East along the East line of said Hillcrest Road, a distance of 246.21 feet to a point for corner in the centerline of Rolater Road (proposed 100 foot wide Right-of-Way);

THENCE North 08°14'00" East continuing along the East line of said Hillcrest Road, a distance of 1669.41 feet to a point for corner;

THENCE North 89°57'00" East a distance of 1404.14 feet to the POINT OF BEGINNING;

THENCE North 89°57'00" East a distance of 1143.19 feet to a point for corner;

THENCE South 00°00'30" West a distance of 1216.00 feet to a point for corner;

THENCE South 89°57'00" West a distance of 775.00 feet to a point for corner;

THENCE North 18°48'24" West a distance of 1141.63 feet to a point for corner;

THENCE North 00°00'30" East a distance of 135.00 feet to the POINT OF BEGINNING and containing 27.34 acres of land, more or less.

EXHIBIT "A-1"
92.3 Acres

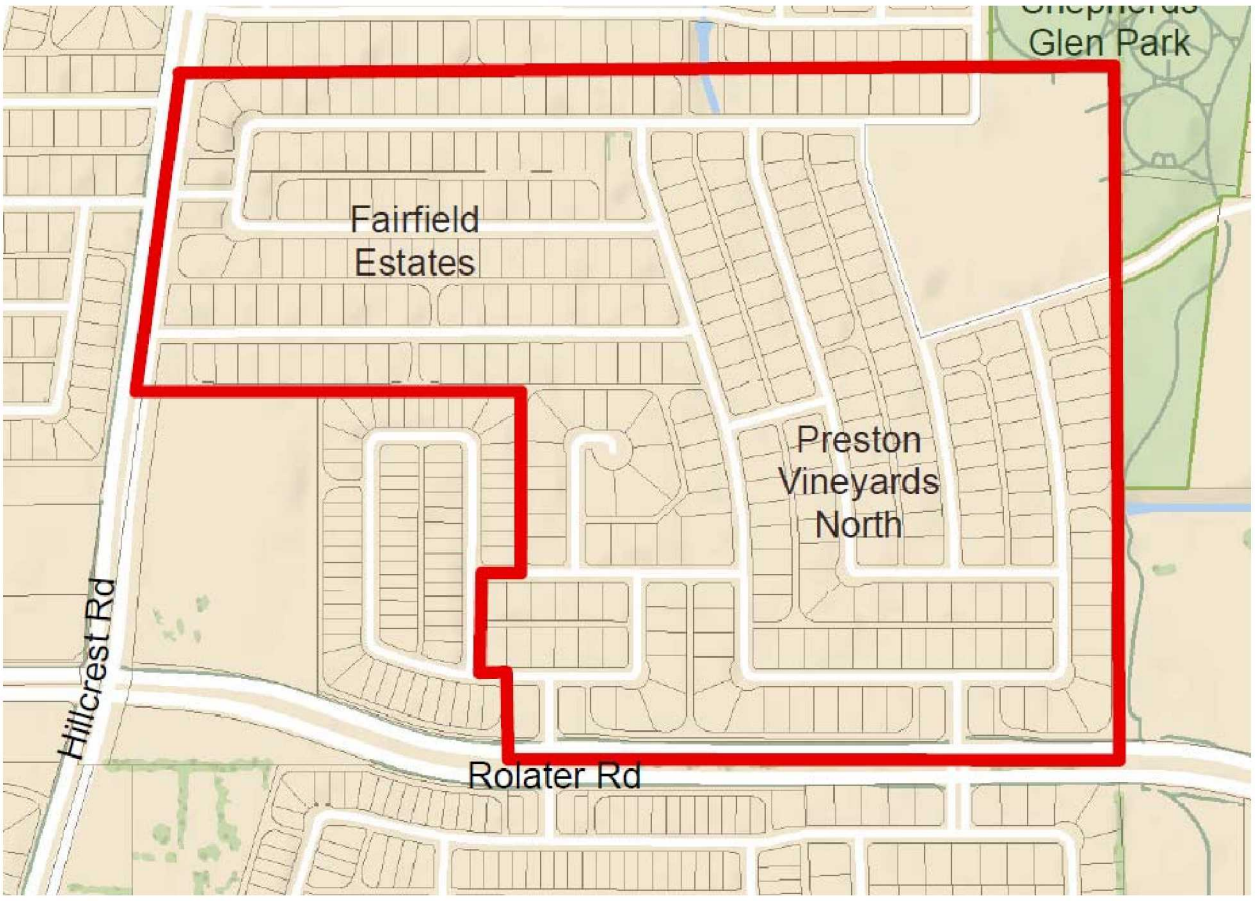


EXHIBIT "B"
PLANNED DEVELOPMENT STANDARDS

Tract C – Planned Development-Single Family-7 with the following conditions:

1. Lot Area – Tract C-1: 6,600 square feet minimum; Tract C-2: 7,000 square feet minimum.

2. Lot Width – 55 feet minimum. Lots at the terminus of a cul-de-sac, on a corner, or along a curve may have a minimum lot width of 50 feet at the building line.

3. Front Yard – 25 feet minimum. Covered drives and porte-cocheres that are architecturally designed as an integral element of the main structure may extend up to 15 feet from the front building line.

4. Side Yard – Tract C-1: 10% of the lot width but not less than six feet; Tract C-2: 10% of the lot width but not less than seven feet. In both tracts, not more than 10 feet.

5. Rear Yard – 10 feet. 20 feet for garage face to alley.

6. Building Height – Maximum 2.5 stories or 36 feet in height.

CITY OF FRISCO, TEXAS **ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, REPEALING ORDINANCE NO. 07-11-60 AND AMENDING FRISCO'S ZONING ORDINANCE NO. 11-04-09, REZONING A TRACT OF LAND CONSISTING OF 11.3 ACRES OF LAND, MORE OR LESS, SITUATED IN THE J.M. BOUNDS SURVEY, ABSTRACT NO. 77, IN THE CITY OF FRISCO, COLLIN COUNTY, TEXAS, HERETOFORE ZONED PLANNED DEVELOPMENT-12-TWO FAMILY (PD-12-2F) IS HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF TWO FAMILY (2F); DESCRIBING THE TRACT TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (the "City Council"), has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas ("Frisco") to repeal Frisco Ordinance No. 07-11-60 in its entirety and replaced with this Ordinance; and

WHEREAS, the City Council has further investigated and determined that it would be advantageous and beneficial to the citizens of Frisco to amend Frisco's Zoning Ordinance No. 11-04-09 as provided herein; and

WHEREAS, the City of Frisco ("Frisco"), initiated a request to rezone 11.3 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract No. 77, in the City of Frisco, Collin County, Texas; and

WHEREAS, the City Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and from set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the City Council has investigated into and determined that it will be advantageous and beneficial to Frisco and its inhabitants to rezone this property as set forth below.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Repeal Ordinance No. 07-11-60. Frisco Ordinance No. 07-11-60 is repealed in its entirety and replaced by this Ordinance. The effective date of the repeal discussed in this Section shall not occur until the effective date of this Ordinance at which time Ordinance No. 07-11-60 shall be repealed. Such repeal shall not abate any pending prosecution and/or lawsuit or prevent any prosecution and/or lawsuit from being commenced for any violation of Ordinance No. 07-11-60 occurring before the effective date of this Ordinance.

SECTION 3. Amendments to the Zoning Ordinance No. 11-04-09. Zoning Ordinance No. 11-04-09 is amended as follows. The zoning designation of the below-described property containing 11.3 acres of land, more or less, situated in the J.M. Bounds Survey, Abstract No. 77, in the City of Frisco, Collin County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto are hereby rezoned as Two Family (2F). The Property as a whole and the boundaries are more particularly described in Exhibit "A", attached hereto and incorporated herein for all purposes as if set forth verbatim. The general location of the Property is depicted on Exhibit "A-1" attached hereto.

Except as amended by this Ordinance, the development of the Property must comply with the requirements of all ordinances, rules and regulations of Frisco, as they currently exist or may be amended.

SECTION 4. No Vested Interest/Repeal. No developer or property owner shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any

portion of this Ordinance may be repealed by the City Council in the manner provided for by law.

SECTION 5. Unlawful Use of Premises. It shall be unlawful for any person, firm, entity or corporation to make use said premises in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, entity or corporation to construct on said premises any building that is not in conformity with the permissible uses under this zoning Ordinance.

SECTION 6. Penalty. Any person, firm, corporation or entity violating this Ordinance or any provision of Zoning Ordinance No. 11-04-09, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in a sum not exceeding Two Thousand and No/100 Dollars ($2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 7. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid

SECTION 8. Savings/Repealing Clause. Zoning Ordinance No. 11-04-09 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said

ordinances shall remain in full force and effect.

SECTION 9. Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this 4th day of September, 2012.

MAHER MASO, Mayor

ATTESTED TO AND CORRECTLY RECORDED BY:

Jenny Page, City Secretary

APPROVED AS TO FORM:

Abernathy Roeder Boyd & Joplin P.C.
Courtney Kuykendall, City Attorneys

Dates of Publication: _____, *Frisco Enterprise*

Exhibit "A"

BEING of a tract of land out of the J.M. Bounds Survey, Abstract No. 77 in the City of Frisco, Collin County, Texas, being part of Preston Vineyards North, an addition to the City of Frisco according to the plat thereof recorded in Cabinet O, Page 45 of the Map Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a point for the northwest corner of said Preston Vineyards North;

THENCE with the north line of said Preston Vineyards North, South 89°48'26" East, a distance of 565.00 feet to a point for corner;

THENCE leaving said north line and with the centerline of an alley, South 00°11'04" West, a distance of 500.44 feet to a point for corner in the centerline of Wentworth Drive (50' ROW);

THENCE with said centerline, North 89°48'54" West, a distance of 114.00 feet to a point for corner in the east right-of-way line of Saddlehorn Drive (50' ROW);

THENCE with said east right-of-way line, the following courses and distances to wit:
South 00°11'04" West, a distance of 195.12 feet to a point for the beginning of a tangent curve to the right with a radius of 275.00 feet, a central angle of 6°16'03", and a chord bearing and distance of South 03°19'05" West, 30.07 feet;
Southwesterly, with said curve, an arc distance of 30.08 feet to a point for corner;
South 06°27'06" West, a distance of 60.92 feet to a point for corner in the centerline of Pear Ridge Drive (50' ROW) for the beginning of a non-tangent curve to the left having a radius of 775.00 feet, a central angle of 4°25'06", a chord bearing and distance of South 87°36'21" East, 59.75 feet;

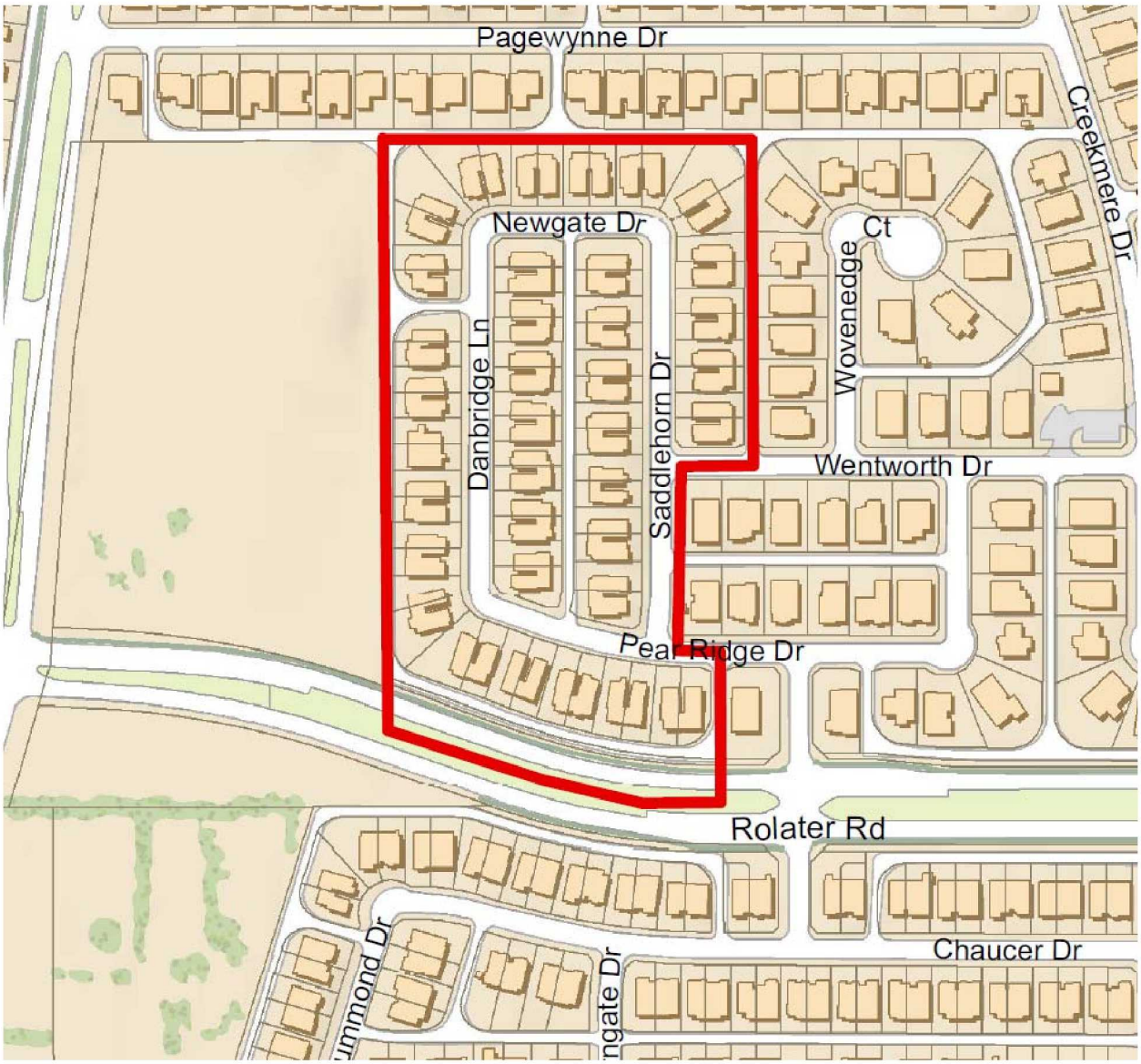
THENCE with said centerline, the following courses and distances to wit:
Southeasterly, with said curve, an arc distance 59.76 feet to a point for corner;
South 89°48'54" East, a distance of 13.10 feet to a point for corner;

THENCE leaving said centerline and with the centerline of an alley, South 00°11'06" West, a distance of 202.98 feet to a point for corner in the centerline of Rolater Drive (120' ROW) for the beginning of a non-tangent curve to the right having a radius of 970.00 feet, a central angle of 19°09'21", a chord bearing and distance of North 80°01'23" West, 322.79 feet;

THENCE with the centerline of said Rolater Drive, the following courses and distances to wit:
Northwesterly, with said curve, an arc distance 324.30 feet to a point for corner;
North 70°26'42" West, a distance of 209.26 feet to a point for corner;

THENCE leaving said centerline and with the west line of said Preston Vineyards North part of the way, North 00°11'04" East, a distance of 867.20 feet to the **POINT OF BEGINNING** and containing 11.33 acres of land.

Exhibit "A-1"


Pagewynne Dr
Creekmere Dr
Newgate Dr
Ct
Wovenedge
Danbridge Ln
Saddlehorn Dr
Wentworth Dr
Pear Ridge Dr
Rolater Rd
Chaucer Dr

CITY OF FRISCO, TEXAS **ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING ORDINANCE NOS. 82-05-03, 84-09-07 AND FRISCO'S ZONING ORDINANCE NO. 11-04-09, TO REMOVE TRACTS 12 AND 14 FROM PLANNED DEVELOPMENT-38 AND TO REVISE DEVELOPMENT STANDARDS APPLICABLE TO TRACTS 15 AND 16 IN PLANNED DEVELOPMENT-38, CONSISTING OF 138.7 ACRES OF LAND, MORE OR LESS, SITUATED IN THE S.W. CASH SURVEY, ABSTRACT NO. 238 AND THE JESSIE H. GOUGH SURVEY, ABSTRACT NO. 248, IN THE CITY OF FRISCO, COLLIN COUNTY, TEXAS; TRACTS 12, 14, 15 AND 16 HERETOFORE ZONED PLANNED DEVELOPMENT-38-RETAIL (TRACT 12), PLANNED DEVELOPMENT-38-TWO FAMILY (TRACT 14), AND PLANNED DEVELOPMENT-38-SINGLE FAMILY (TRACTS 15 & 16) ARE HEREBY REZONED AND PLACED IN THE ZONING CLASSIFICATION OF SINGLE FAMILY-7 (TRACT 12), TWO FAMILY (TRACT 14), AND PLANNED DEVELOPMENT-38-SINGLE FAMILY-7 (TRACTS 15 & 16); DESCRIBING THE TRACTS TO BE REZONED; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (the "City Council"), has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas ("Frisco") to amend Frisco Ordinance Nos. 82-05-03, 84-09-07 and Frisco's Zoning Ordinance No. 11-04-09; and

WHEREAS, the Frisco initiated a request to rezone 138.7 acres of land, more or less, situated in the S.W. Cash Survey, Abstract No. 238 and the Jessie H. Gough Survey, Abstract No. 248, in the City of Frisco, Collin County, Texas; and

WHEREAS, the City Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for rezoning have been given in the manner and form set forth by law, and public hearings have been held on the proposed rezoning and all other requirements of notice and completion of such zoning procedures have been fulfilled; and

WHEREAS, the City Council has investigated into and determined that it will be advantageous and beneficial to Frisco and its inhabitants to rezone this property as set forth below.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendments to Ordinance Nos. 82-05-03, 84-09-07 and Zoning Ordinance No. 11-04-09. Ordinance Nos. 82-05-03, 84-09-07 and Zoning Ordinance No. 11-04-09 are hereby amended as follows. The zoning designation of the below-described property containing 138.7 acres of land, more or less, situated in the S.W. Cash Survey, Abstract No. 238 and the Jessie H. Gough Survey, Abstract No. 248, in the City of Frisco, Collin County, Texas, (the "Property") and all streets, roads and alleyways contiguous and/or adjacent thereto are hereby rezoned as Single Family-7 (Tract 12), Two Family (Tract 14), and Planned Development-38-Single Family-7 (Tracts 15 & 16) . The Property, as a whole, and the boundaries are more particularly described in **Exhibit "A"**, attached hereto and incorporated herein for all purposes as if set forth verbatim. The general location of the Property and Tract locations are depicted on **Exhibit "A-1"** attached hereto.

The development standards and uses for Tracts 15 & 16 in this Planned Development District shall conform to the Planned Development Standards attached hereto as **Exhibit "B",** and are incorporated herein for all purposes as if set forth verbatim. Except as amended by this Ordinance, the development of the Property within this Planned Development District must comply with the requirements of all ordinances, rules and regulations of Frisco, as they currently exist or may be amended.

SECTION 3. No Vested Interest/Repeal. No developer or property owner shall acquire

any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this Ordinance may be repealed by the City Council in the manner provided for by law.

SECTION 4. Unlawful Use of Premises. It shall be unlawful for any person, firm, entity or corporation to make use said premises in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person, firm, entity or corporation to construct on said premises any building that is not in conformity with the permissible uses under this zoning Ordinance.

SECTION 5. Penalty. Any person, firm, corporation or entity violating this Ordinance or any provision of Zoning Ordinance No. 11-04-09, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in a sum not exceeding Two Thousand and No/100 Dollars ($2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 6. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid

SECTION 7. Savings/Repealing Clause. Zoning Ordinance No. 11-04-09 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any

violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 8. Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this 4th day of September, 2012.

MAHER MASO, Mayor

ATTESTED TO AND CORRECTLY RECORDED BY:

Jenny Page, City Secretary

APPROVED AS TO FORM:

Abernathy Roeder Boyd & Joplin P.C.
Courtney Kuykendall, City Attorneys

Dates of Publication: _____, *Frisco Enterprise*

Exhibit "A"
Tract 12

BEGINNING at the Northeast corner of Tract 9 previously described and an iron pin set for a corner;

THENCE North 89°38' East, along the centerline of County Road No. 21, a distance of 580 feet, more or less, to a point for a corner;

THENCE South 16°40'19" West, a distance of 1140 feet, more or less, to a point for a corner;

THENCE North 72°20'41" West, a distance of 540 feet, more or less, to a point for a corner;

THENCE North 16°40'19" East, a distance of 979.25 feet, more or less, to the PLACE OF BEGINNING and containing 13.30 acres of land.

Exhibit "A"
Tract 14

BEGINNING in the centerline of County Road No. 21 and the Northeast corner of Tract 13 previously described;

THENCE North 89°38' East, a distance of 594.88 feet, more or less, to an iron pin and a point for a corner;

THENCE South 2°09'20" East, a distance of 920 feet, more or less, to a point for a corner;

THENCE West a distance of 1330 feet, more or less, to a point for a curve to the left;

THENCE along said curve, a radius of 110 feet, a central angle of 72°20'41", a tangent of 85 feet and a length of 139 feet, more or less, to a point;

THENCE South 16°40'19" West, a distance of 740 feet, more or less, to a point for a corner;

THENCE North 72°20'41" West, a distance of 830 feet, more or less, to a point for a corner;

THENCE North 16°40'19" East, a distance of 570 feet, more or less, to a point for a corner;

THENCE South 72°20'41" East, a distance of 540 feet, more or less, to a point for a corner;

THENCE North 16°40'19" East, a distance of 485 feet, more or less, to a point for a corner;

THENCE East a distance of 1045 feet, more or less, to a point for a corner;

THENCE North a distance of 630 feet, more or less, to the PLACE OF BEGINNING and containing 33.0 acres of land.

Exhibit "A"
Tract 15

BEGINNING at a point of the most Easterly boundary of the 492.360 acre tract, also being the Southeasterly corner of Tract 14 previously described;

THENCE South 2°09'20" East, a distance of 1532.53 feet, more or less, to an iron pin for a corner;

THENCE North 89°59'25" West, a distance of 270.0 feet to an iron pin for a corner;

THENCE South 2°08'52" East, a distance of 290.0 feet to an iron pin for a corner;

THENCE South 89°58'24" West, a distance of 610 feet, more or less, to a point for a corner;

THENCE North 2°09'20" West, a distance of 595 feet, more or less, to a point for a curve to the left;

THENCE along said curve, a radius of 300 feet, a central angle of 45°59'30", a tangent of 120 feet, and a length of 241 feet, more or less, to a point;

THENCE North 43°01'30" West, a distance of 360.55 feet, more or less, to a point for a curve to the left;

THENCE along said curve, a radius of 500 feet, a central angle of 29°19'11", a tangent of 135 feet and a length of 254, more or less, to a point;

THENCE North 72°20'41" West, a distance of 210 feet, more or less, to a point for a corner;

THENCE North 16°40'19" East, a distance of 465 feet, more or less, to a point for a curve to the right;

THENCE along said curve, a radius of 110 feet, a central angle of 72°20'41", a tangent of 85 feet, and a length of 139 feet, more or less, to a point;

THENCE East a distance of 1330 feet, more or less, to the PLACE OF BEGINNING and containing 45.2 acres of land.

Exhibit "A"
Tract 16

BEGINNING at a point in the Southern most boundary of the 492.360 acre tract and also being the Southwest corner of Tract 15 previously described;

THENCE South 89°58'24" West, along said boundary, a distance of 1919.49 feet, more or less, to a point for a corner;

THENCE North 11°14'29" East, a distance of 820.75 feet, more or less, to an angle point;

THENCE North 16°40'19" East, a distance of 455 feet, more or less, to a point for a corner;

THENCE South 72°20'41" East, a distance of 830 feet, more or less, to a point for a corner;

THENCE North 16°40'19" East, a distance of 275 Feet, more or less, to a point for a corner;

THENCE South 72°20'41" East, a distance of 210 feet, more or less, to a point for a curve to the right;

THENCE along said curve, a radius of 500 feet, a central angle of 29°19'11", a tangent of 135 feet, and a length of 254 feet, more or less, to a point;

THENCE South 43°01'30" East, a distance of 360.55 feet, more or less, to a point for a curve to the right;

THENCE along said curve, a radius of 300 feet, a central angle of 45°59'30", a tangent of 120 feet and a length of 241 feet, more or less, to a point;

THENCE South 2°09'20" East, a distance of 595 feet, more or less, to the PLACE OF BEGINNING and containing 47.20 acres of land.

Exhibit "A-1"

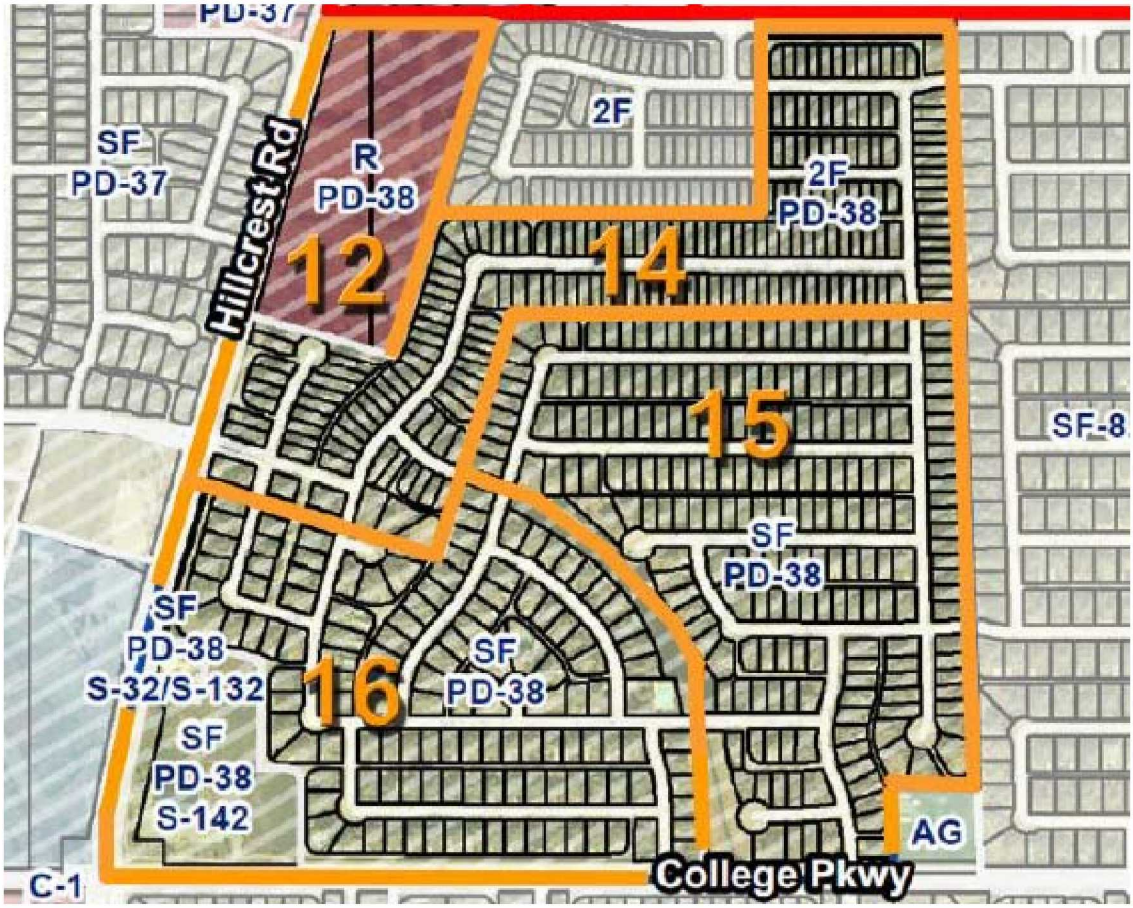

PD-37
SF
PD-37
Hillcrest Rd
R
PD-38
12
2F
2F
PD-38
14
15
SF-8
SF
PD-38
SF
PD-38
S-32/S-132
16
SF
PD-38
SF
PD-38
S-142
AG
C-1
College Pkwy

Exhibit "B"
Development Standards

Tract 15 – Planned Development-Single Family-7 with the following conditions:

1. Front Yard: Minimum 25 feet.
2. Side Yard: 10% of lot width, but not less than five feet. Maximum eight feet.
3. Rear Yard: Minimum 10 feet.
4. Lot Width: Minimum 50 feet.
5. Lot Depth: Minimum 100 feet.
6. Lot Area: Minimum 5,000 square feet.

Tract 16 – Planned Development-Single Family-7 with the following conditions:

1. Front Yard: Minimum 25 feet.
2. Side Yard: 10% of lot width, but not less than six feet. Maximum 10 feet.
3. Rear Yard: Minimum 25 feet.
4. Lot Width: Minimum 55 feet at the building line. Minimum 40 feet at the property line.
5. Lot Depth: Minimum 100 feet.
6. Lot Area: Minimum 6,000 square feet.

AGENDA ITEM #13.

PROGRESS IN MOTION

Development Services Department
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

Cc: **George A. Purefoy, City Manager**
John Lettelleir, AICP, Director of Development Services

From: **Judy Egüez, Planner**

Date: **8/23/2012**

Agenda Caption: **Consider and act upon adoption of an Ordinance granting a Specific Use Permit for a Licensed Child Care Center on one lot on 3.6± acres on the east side of Parkwood Boulevard, 720± feet north of Stonebrook Parkway. Neighborhood #23. Case No. SUP12-0015**

Action Requested: City Council adoption of an Ordinance granting the Specific Use Permit for a Licensed Child Care Center.

Background Information: On August 21, the City Council held a Public Hearing and directed staff to prepare an ordinance by a vote of 5-0. Councilmember Nelson was absent.

Board Review/Citizen Input: On July 10, 2012, the Planning & Zoning Commission held a public hearing and voted 4-0 to recommend approval of the request.

Alternatives: The City Council can:
- Approve the Ordinance;
- Approve the Ordinance with modifications,
- Deny the Ordinance; or
- Table for further review.

Financial Considerations: Not applicable.

Legal Review: The City Attorney's office prepared the Ordinance.

Supporting Documents:
- City Council Outcome Memo dated August 22, 2012.
- Ordinance.

Recommendation: Recommended for adoption.

FRISCO
DEVELOPMENT SERVICES

CITY OF FRISCO
GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
TEL 972.292.5300 · FAX 972.292.5388
WWW.FRISCOTEXAS.GOV

August 22, 2012

TO: Applicant

FROM: John Webb, AICP *JW*
Planning Manager

SUBJECT: Results of the City Council meeting, August 21, 2012

Public Hearing -
Specific Use Permit: Parkwood Offices Addition, Block A, Lot 5 (SUP12-0015)
Owner(s): Pointbank

Description:
A request for a Specific Use Permit for a Licensed Child Care Center on one lot on 3.6± acres on the east side of Parkwood Boulevard, 720± feet north of Stonebrook Parkway and consider and act to direct staff to prepare an Ordinance of the same. Zoned Planned Development-108-Office-1. Neighborhood #23.

Result/Action:

Approved: 5-0 (Nelson absent)
Denied:
Tabled:

ACTION:
City Council approved the Specific Use Permit and directed staff to prepare an Ordinance.

JE/kj

cc:

Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
Paul Knippel	Phillip Climer	Poly Birika	

CITY OF FRISCO, TEXAS ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING FRISCO'S ZONING ORDINANCE NO. 11-04-09, GRANTING A SPECIFIC USE PERMIT FOR LICENSED CHILD CARE CENTER, LOCATED ON A TRACT OF LAND SITUATED IN THE CITY OF FRISCO AND IN THE B.F. McNEIL SURVEY, ABSTRACT NUMBER 607, COLLIN COUNTY, TEXAS, CONTAINING 3.556 ACRES OF LAND, MORE OR LESS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND ZONING ORDINANCE NO. 11-04-09; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas (the "City Council"), has investigated and determined that Zoning Ordinance No. 11-04-09 should be amended; and

WHEREAS, ResComm Capital Partners, LLC (the "Applicant"), initiated a request to allow a Specific Use Permit for a Licensed Child Care Center on 3.556 acres of land, more or less, situated in the B.F. McNeil Survey, Abstract No. 607, City of Frisco, Collin County, Texas ("Frisco"), and being more particularly described in **Exhibit "A"**, attached hereto and incorporated herein for all purposes; and

WHEREAS, the City Council has investigated into and determined that the facts contained in the request are true and correct; and

WHEREAS, all legal notices required for the ordinance amendment have been given in the manner and form set forth by law, and public hearings have been held on the ordinance amendment and all other requirements of notice and completion of such amendment procedures have been fulfilled; and

WHEREAS, the City Council finds that Applicant has agreed to comply with all provisions of the ordinances of Frisco, including but not limited to Frisco's Zoning Ordinance No. 11-04-09, and has further agreed to comply with the additional restrictions set forth herein and the site plan, attached hereto as **Exhibit "B"** and incorporated herein for all purposes; and

WHEREAS, the City Council has investigated into and determined that it will be advantageous and beneficial to Frisco and its inhabitants to grant the Specific Use Permit herein, and that such grant will not be detrimental to the public welfare, safety or health, and that the Specific Use Permit should be granted.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Specific Use Permit Granted. Applicant is granted a Specific Use Permit to allow a Licensed Child Care Center on the Property, which is zoned Retail, subject to:

1. A maximum enrollment of 309 children.

The Property, as a whole, and the boundaries are more particularly described in **Exhibit "A"** attached hereto and incorporated herein for all purposes as if set forth verbatim (the "Property"). The general location of the Property is depicted on **Exhibit "A-1"**, attached hereto. Except when otherwise permitted by Section 2.05.02 of the Frisco Zoning Ordinance, the Property shall be developed in compliance with the conditions expressly stated in the site plan, attached hereto as **Exhibit "B"**.

SECTION 3: Failure to Comply/Assignable and Transferable. Except as otherwise stated above, all terms of the Specific Use Permit shall be complied with prior to issuance of a Certificate of Occupancy. Failure to comply with any term or condition of this Ordinance and/or Frisco's Zoning Ordinance No. 11-04-09, as they exist or may be amended, will result in the Specific Use Permit being declared null and void and of no force and effect. The Specific Use Permit is issued to the entity named above and is assignable and transferable.

SECTION 4: Specific Use Permits Regulations. Upon holding a properly notified public hearing, the City Council may amend, change, or rescind a Specific Use Permit if:

1. There is a violation and conviction of any of the provisions of this Ordinance, or any ordinance of the City of Frisco, that occurs on the Property; and
2. The building, premise, or land used under a Specific Use Permit are enlarged, modified, structurally altered, or otherwise significantly changed unless a separate Specific Use Permit is granted for such enlargement, modification, structural alteration, or change; and
3. Violation of any provision of the terms or conditions of this Specific Use Permit; and
4. Ad valorem taxes on the Property are delinquent by more than six (6) months; and
5. The Specific Use Permit was obtained by fraud or deception; and
6. As otherwise permitted by law and/or Frisco's Zoning Ordinance No. 11-04-09, as it exists or may be amended.

SECTION 5: Specific Use Permit Effective Date. This Specific Use Permit shall be effective from and after the effective date of this Ordinance. Upon termination of this Specific Use Permit, the Property shall cease to be used as provided herein unless another Specific Use Permit or appropriate zoning has been obtained.

SECTION 6: Unlawful Use of Premises. It shall be unlawful for any person, firm, entity or corporation to make use of the above-referenced tract of land in some manner other than as authorized by this Ordinance or other applicable ordinances.

SECTION 7: Penalty. Any person, firm, entity or corporation who violates any provision of this Ordinance or Frisco's Zoning Ordinance No. 11-04-09, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in a sum not exceeding Two Thousand and No/100 Dollars ($2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 8: Savings/Repealing Clause. Frisco's Zoning Ordinance No. 11-04-09 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 9: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 10: Effective Date: This Ordinance shall become effective from and after its adoption and publication as required by law the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this ___ day of _____, 2012.

_____
Maher Maso, Mayor

ATTESTED TO AND CORRECTLY RECORDED BY:

_____
Jenny Page, City Secretary

APPROVED AS TO FORM:

_____
Abernathy Roeder Boyd & Joplin P.C.
Courtney A. Kuykendall, City Attorneys

Dates of Publication: _____, *Frisco Enterprise*

Exhibit "A" (1 of 2)
SUP11-0007

BEING a tract of land situated in the B. F. McNeil Survey, Abstract No. 607, Collin County, Texas and being all of Parkwood Offices Addition, Block A, Lot 5, an addition to the City of Frisco, Collin County, Texas according to the plat recorded in Volume 2011, Page 147, Map Records of Collin County, Texas, and being the same tract of land conveyed to PointBank by deed recorded in County Clerk File Number 20091130001433280, Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a found "x" cut on concrete pavement for a corner in the northeast line of Parkwood Boulevard (a 110 foot right of way at this location), said point being the common south corner of said Lot 5 and Lot 4 of the said Parkwood Offices Addition and said point lying in a curve to the right with a central angle of 31°26'07", a radius of 989.98 feet, a chord bearing of N 12°53'41" W and a chord distance of 536.37 feet;

THENCE, Northwesterly, with the northeast line of Parkwood Boulevard and along said curve, an arc distance of 543.15 feet to a found 5/8 inch iron rod for a corner, said point being the northwest corner of said Lot 5 and in the southeast line of a called 122.301 acre tract of land conveyed to GNB, Inc. by deed recorded in County Clerk File No. 92-0009197, Deed Records of Collin County, Texas;

THENCE, N 40°04'14" E, with the northwest line of said Lot 5, a distance of 269.61 feet to a found ½ inch iron rod with a cap for a corner, said point being the common north corner of said Lot 5 and Lot 6, Block A of the said Parkwood Offices Addition;

THENCE, the following courses and distances with the common line of said Lot 5 and Lot 6:

- S 20°35'18" E, a distance of 526.16 feet to a found ½ inch iron rod with a cap for a corner;
- S 05°19'01" W, a distance of 88.54 feet to a found 5/8 inch iron rod for a corner, said point being the common east corner of said Lot 5 and Lot 3, Block A of the said Parkwood Offices Addition;

THENCE, S 71°34'46" W, with the common line of said Lot 3 and Lot 5, passing at a distance of 119.52 feet the common west corner of said Lot 3 and Lot 4, continuing in all a distance of 226.34 feet to a found "x" cut on concrete pavement for a corner;

THENCE, the following courses and distances with the common line of said Lot 4 and Lot 5:

- S 21°31'00" E, a distance of 60.36 feet to a found "x" cut on concrete pavement for a corner;
- S 61°23'15" W, a distance of 43.37 feet to the Point of Beginning and Containing 154,899 square feet or 3.5560 acres of land.

Exhibit "A"
(2 of 2)
SUP11-0007



Exhibit "A-1"
SUP11-0007

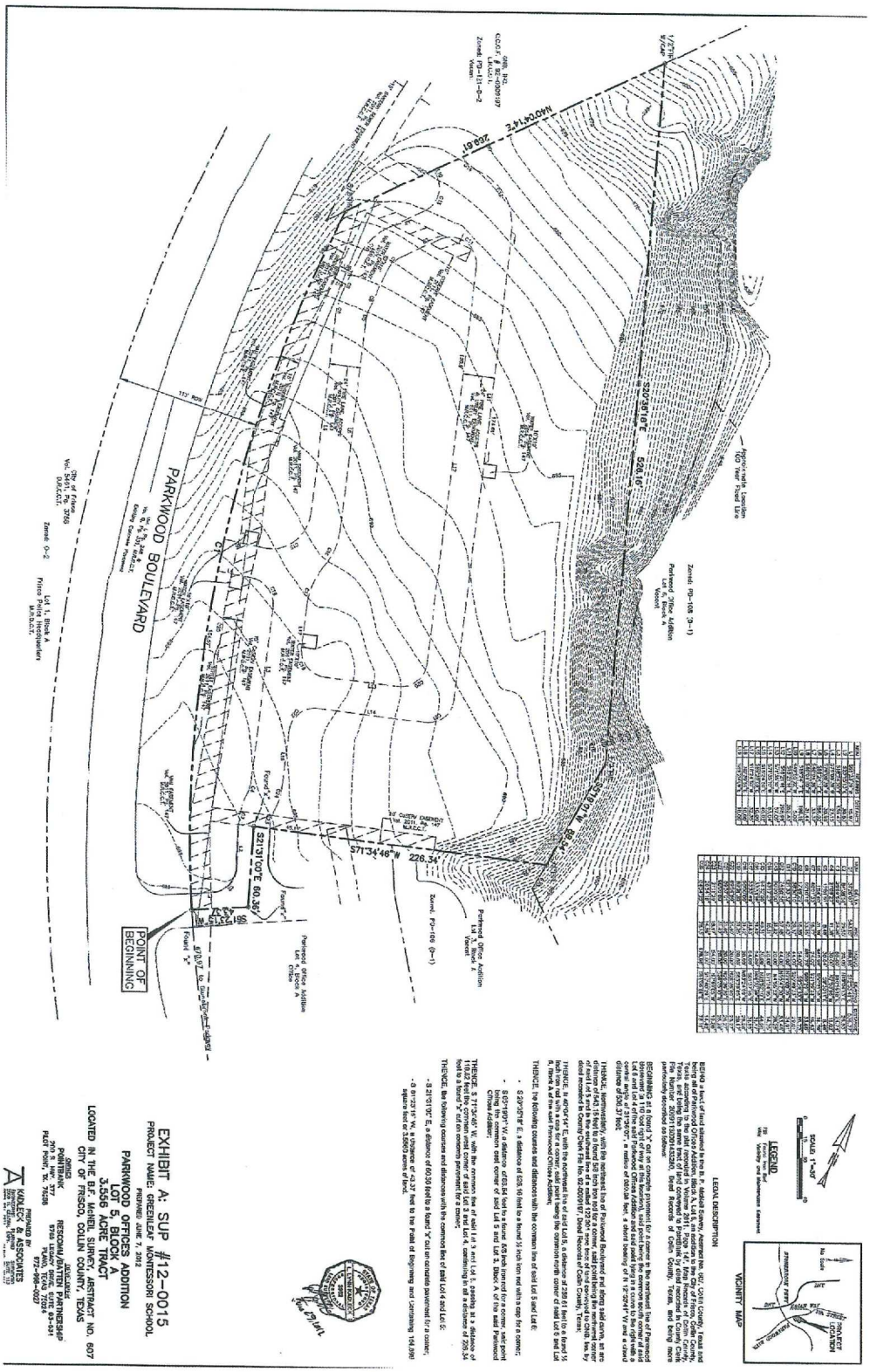
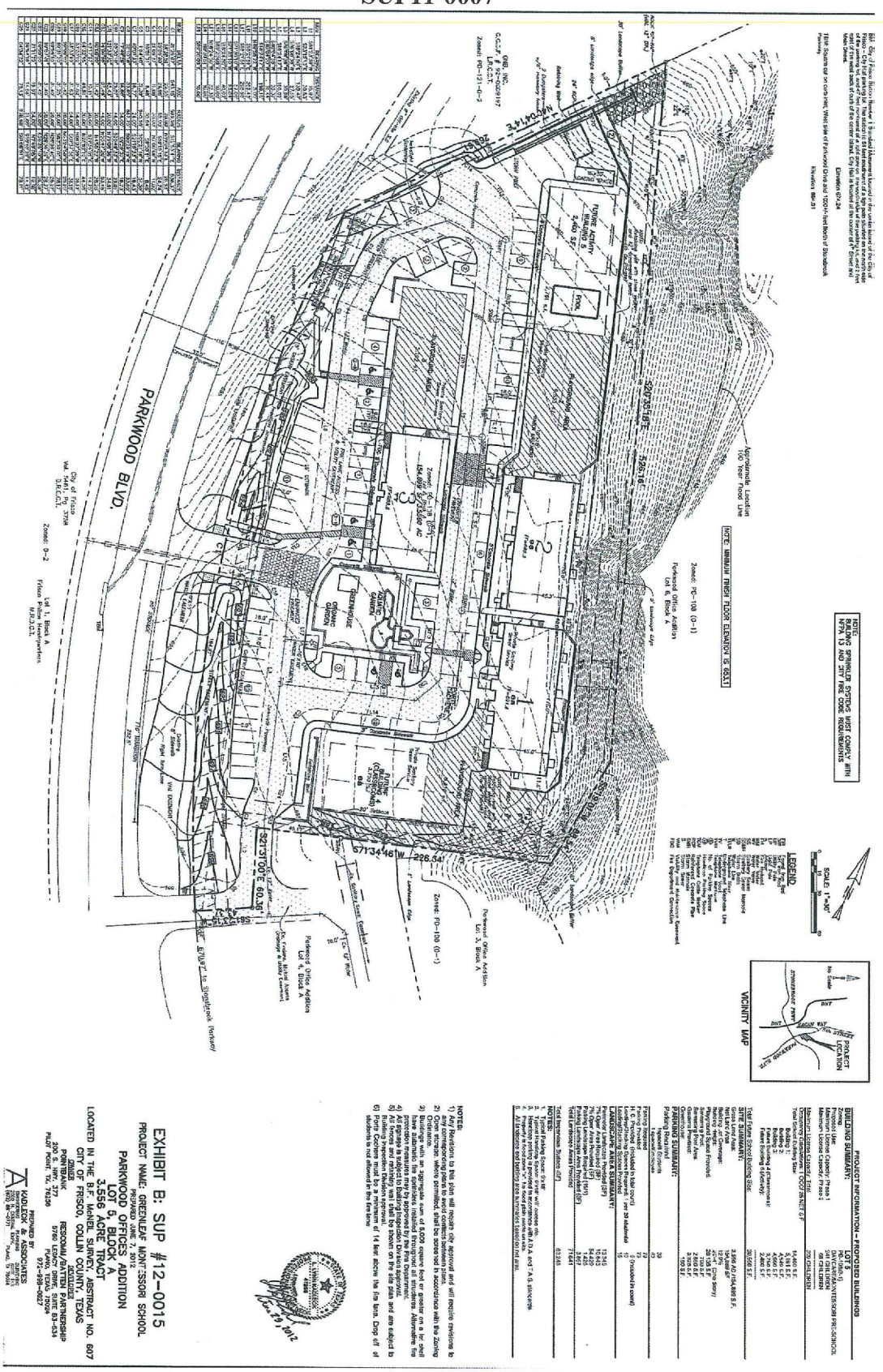

EXHIBIT A: SUP #12--0015
PROJECT NAME: GREENLEAF MONTESSORI SCHOOL
PARKWOOD OFFICES ADDITION
LOT 5, BLOCK A
3.556 ACRE TRACT
LOCATED IN THE B.F. MAHEL SURVEY, ABSTRACT NO. 607
CITY OF FRISCO, COLLIN COUNTY, TEXAS
OWNER
POINTBANK
PO BOX 1000
PILOT POINT, TX. 76258
DEVELOPER
RESCOM/BATTEN PARTNERSHIP
9750 LEBANON
PLANO, TEXAS 75063
972--996--0027
PREPARED BY
KARLECK & ASSOCIATES
PARKWOOD BOULEVARD
POINT OF BEGINNING
LEGEND
LEGAL DESCRIPTION
VICINITY MAP
PROJECT LOCATION
SCALE: 1"=30'
S20°35'10"E 508.10'
N40°04'14"E 209.61'
S71°34'46"W 226.34'
S21°31'10"E 60.35'
N71°34'46"E 226.34'
N71°34'46"E 226.34'
S71°34'46"W 226.34'
S21°31'10"E 60.35'
S71°34'46"W 226.34'
S21°31'10"E 60.35'
N71°34'46"E 226.34'
S21°31'10"E 60.35'
N71°34'46"E 226.34'
S71°34'46"W

Exhibit "B"
SUP11-0007



AGENDA ITEM #14.

PROGRESS IN MOTION

Development Services Department
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

Cc: **George A. Purefoy, City Manager**
John Lettelleir, AICP, Director of Development Services

From: **Michael Walker, AICP, Senior Planner**

Date: **8/23/2012**

Agenda Caption: **Public Hearing: Zoning Case Z12-0015. A request to amend Planned Development-31, rezoning a 3.1± acre tract from PD-31-Office-1 to PD-31-Highway and consider and act to direct staff to prepare an Ordinance of the same. The property contains 131.9± acres on the north side of State Highway 121 between Legacy Drive and Dallas Parkway. Zoned Planned Development-31-Garden Office/Commercial/Office/Commercial Center/Business Center. Proposed Zoning Planned Development-31-Office-1/Retail/Highway. Neighborhood #34.**

Action Requested: Hold the public hearing and direct staff in the preparation of an Ordinance.

Background Information: The McDavid Auto Group has submitted an application to amend a portion of Planned Development-31 to allow for an expansion to their automobile dealership.

Board Review/Citizen Input: The Planning & Zoning Commission held a public hearing on the request at their August 14, 2012 meeting and recommended approval of the request as outlined in the Outcome Memo by a vote of 6-0.

Alternatives: The City Council can:

- Approve the request and direct staff to prepare an Ordinance;
- Deny the request;
- Approve the request with conditions and direct staff to prepare an Ordinance; or
- Table for further review.

Financial Considerations: Not applicable.

Legal Review: Not applicable at this time.

Supporting Documents:

- Planning & Zoning Commission Outcome Memo dated August 15, 2012.
- Staff report.
- Location Map
- Exhibits

Recommendation: Recommended for approval as submitted.

DEVELOPMENT SERVICES

GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
TEL 972.292.5300 · FAX 972.292.5388
WWW.FRISCOTEXAS.GOV

August 15, 2012

TO: Applicant

FROM: Michael Walker, AICP *MW*
Senior Planner

SUBJECT: Results of the Planning & Zoning Commission, August 14, 2012

Public Hearing - Zoning: DMc Addition/121 Autoplex (Z12-0015)
Owner(s): Multiple Property Owners

Description:
A request to amend Planned Development-31, rezoning a 3.1± acre tract from PD-31-Office-1 to PD-31-Highway. The property contains 131.9± acres on the north side of State Highway 121 between Legacy Drive and Dallas Parkway. Zoned Planned Development-31-Garden Office/Commercial Office/Commercial Center/Business Center. Requested Zoning Planned Development-31-Office-1/Retail/Highway. Neighborhood #34. MW

Result/Action:

Approved: 6-0
Denied:
Tabled:

ACTION:

The item was recommended for approval subject to the following development standards:

Exhibit B

Development Standards

1.0 Tract A – Office-1

1.1 Permitted Uses – In accordance with the Office-1 Zoning District with the following additional use:

1.1.1 Retail/Service, Incidental

1.2 Front Yard – Twenty (20) feet.

1.3 Side Yard – Ten (10) feet.

1.4 Rear Yard – Twenty (20) feet, however, no office building shall be constructed nearer than 75 feet from the rear property line as shown on Exhibit A.

1.5 Maximum Lot Coverage – Forty (40%) percent.

2.0 Tract B – Retail

2.1 Permitted Uses – In accordance with the Retail Zoning District, including all uses permitted in Tract A.

2.2 Front Yard – Twenty (20) feet.

2.3 Side Yard – Ten (10) feet.

2.4 Rear Yard – Twenty (20) feet, however, no building shall be constructed nearer than 75 feet from the rear property line as shown on Exhibit A.

3.0 Tracts C and D – Highway

3.1 Permitted Uses – In accordance with the Highway Zoning District with the following additional uses:

3.1.1 All uses permitted in Tracts A and B.

3.1.2 Automobile Sales/Leasing, New

3.2 Side Yard – Ten (10) feet

3.3 Rear Yard – Twenty-five (25) feet.

4.0 General Conditions

4.1 Building Height in relation to the Stonebriar Creek Subdivision

4.1.1 Within 75 feet as shown on Exhibit A – No buildings allowed.

4.1.2 Within 200 feet as shown on Exhibit A – One Story, not to exceed 22 feet in height.

4.1.3 Within 300 feet, as shown on Exhibit A – Two Story, not to exceed 32 feet in height.

4.1.4 Beyond 300 feet, as shown on Exhibit A – Four Story, or 48 feet in height. From this point, a building's height may increase one-foot (1') for every two feet (2') beyond the Stonebriar Creek Subdivision.

4.2 Buildings located within 75 to 200 feet of the common property line of the Stonebriar Creek Subdivision must have a pitched roof.

Final approval requires action by the City Council.

MW/kj

cc:	Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
	Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
	Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
	Paul Knippel	Phillip Climer	Poly Birika	

August 14, 2012

Public Hearing - Zoning: DMc Addition/121 Autoplex (Z12-0015)
Owner(s): Multiple Property Owners

DESCRIPTION:

A request to amend Planned Development-31, rezoning a 3.1± acre tract from PD-31-Office-1 to PD-31-Highway. The property contains 131.9± acres on the north side of State Highway 121 between Legacy Drive and Dallas Parkway. Zoned Planned Development-31-Garden Office/Commercial Office/Commercial Center/Business Center. Requested Zoning Planned Development-31-Office-1/Retail/Highway. Neighborhood #34. MW

HISTORY:

Ordinance No. 86-05-04 – Adopted May 5, 1986, which established the Planned Development.

Ordinance No. 02-04-47 – Adopted April 16, 2002, amending the Planned Development regarding screening requirements.

Z12-0010 – City Council approved the zoning request by the Van Tuyl Auto Group, which similarly rezoned a 12.9± acre tract within PD-31 on July 31, 2012. This request also reclassified the zoning designations. Awaiting Ordinance adoption.

CASE OVERVIEW:

The McDavid Auto Group has submitted an application to amend a portion of Planned Development-31 to allow for an expansion to their automobile dealership. The surrounding land uses are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Residential	Agricultural, Planned Development-81-Patio Home, and Planned Development-98-Office-2	Residential
East	Retail	Planned Development-25-Business Center	Mixed-Use Non-Residential
South	City of Plano	Commercial Employment	Major Corridor Development
West	Retail/Mixed Use	Planned Development-178-Mixed Use	Mixed-Use Non-Residential

The 2006 Comprehensive Plan

Natural Resources – The Comprehensive Plan identifies floodplain/wetland areas and sensitive habitats in association with the tributary that traverses the eastern portion of the property (adjacent to the David McDavid Honda dealership).

Future Land Use Plan – The Future Land Use Plan (FLUP) designates Mixed-Use, Non-Residential and Retail for this property. The non-residential request complies with the FLUP.

Parks, Recreation & Open Space Master Plan – An off-street hike and bike trail is shown on the Hike & Bike Master Plan along Dallas Parkway and an on-street trail along Legacy Drive. The hike and bike trail along Dallas Parkway was provided with the David McDavid development.

Transportation Strategy

- **Thoroughfare Plan –** State Highway 121 and the Dallas North Tollway, both Highway/Tollways are adjacent to the property on the south and east. Legacy Drive, a six-lane major thoroughfare, is adjacent to the site on the west.

- **Traffic Impact Analysis** – A Traffic Impact Analysis is not required since the portion of the Planned Development being amended is not large enough to create a change in trip generation.

- **Access** – Access to the development will be provided from State Highway 121 and Dallas Parkway.

Existing Utilities

- **Water –** Water lines currently serve this property. Additional service lines will need to be extended into the site at the time of development.
- **Sanitary Sewer –** Sanitary sewer lines currently serve this property. Additional service lines will need to be extended into the site at the time of development.

Schools – The property is within the Frisco Independent School District. Frisco Independent School District has not indicated a need for an additional school on this site.

RECONFIGURATION OF ZONING BOUNDARIES

The applicant is requesting to rezone a 3.1± acre portion of Tract A to Tract C to allow for the storage of automobiles in conjunction with the David McDavid Honda dealership.

Automotive Sales (or accessory storage) are not permitted in Tract A of the Planned Development. While the request would change the base zoning of the tract to allow the storage of automobiles, all setbacks associated with the Stonebriar Creek subdivision would still apply to the Planned Development. This request is similar to the request to amend the western portion of this Planned Development.

RECLASSIFICATION OF ZONING DESIGNATIONS

Continuing with the reclassification of the obsolete zoning designations as approved in Zoning Case No. Z12-0010, the base zoning classifications for PD-31 will be as follows:

Tract A – Garden Office to Office-1 (O-1)
Tract B – Commercial Office to Retail (R)
Tracts C & D – Commercial Center and Business Center to Highway (H)

Development standards for each tract are the same as what were approved with Zoning Case Z12-0010 and are included in the Recommendation.

SUMMARY:

The applicant's request to rezone the 3.1± acre portion of Tract A to allow Automobile Sales is consistent with the surrounding development. Staff is in support of the request.

RECOMMENDATION:

Recommended for approval subject to the following development standards:

Exhibit B
Development Standards

1.0 Tract A – Office-1
- 1.1 Permitted Uses – In accordance with the Office-1 Zoning District with the following additional use:
  - 1.1.1 Retail/Service, Incidental
- 1.2 Front Yard – Twenty (20) feet.
- 1.3 Side Yard – Ten (10) feet.
- 1.4 Rear Yard – Twenty (20) feet, however, no office building shall be constructed nearer than 75 feet from the rear property line as shown on Exhibit A.
- 1.5 Maximum Lot Coverage – Forty (40%) percent.

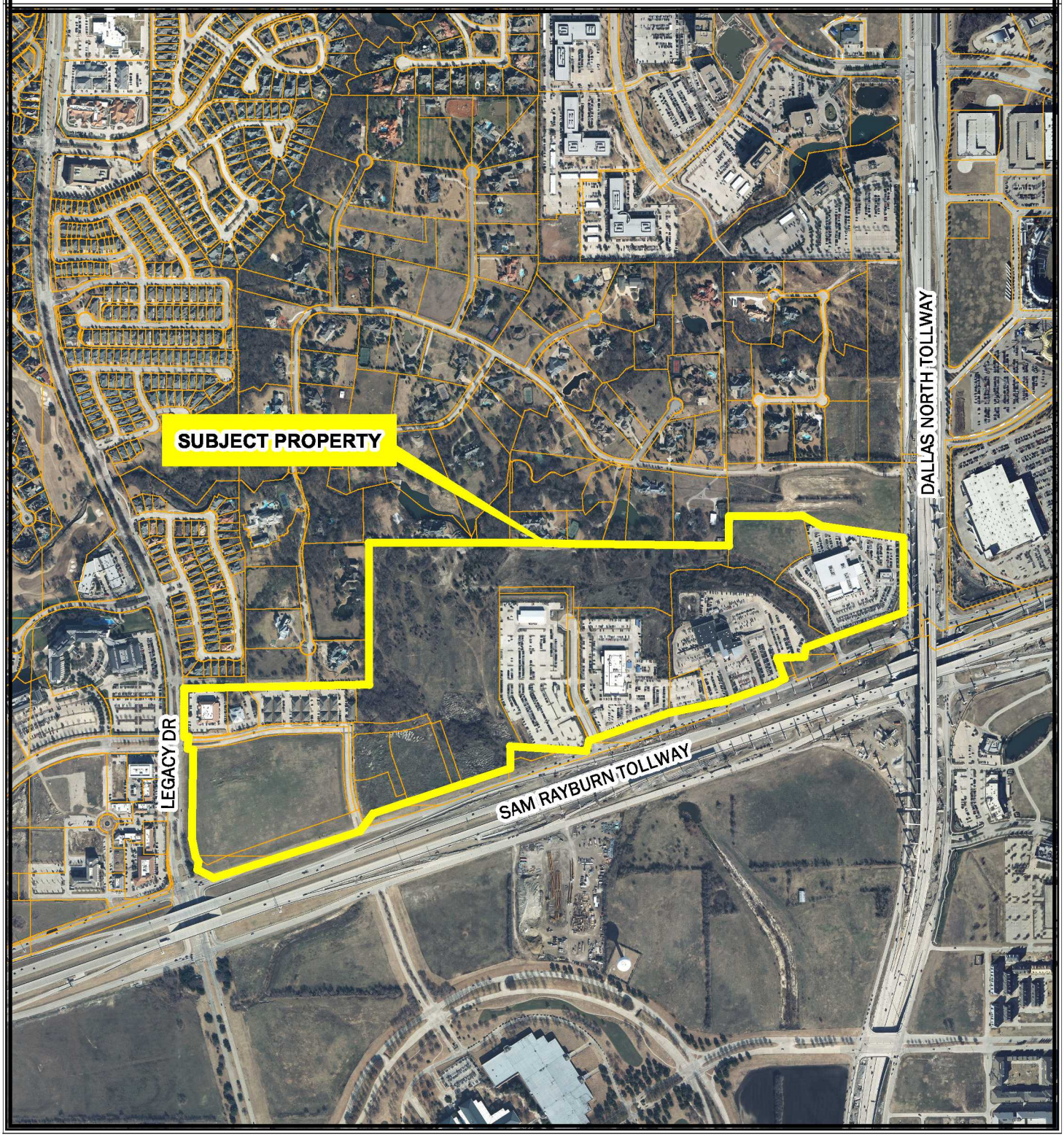
2.0 Tract B – Retail
- 2.1 Permitted Uses – In accordance with the Retail Zoning District, including all uses permitted in Tract A.
- 2.2 Front Yard – Twenty (20) feet.

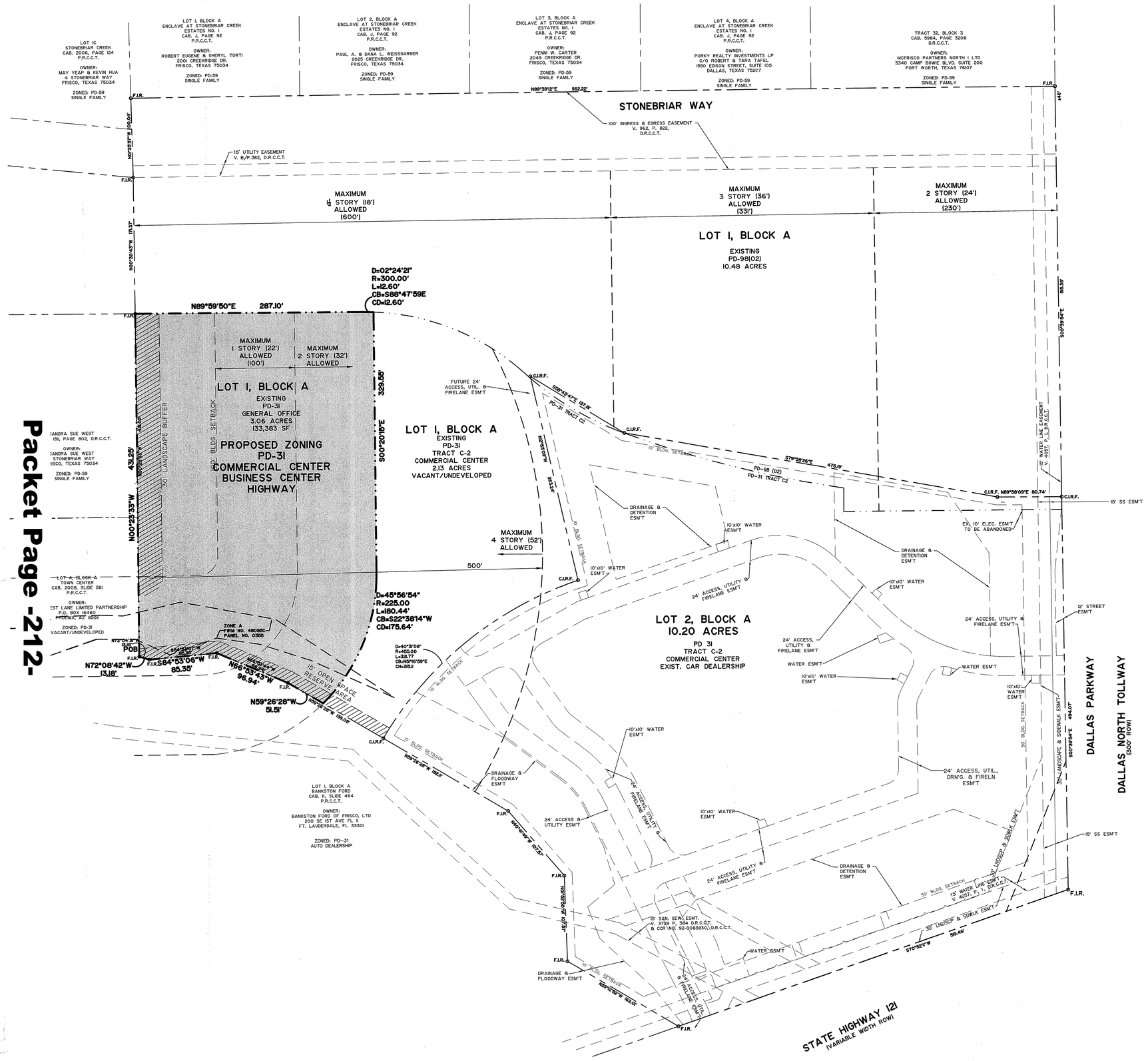
2.3 Side Yard – Ten (10) feet.
2.4 Rear Yard – Twenty (20) feet, however, no building shall be constructed nearer than 75 feet from the rear property line as shown on Exhibit A.

3.0 Tracts C and D – Highway
3.1 Permitted Uses – In accordance with the Highway Zoning District with the following additional uses:
3.1.1 All uses permitted in Tracts A and B.
3.1.2 Automobile Sales/Leasing, New
3.2 Side Yard – Ten (10) feet
3.3 Rear Yard – Twenty-five (25) feet.

4.0 General Conditions
4.1 Building Height in relation to the Stonebriar Creek Subdivision
4.1.1 Within 75 feet as shown on Exhibit A – No buildings allowed.
4.1.2 Within 200 feet as shown on Exhibit A – One Story, not to exceed 22 feet in height.
4.1.3 Within 300 feet, as shown on Exhibit A – Two Story, not to exceed 32 feet in height.
4.1.4 Beyond 300 feet, as shown on Exhibit A – Four Story, or 48 feet in height. From this point, a building's height may increase one-foot (1') for every two feet (2') beyond the Stonebriar Creek Subdivision.
4.2 Buildings located within 75 to 200 feet of the common property line of the Stonebriar Creek Subdivision must have a pitched roof.

Z12-0015
McDavid Honda





LEGAL DESCRIPTION:

BEING PART OF LOT 1, BLOCK A OF DMc, A PLATTED ADDITION TO THE CITY OF FRISCO AS RECORDED IN CABINET P ON SLIDE 843, PLAT RECORDS OF COLLIN COUNTY, TEXAS, AND BEING THAT TRACT OF LAND SITUATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY NO. 6, ABSTRACT NO. 149 IN THE CITY OF FRISCO, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON ROD AT THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK A OF DMc, AND SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF LOT 4, BLOCK A OF TOWN CENTER, A PLATTED ADDITION TO THE CITY OF FRISCO AS RECORDED IN CABINET 2008 ON SLIDE 561 PLAT RECORDS OF COLLIN COUNTY, TEXAS AND ALSO SAID CORNER LIES ON THE NORTH LINE OF LOT 1, BLOCK A OF BANKSTON FORD, A PLATTED ADDITION TO THE CITY OF FRISCO AS RECORDED IN CABINET K ON SLIDE 464 PLAT RECORDS OF COLLIN COUNTY, TEXAS;

THENCE, NORTH 00°23'33" WEST A DISTANCE OF 431.25' ALONG THE COMMON WEST LINE OF SAID LOT 1, BLOCK A OF DMc WITH THE EAST LINE OF LOT 4, BLOCK A OF TOWN CENTER AND CONTINUING ALONG WITH THE EAST LINE OF A TRACT OF LAND CONVEYED TO SANDRA SUE WEST AS RECORDED IN VOLUME 1511 ON PAGE 802, DEED RECORDS OF COLLIN COUNTY, TEXAS TO A FOUND IRON ROD FOR CORNER;

THENCE, NORTH 89°59'50" EAST A DISTANCE OF 287.10' TO A POINT FOR CORNER, SAID CORNER BEING THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE, 12.60' ALOND SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 02°24'21", SAID CURVE HAVING A RADIUS OF 300.00' AND A LONG CHORD LENGTH OF 12.60' WHICH BEARS SOUTH 88°47'59" EAST TO A POINT FOR CORNER;

THENCE, SOUTH 00°20'15" EAST A DISTANCE OF 329.55' TO A POINT FOR CORNER, SAID CORNER BEING THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE, 180.44' ALOND SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 45°56'54", SAID CURVE HAVING A RADIUS OF 225.00' AND A LONG CHORD LENGTH OF 175.64' WHICH BEARS SOUTH 22°38'14" WEST TO A POINT FOR CORNER, SAID CORNER BEING IN THE COMMON SOUTH LINE OF LOT 4, BLOCK A OF TOWN CENTER WITH THE NORTH LINE OF LOT 1, BLOCK A OF BANKSTON FORD;

THENCE, NORTH 59°26'26" WEST A DISTANCE OF 51.51' CONTINUING ALONG THE COMMON SOUTH LINE OF LOT 4, BLOCK A OF TOWN CENTER WITH THE NORTH LINE OF LOT 1, BLOCK A OF BANKSTON FORD TO A FOUND IRON ROD FOR CORNER;

THENCE, NORTH 66°53'43" WEST A DISTANCE OF 96.94' CONTINUING ALONG THE COMMON SOUTH LINE OF LOT 4, BLOCK A OF TOWN CENTER WITH THE NORTH LINE OF LOT 1, BLOCK A OF BANKSTON FORD TO A FOUND IRON ROD FOR CORNER;

THENCE, SOUTH 84°53'06" WEST A DISTANCE OF 85.35' CONTINUING ALONG THE COMMON SOUTH LINE OF LOT 4, BLOCK A OF TOWN CENTER WITH THE NORTH LINE OF LOT 1, BLOCK A OF BANKSTON FORD TO A FOUND IRON ROD FOR CORNER;

THENCE, NORTH 72°08'42" WEST A DISTANCE OF 13.18' CONTINUING ALONG THE COMMON SOUTH LINE OF LOT 4, BLOCK A OF TOWN CENTER WITH THE NORTH LINE OF LOT 1, BLOCK A OF BANKSTON FORD TO A FOUND IRON ROD FOR CORNER BACK TO THE PLACE OF BEGINNING AND CONTAINING 3.06 ACRES (133,383 SQ. FT.) OF LAND.

SITE DATA:

TOTAL AREA TO BE REZONED:	3.06 ACRES (133,383 SF)
CURRENT ZONING:	PD-31, GENERAL OFFICE
PROPOSED ZONING:	PD-31, COMMERCIAL CENTER, BUSINESS CENTER, HIGHWAY
PURPOSE OF REZONING:	SAME USES ALLOWED IN ZONING CATEGORY "TRACT C2"
PROPOSED USE:	ADDITIONAL AUTOMOBILE PARKING STORAGE FOR EXISTING DEALERSHIP.

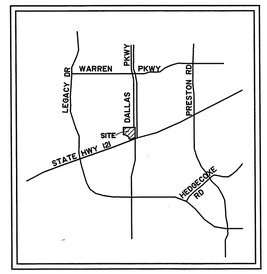
LEGEND:

F.I.R.	FOUND IRON ROD
C.I.R.F	CAPPED IRON ROD FOUND INSCRIPTED "RPLS 3752"
	AREA TO BE REZONED

1"=60'

60 30 0 60

SCALE FEET

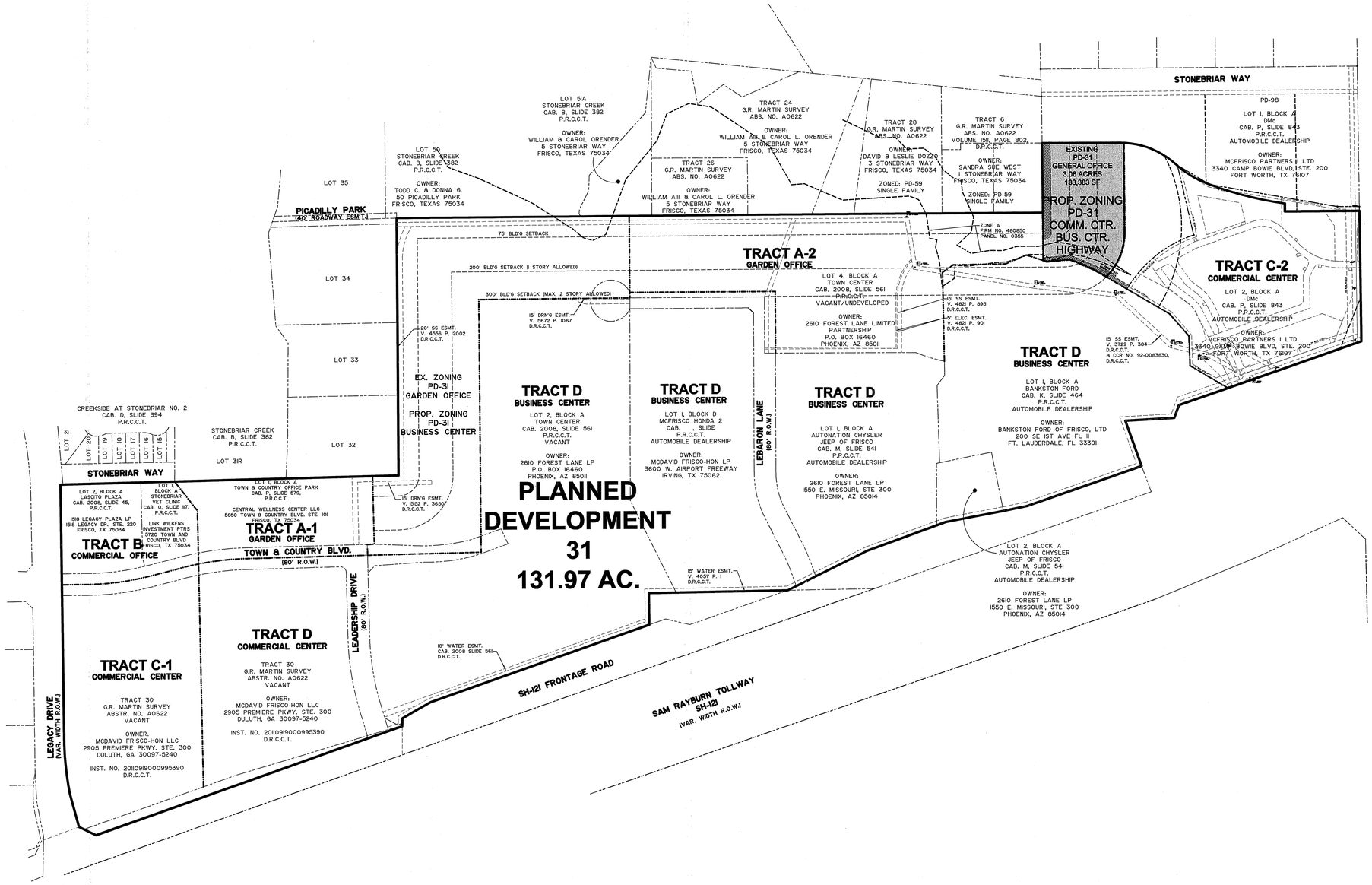


VICINITY MAP
N.T.S.

EXHIBIT A1
FOR
Z12-0015
OF
DMc ADDITION
PART OF LOT 1, BLOCK A
3.06 ACRES
OUT OF THE
COLLIN COUNTY SCHOOL LAND #6 SURVEY
ABSTRACT NO. 149
CITY OF FRISCO, COLLIN COUNTY, TEXAS
JULY 31, 2012

OWNER:
McFRISCO PARTNERS I, LTD.
3340 CAMP BOWIE BLVD. STE. 200
FORT WORTH, TX 76107
(817) 546-3630

SURVEYOR:
VIEWTECH ENGINEERS, INC.
4205 BELTWAY DRIVE
ADDISON, TEXAS 75001
TEL. 972 661-8187
CONTACT: VICTOR LISSIAK JR.
RPLS 3752



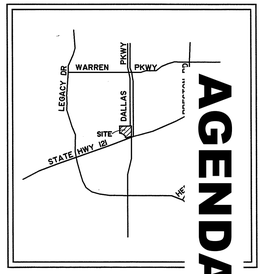
LEGEND:

F.I.R.	FOUND IRON ROD
C.I.R.F	CAPPED IRON ROD FOUND INSCRIPTED "RPLS 3752"
	AREA TO BE REZONED

1"=200'

200 100 0 200

SCALE FEET



VICINITY MAP
N.T.S.

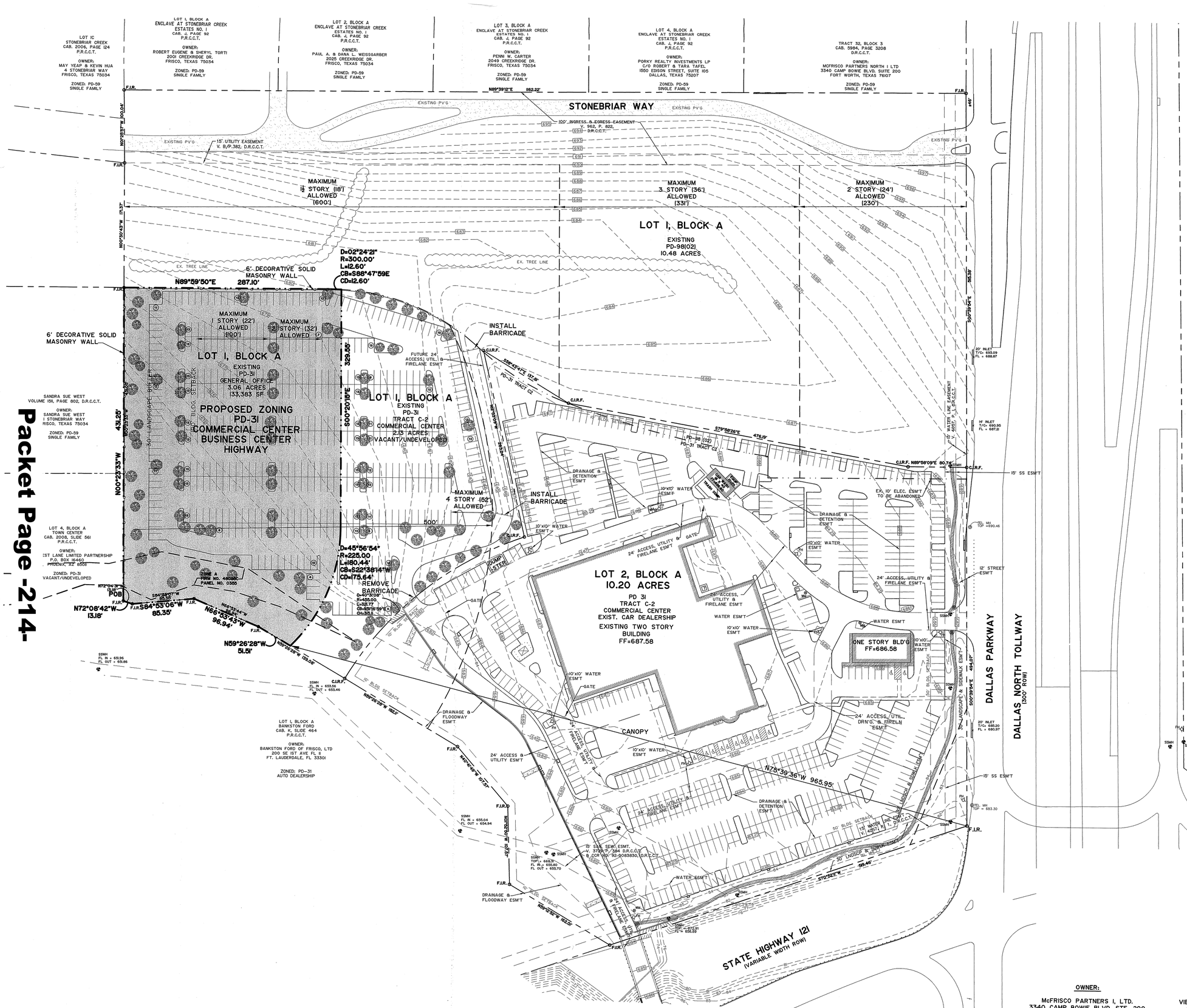
EXHIBIT A2
FOR
Z12-0015
OF
DMc ADDITION
PART OF LOT 1, BLOCK
3.06 ACRES
OUT OF THE
COLLIN COUNTY SCHOOL LAND # VEY
ABSTRACT NO. 149
CITY OF FRISCO, COLLIN COUNT AS
JULY 31, 2012

OWNER:

McFRISCO PARTNERS I, LTD.
3340 CAMP BOWIE BLVD. STE. 200
FORT WORTH, TX 76107
(817) 546-3630

SURVEYOR:

VIEWTECH ENGINEERS, INC.
4205 BELTWAY DRIVE
ADDISON, TEXAS 75001
TEL. 972 661-8187
CONTACT: VICTOR LISSIAK JR.
RPLS 3752



VICINITY MAP
N.T.S.

SITE NOTES:

1. ADDITIONAL PARKING PROVIDED: 477 SPACES
2. A PORTION OF THE PROPERTY IS LOCATED WITHIN ZONE A, BY FLOOD INSURANCE RATE MAP NO. 480285C, COMMUNITY NO. PANEL NO. 0355, EFFECTIVE JUNE 2, 2009 WHICH SUCH MAP PANEL COVERS THE AREA IN WHICH THE PROPERTY IS SITUATED.

LEGEND:

SSMH	EXIST. SANITARY SEWER MANHOLE
PP	EXIST. POWER POLE
LP	EXIST. LIGHT POLE
FH	EXIST. FIRE HYDRANT
WM	EXIST. WATER METER
WV	EXIST. WATER VALVE
TEL. MH	EXIST. TEL. MANHOLE
TEL	EXIST. TEL. LINE
ELE	EXIST. ELECT. LINE
F.I.R.	FOUND IRON ROD
C.I.R.F	CAPPED IRON ROD FOUND INSCRIPTED "RPLS 3752"

OWNER:
McFRISCO PARTNERS I, LTD.
3340 CAMP BOWIE BLVD. STE. 200
FORT WORTH, TX 76107
(817) 546-3630

SURVEYOR:
VIEWTECH ENGINEERS, INC.
4205 BELTWAY DRIVE
ADDISON, TEXAS 75001
TEL. 972 661-8187
CONTACT: VICTOR LISSIAK JR.
RPLS 3752

EXHIBIT C
FOR
Z12-0015
OF
DMc ADDITION
PART OF LOT 1, BLOCK A
3.06 ACRES
OUT OF THE
COLLIN COUNTY SCHOOL LAND #6 SURVEY
ABSTRACT NO. 149
CITY OF FRISCO, COLLIN COUNTY, TEXAS
JULY 31, 2012

AGENDA ITEM #15.

PROGRESS IN MOTION

Development Services Department
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

Cc: **George A. Purefoy, City Manager**
John Lettelleir, AICP, Director of Development Services

From: **Michael Walker, AICP, Senior Planner**

Date: **8/23/2012**

Agenda Caption: **Public Hearing: Zoning Case Z12-0011. A request to rezone 0.4± acres on the west side of Esther Way, 250± feet south of Wade Boulevard from Industrial to Commercial-2 and consider and act to direct staff to prepare an Ordinance of the same. Zoned Industrial. Neighborhood #23.**

Action Requested: Hold the public hearing and direct staff in the preparation of an Ordinance.

Background Information: The applicant, Spanish Schoolhouse, Inc., requests to rezone a half-acre site from Industrial to Commercial-2. The applicant intends to develop a day care on the property (see companion item SUP12-0014). Staff recommended the applicant rezone the Industrial zoned property to Commercial-2 so that the entire lot will have the same zoning and be considered for a Child Care Facility. A Child Care Facility is prohibited in the Industrial zoning district.

Board Review/Citizen Input: The Planning & Zoning Commission held a public hearing on the request at their August 14, 2012 meeting and recommended approval of the request as outlined in the Outcome Memo by a vote of 6-0.

Alternatives: The City Council can:

- Approve the request and direct staff to prepare an Ordinance;
- Deny the request;
- Approve the request with conditions and direct staff to prepare an Ordinance; or
- Table for further review.

Financial Considerations: Not applicable.

Legal Review: Not applicable at this time.

Supporting Documents:

- Planning & Zoning Commission Outcome Memo dated August 15, 2012.
- Staff report.
- Location Map
- Exhibits

Recommendation: Recommended for approval as submitted.

DEVELOPMENT SERVICES

GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
TEL 972.292.5300 · FAX 972.292.5388
WWW.FRISCOTEXAS.GOV

August 15, 2012

TO: Applicant

FROM: Michael Walker, AICP *MW*
Senior Planner

SUBJECT: Results of the Planning & Zoning Commission, August 14, 2012

Public Hearing -
Zoning: Spanish Schoolhouse, Block A, Lot 7
Lakes Office Park at Preston-Wade (Z12-0011)
Owner(s): MEVEC, Ltd.

Description:
A request to rezone 0.4± acres located on the west side of Esther Way, 250± feet south of Wade Boulevard, from Industrial to Commercial-2. Neighborhood #23. Tabled 6/26/12 and 7/24/12. MW

Result/Action:

Approved: 6-0
Denied:
Tabled:

ACTION:

The item was recommended for approval as Commercial-2. Final approval requires action by the City Council.

MW/kj

cc:	Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
	Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
	Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
	Paul Knippel	Phillip Climer	Poly Birika	

August 14, 2012

Public Hearing -
Zoning: Spanish Schoolhouse, Block A, Lot 7
Lakes Office Park at Preston-Wade (Z12-0011)
Owner(s): MEVEC, Ltd.

DESCRIPTION:

A request to rezone 0.4± acres located on the west side of Esther Way, 250± feet south of Wade Boulevard, from Industrial to Commercial-2. Neighborhood #23. Tabled 6/26/12 and 7/24/12. MW

HISTORY:

Ordinance No. 442 – City Council approved an ordinance in 1977 annexing 67.1± acres, including the tract under consideration, and zoned the property Light Industrial (now Industrial) and Heavy Commercial (now Commercial-2).

CASE OVERVIEW:

This item was tabled at the July 24, 2012 Planning & Zoning Commission meeting to allow additional time for the applicant to submit a Traffic Circulation Study in conjunction with the Specific Use Permit request for the Day Care (see SUP12-0014). The applicant, Spanish Schoolhouse, Inc., requests to rezone a half-acre site from Industrial to Commercial-2. The applicant intends to develop a day care on the property (see companion items SUP12-0014 and PSPCP12-0005). Staff recommended the applicant rezone the Industrial zoned property to Commercial-2 so that the entire lot will have the same zoning.

The surrounding land uses are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Day Care	Industrial w/SUP for Day Care	Retail
East	Vacant	Industrial and Commercial-2	Retail
South	Vacant	Commercial-2	Retail
West	Vacant	Commercial-2	Retail

2006 Comprehensive Plan

Natural Resources – The Comprehensive Plan does not identify any significant natural resources on the property.

Future Land Use Plan – The Future Land Use Plan designates Retail uses for the property. The request complies with the Future Land Use Plan.

Parks, Recreation & Open Space Master Plan – The Hike and Bike Master Plan shows the nearest hike and bike trail being along Wade Boulevard. There are no trail connections through this property.

Transportation Strategy

- **The Thoroughfare Plan** – The property is not adjacent to a street on the thoroughfare plan.

- **Traffic Impact Analysis** – A Traffic Impact Analysis (TIA) was not required as the proposed zoning complies with the Future Land Use Plan. A Traffic Circulation Analysis was submitted in conjunction with SUP12-0014.

- **Access** – Access will be provided from Esther Way and through the development of property to the east.

Existing Utilities

- **Water** – A 12" water line is stubbed to the property at the end of Esther Way.

- **Sanitary Sewer** – A 10" sewer line exists along the western portion of the property.

Schools – The property is located within the Frisco Independent School District. Spears Elementary School is on the north side of Wade Boulevard near this property. The ISD does not need a school on this site.

SUMMARY:

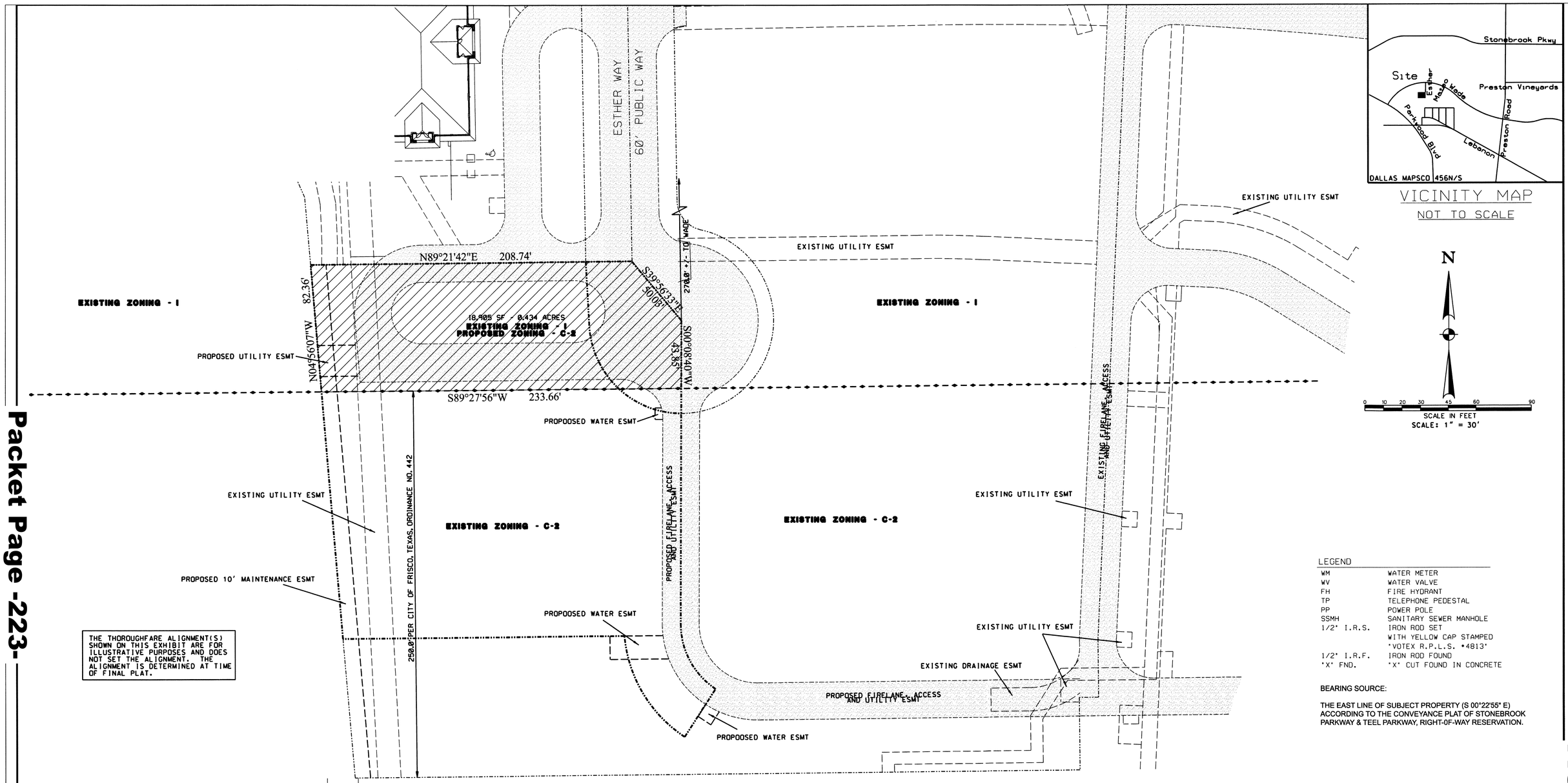
Staff supports this zoning request, as it will allow the tract to be zoned consistently and the request conforms to the Comprehensive Plan.

RECOMMENDATION:

Recommended for approval as Commercial-2.

Z12-0011
Spanish Schoolhouse of Frisco





VICINITY MAP
NOT TO SCALE

THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATIVE PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAT.

LEGEND

WM	WATER METER
WV	WATER VALVE
FH	FIRE HYDRANT
TP	TELEPHONE PEDESTAL
PP	POWER POLE
SSMH	SANITARY SEWER MANHOLE
1/2" I.R.S.	IRON ROD SET WITH YELLOW CAP STAMPED "VOTEX R.P.L.S. •4813"
1/2" I.R.F.	IRON ROD FOUND
"X" FND.	"X" CUT FOUND IN CONCRETE

BEARING SOURCE:

THE EAST LINE OF SUBJECT PROPERTY (S 00°22'55" E) ACCORDING TO THE CONVEYANCE PLAT OF STONEBROOK PARKWAY & TEEL PARKWAY, RIGHT-OF-WAY RESERVATION.

BEING A TRACT OF LAND SITUATED IN THE JAMES BOLIN SURVEY, ABSTRACT NO. 32, IN THE CITY OF FRISCO, COLLIN COUNTY, TEXAS AND BEING A PART OF LOT 6, BLOCK A, OF LAKESIDE OFFICE PARK AT PRESTON-WADE, AS RECORDED IN VOLUME 2007, PAGE 188, OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS (M.R.C.C.T.), SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5686" (HEREIN AFTER REFERRED TO AS A CAPPED IRON ROD SET) AT THE MOST WESTERLY NORTHWEST CORNER OF SAID LOT 6, SAME BEING THE SOUTHWESTERLY CORNER OF LOT 5, BLOCK A, OF LAKESIDE OFFICE PARK AT PRESTON-WADE, AS RECORDED IN VOLUME 2006, PAGE 194, M.R.C.C.T., SAID CORNER ALSO BEING IN THE EASTERLY LINE OF THE REMAINDER OF THAT TRACT OF LAND DESCRIBED BY DEED TO MATHESA (I) LTD., AS RECORDED IN VOLUME 4604, PAGE 1895, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS (D.R.C.C.T.);

THENCE NORTH 89°21'42" EAST, ALONG THE COMMON LINE BETWEEN SAID LOTS 5 AND 6, A DISTANCE OF 208.74' TO AN "X" CUT FOUND FOR CORNER IN ESTHER WAY (30' PUBLIC WAY), SAME BEING AN "ELL" CORNER OF SAID LOT 6, AND ALSO BEING THE SOUTHEASTERLY CORNER OF SAID LOT 5;

THENCE OVER AND ACROSS SAID LOT 6, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 39°56'33" EAST, A DISTANCE OF 50.03' TO A CAPPED IRON ROD SET FOR CORNER;

SOUTH 00°08'40" WEST, A DISTANCE OF 43.85' TO A CAPPED IRON ROD SET;

SOUTH 89°27'56" WEST, A DISTANCE OF 233.66' TO A CAPPED IRON ROD SET IN THE AFOREMENTIONED WESTERLY LINE OF MATHESA (I) LTD. TRACT, SAME BEING THE WESTERLY LINE OF SAID LOT 6;

THENCE NORTH 04°56'07" WEST, ALONG THE COMMON LINE BETWEEN SAID MATHESA (I) LTD. TRACT AND LOT 6, A DISTANCE OF 82.36' TO THE POINT OF BEGINNING AND CONTAINING 0.434 ACRES OF LAND, MORE OR LESS.

EXISTING ZONING - MH PD-24

NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100 YEAR FLOODPLAIN AREA

OWNER: MEVEC, LTD. C/O MR. JIM NEWMAN 9801 CAMFIELD AVE FRISCO, TEXAS (972) 335-3334	APPLICANT: SPANISH SCHOOLHOUSE, INC. 2121 W. SPRING CREEK PARKWAY, SUTIE 211 PLANO, TEXAS 75023 MS. VICKIE WILLIAMS (469) 236-6823
SURVEYOR: NORTH TEXAS SURVEYING, INC. 1515 SOUTH McDONALD ST., SUITE 110 McKINNEY, TEXAS 75069 MR. MICHAEL B. ARTHUR (469) 424-2074	ENGINEER: HELMBERGER ASSOCIATES, INC. 1525 BOZMAN ROAD WYLIE, TEXAS 75098 MR. RANDALL T. HELMBERGER, P.E. (972) 442-7459

EXHIBIT A: FOR Z*12-0011

SPANISH SCHOOLHOUSE OF FRISCO

LOT 7 BLOCK A - LAKES OFFICE PARK AT PRESTON-WADE

0.434 ACRES - JAMES BOLIN SURVEY, ABST No. 32

FRISCO, TEXAS

TBPE REGISTRATION NO. F-000756

HELMBERGER ASSOCIATES, INC.
CIVIL AND ENVIRONMENTAL ENGINEERS
124 HOOPER ROAD, WYLIE TEXAS 75098 (972) 442-7459

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
HELM.	CADD	MAY 15TH 2012	1"=30'	ZONINGA	1221	

...\ZONINGA.DGN 6/11/2012 2:50:29 PM

AGENDA ITEM #16.

PROGRESS IN MOTION

Development Services Department
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

Cc: **George A. Purefoy, City Manager**
John Lettelleir, AICP, Director of Development Services

From: **Michael Walker, AICP, Senior Planner**

Date: **8/23/2012**

Agenda Caption: **Public Hearing: Specific Use Permit Case SUP12-0014. A request for a Specific Use Permit for a Licensed Child Care Center on one lot on 1.3± acres on the west side of Esther Way and consider and act to direct staff to prepare an Ordinance of the same. Zoned Industrial. Proposed Zoning Commercial-1. Neighborhood #23.**

Action Requested: Hold the public hearing and direct staff in the preparation of an Ordinance.

Background Information: The applicant is requesting a Specific Use Permit to develop a day care.

Board Review/Citizen Input: The Planning & Zoning Commission held a public hearing on the request at their August 14, 2012 meeting and recommended approval of the request as outlined in the Outcome Memo by a vote of 5-1.

Alternatives: The City Council can:

- Approve the request and direct staff to prepare an Ordinance;
- Deny the request;
- Approve the request with conditions and direct staff to prepare an Ordinance; or
- Table for further review.

Financial Considerations: Not applicable.

Legal Review: Not applicable at this time.

Supporting Documents:

- Planning & Zoning Commission Outcome Memo dated August 15 2012.
- Staff report.
- Location Map
- Exhibits

Recommendation: Recommended for approval as submitted.

DEVELOPMENT SERVICES

GEORGE A. PUREFOY MUNICIPAL CENTER
6101 FRISCO SQUARE BLVD · 3RD FLOOR
FRISCO, TEXAS 75034
TEL 972.292.5300 · FAX 972.292.5388
WWW.FRISCOTEXAS.GOV

August 15, 2012

TO: Applicant

FROM: Michael Walker, AICP *MW*
Senior Planner

SUBJECT: Results of the Planning & Zoning Commission, August 14, 2012

Public Hearing -
Specific Use Permit: Spanish Schoolhouse - Lot 7, Block A - Lakes Office Park at Preston-Wade (SUP12-0014)
Owner(s): MEVEC, Ltd.

Description:
A request for a Specific Use Permit for a Licensed Child Care Center on one lot on 1.3± acres on the west side of Esther Way, 250± south of Wade Boulevard. Zoned Industrial and Commercial-2. Requested Zoning: Commercial-2. Neighborhood #23. Tabled 6/26/12 and 7/24/12. MW

Result/Action:

Approved: 5-1 (Will Russell opposed) Commissioner Russell was opposed to the proposed layout of the circulation study.
Denied:
Tabled:
ACTION:

The item was recommended for approval subject to:

1. A maximum enrollment of 150 children.
2. Landscape Architect's approval of the landscape plans in conjunction with the site plan submittal.
3. Adherence to the traffic flow pattern outlined in the Traffic Circulation Study.

Final approval requires action by the City Council.

MW/kj

cc:

Danny Carroll	Deanna Quigley	Dudley Raymond	Steve Covington
Gary Hartwell	Umberto Allori	Jim Cottone	Rick Wieland
Mack Borchardt	Michael Crain	Michele Wood	Michelle Ortega
Paul Knippel	Phillip Climer	Poly Birika	

August 14, 2012

Public Hearing -
Specific Use Permit: Spanish Schoolhouse - Lot 7, Block A - Lakes Office Park at Preston-Wade (SUP12-0014)
Owner(s): MEVEC, Ltd.

DESCRIPTION:

A request for a Specific Use Permit for a Licensed Child Care Center on one lot on 1.3± acres on the west side of Esther Way, 250± south of Wade Boulevard. Zoned Industrial and Commercial-2. Requested Zoning: Commercial-2. Neighborhood #23. Tabled 6/26/12 and 7/24/12. MW

HISTORY:

Ordinance No. 442 – City Council approved an ordinance in 1977 annexing 67.1± acres, including the tract under consideration, and zoned the property Light Industrial (now Industrial) and Heavy Commercial (now Commercial-2).

Case Z12-0011 – In conjunction with this Specific Use Permit (SUP) application, the property owner has submitted an application to change a 0.4± acre portion of Industrial zoning to Commercial-2.

CASE OVERVIEW:

This item must be removed from the table.

This item was tabled at the July 24, 2012 Planning & Zoning Commission meeting to all additional time for the applicant to submit at Traffic Circulation Study for the Day Care. The Zoning Ordinance requires an SUP for licensed child care centers in Commercial districts. The facility is proposed as part of an office development and will be licensed by the State for 150 children.

The surrounding land uses are as follows:

Direction	Land use	Zoning	Comprehensive plan
North	Day Care	Industrial w/SUP for Day Care	Retail

East	Vacant	Industrial and Commercial-2	Retail
South	Vacant	Commercial-2	Retail
West	Vacant	Commercial-2	Retail

TRAFFIC CIRCULATION STUDY:

The applicant submitted a Trip Generation and Traffic Circulation Study which describes the operations of the preschool adjacent to the site and analyzed queuing and circulation options for the proposed Spanish Schoolhouse. The traffic study describes how the Fingerprints Preschool currently uses Esther Way for ingress and egress and how traffic queues up on the public way during the afternoon pickup time in the fall and spring.

Although the intersection of Wade Boulevard and Esther Way could technically handle a significant amount of additional traffic based on the traffic capacity of the intersection itself, the amount of traffic that can turn into Esther Way will be limited by any Fingerprints traffic that is queued up on the public way. The traffic study recommends two methods of mitigating concerns about traffic on Esther Way: offset the operational hours of the two preschools or direct all Spanish Schoolhouse traffic to use another route to and from the school.

The Spanish Schoolhouse site would connect to Esther Way but would also build a new connection to the Lakes Office Park complex to the east, which will give it access to three other access points on Wade Boulevard. The traffic study recommends a route where all Spanish Schoolhouse traffic turns off of Wade Boulevard at Mateo Way and travels behind the Lakes Office Park complex to reach the preschool. All traffic would approach the Spanish Schoolhouse via this route, circulate through the preschool, and return back to Wade Boulevard using the same route (see attached exhibit.)

In this way, the traffic flows (and any queues) of the two preschools would not interact or conflict with each other. This circulation route takes place entirely on public ways or fire lane and access easements, both of which have been dedicated for public use.

The City's Traffic Engineering staff has reviewed this traffic study and concurs with the recommendation to separate the traffic flows of the two preschools during peak drop off and pick-up times to minimize any potential traffic conflict. The owners of the Spanish Schoolhouse have stated that they agree to require their parents to utilize the Mateo Way route shown in the attached exhibit during peak pick-up and drop off times. Therefore, this traffic circulation pattern should become a condition of the Specific Use Permit.

COMPATIBILITY CONSIDERATIONS:

When considering an application for a Specific Use Permit, the Planning & Zoning Commission may recommend and the City Council may establish conditions and regulations necessary to protect the health, safety, morals, and general welfare of the neighborhood and/or the City. In addition, the use shall be in general conformance with the Comprehensive Plan and general objectives of the City. These conditions are either addressed per this application or will be addressed during Site Plan review.

COMPREHENSIVE PLAN:

The Comprehensive Plan recommends that Licensed Child Care Centers should:

- Be located along major and minor thoroughfares, or as part of a mixed use development located on a collector street or higher;

  The Child Care Center is located off Wade Boulevard as part of an office development. Sufficient traffic circulation is provided.

- Have direct access from a median opening;

  Esther Way has a median opening at Wade Boulevard. In addition, as outlined in the Traffic Circulation Study, the Spanish Schoolhouse site will have additional access to median openings through cross access to the east.

- Be compatible in architectural character with surrounding residential uses or other used noted;

  The building will be a one-story stone and stucco structure with a pitched roof. The design will be compatible to the child care facility to the north.

- Provide screening of parking areas with landscaping or berms;

  Parking areas are internal to the site and do not require screening.

- Not be located at residential subdivision entrances;

  The Child Care Center is not located at a subdivision entrance.

- Provide an outdoor play space at a rate of sixty-five (65) square feet per child and have no dimension less than thirty (30) feet;

The Child Care Center is providing a fenced outdoor play space of 10,187 square feet along the south and west sides of the building which exceeds the amount required for 150 children.

SUMMARY:

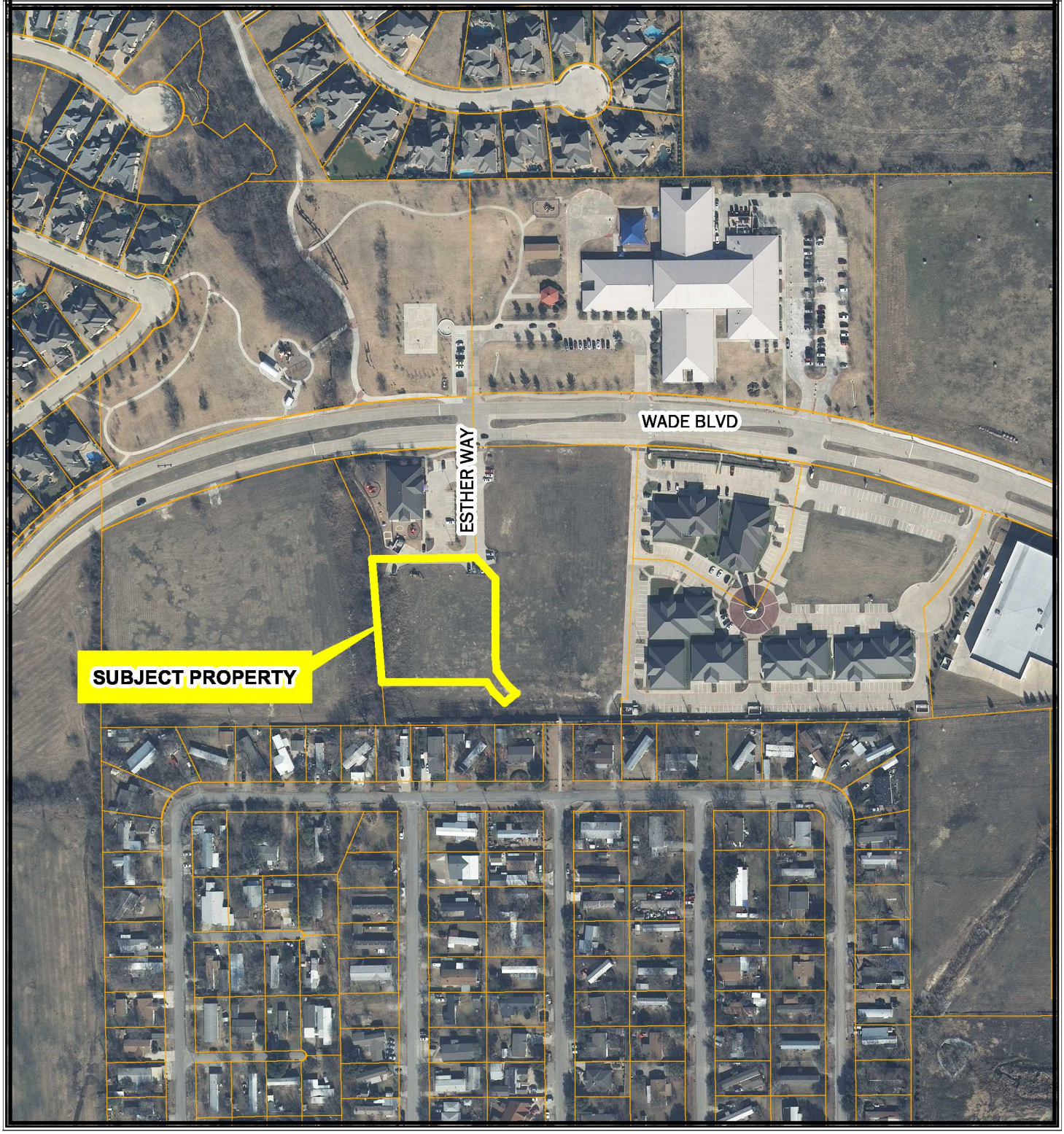
Staff is in support of this request as it is a compatible use for the surrounding properties.

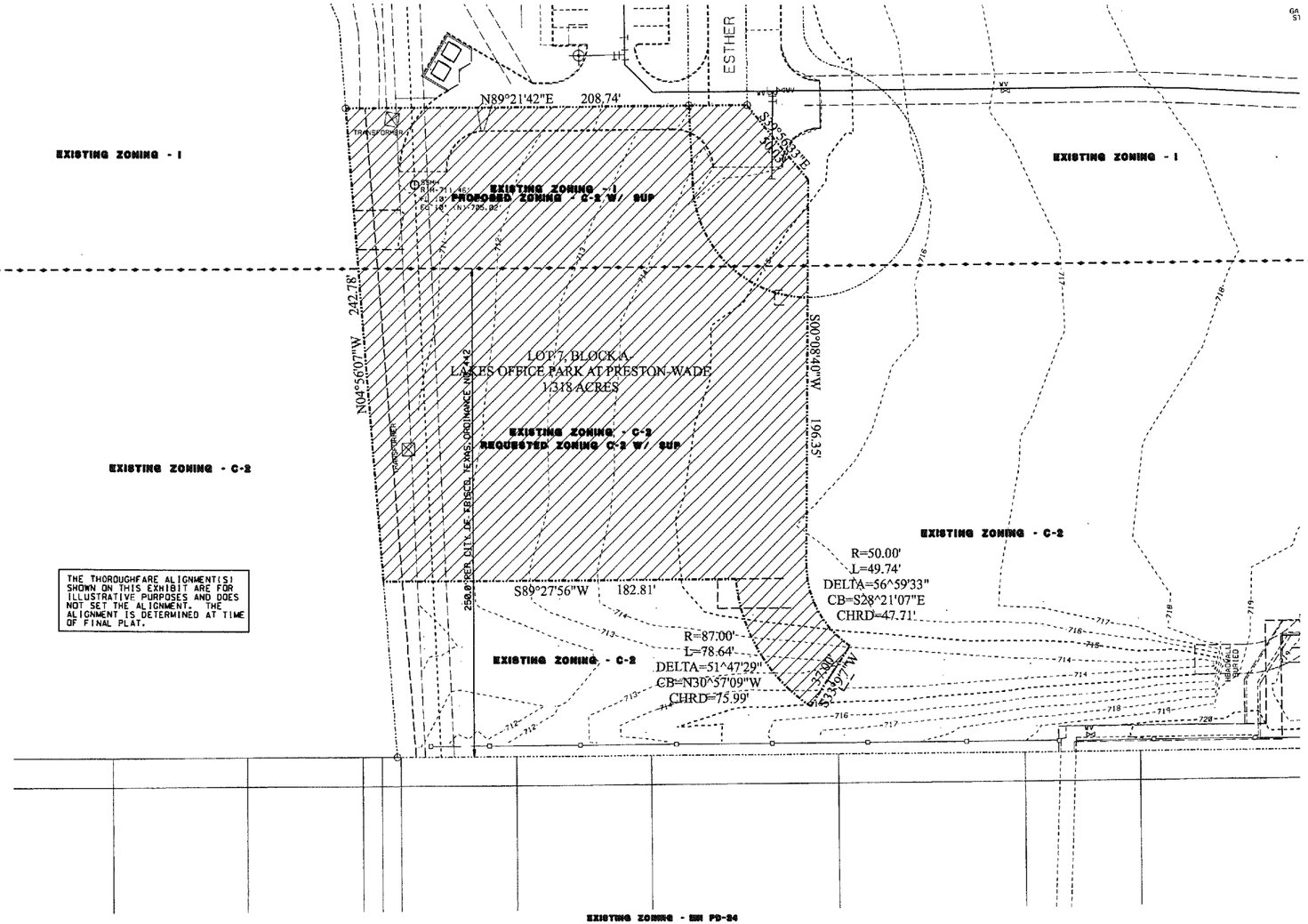
RECOMMENDATION:

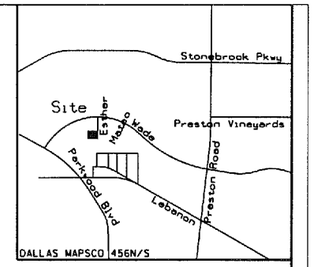
Recommended for approval subject to:

1. A maximum enrollment of 150 children.
2. Landscape Architect's approval of the landscape plans in conjunction with the site plan submittal.
3. Adherence to the traffic flow pattern outlined in the Traffic Circulation Study.

SUP12-0014
Spanish Schoolhouse of Frisco
Block A, Lot 7







VICINITY MAP

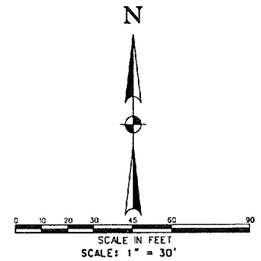
NOT TO SCALE

LEGEND

WM	WATER METER
WV	WATER VALVE
FH	FIRE HYDRANT
TP	TELEPHONE PEDESTAL
PP	POWER POLE
SSMH	SANITARY SEWER MANHOLE
1/2" I.R.S.	IRON ROD SET WITH YELLOW CAP STAMPED "VOTEX R.P.L.S. #4813"
1/2" I.R.F.	IRON ROD FOUND
"X" FND.	"X" CUT FOUND IN CONCRETE

BEARING SOURCE:

THE EAST LINE OF SUBJECT PROPERTY (S 00°22'55" E) ACCORDING TO THE CONVEYANCE PLAT OF STONEBROOK PARKWAY & TEEL PARKWAY, RIGHT-OF-WAY RESERVATION.



SCALE: 1" = 30'

BEING A TRACT OF LAND SITUATED IN THE JAMES BOLIN SURVEY, ABSTRACT NO. 32, IN THE CITY OF FRISCO, COLLIN COUNTY, TEXAS AND BEING A PART OF LOT 6, BLOCK A, OF LAKESIDE OFFICE PARK AT PRESTON-WADE, AS RECORDED IN VOLUME 2007, PAGE 188, OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS (M.R.C.C.T.), SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5686" (HEREIN AFTER REFERRED TO AS A CAPPED IRON ROD SET) AT THE MOST WESTERLY NORTHWEST CORNER OF SAID LOT 6, SAME BEING THE SOUTHWESTERLY CORNER OF LOT 5, BLOCK A, OF LAKESIDE OFFICE PARK AT PRESTON-WADE, AS RECORDED IN VOLUME 2006, PAGE 194, M.R.C.C.T., SAID CORNER ALSO BEING IN THE EASTERLY LINE OF THE REMAINDER OF THAT TRACT OF LAND DESCRIBED BY DEED TO MATHESA (I) LTD., AS RECORDED IN VOLUME 4604, PAGE 1895, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS (D.R.C.C.T.);

THENCE NORTH 89°21'42" EAST, ALONG THE COMMON LINE BETWEEN SAID LOTS 5 AND 6, A DISTANCE OF 208.74' TO AN "X" CUT FOUND FOR CORNER IN ESTHER WAY (30' PUBLIC WAY), SAME BEING AN "ELL" CORNER OF SAID LOT 6, AND ALSO BEING THE SOUTHEASTERLY CORNER OF SAID LOT 5;

THENCE OVER AND ACROSS SAID LOT 6, THE FOLLOWING COURSES AND DISTANCES:
SOUTH 39°56'33" EAST, A DISTANCE OF 50.03' TO A CAPPED IRON ROD SET FOR CORNER;
SOUTH 00°08'40" WEST, A DISTANCE OF 196.35' TO A CAPPED IRON ROD SET AT THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00', A CENTRAL ANGLE OF 56°59'33", AND A CHORD WHICH BEARS, SOUTH 28°21'07" EAST, A CHORD DISTANCE OF 47.71';
THENCE ALONG SAID CURVE TO THE LEFT, IN A SOUTHEASTERLY DIRECTION, AN ARC LENGTH OF 49.74' TO A CAPPED IRON ROD SET FOR CORNER;
SOUTH 33°09'07" WEST, A DISTANCE OF 37.00' TO A CAPPED IRON ROD SET AT THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 87.00', A CENTRAL ANGLE OF 51°47'29", AND A CHORD WHICH BEARS, NORTH 30°57'09" WEST, A CHORD DISTANCE OF 75.99';
THENCE ALONG SAID CURVE TO THE RIGHT, IN A NORTHWESTERLY DIRECTION, AN ARC LENGTH OF 78.64' TO A CAPPED IRON ROD SET FOR CORNER;
SOUTH 89°27'56" WEST, A DISTANCE OF 182.81' TO A CAPPED IRON ROD SET IN THE AFOREMENTIONED WESTERLY LINE OF MATHESA (I) LTD. TRACT, SAME BEING THE WESTERLY LINE OF SAID LOT 6;
THENCE NORTH 04°56'07" WEST, ALONG THE COMMON LINE BETWEEN SAID MATHESA (I) LTD. TRACT AND LOT 6, A DISTANCE OF 242.78' TO THE POINT OF BEGINNING AND CONTAINING 1.318 ACRES OF LAND, MORE OR LESS.

OWNER: MEVEC, LTD. C/O MR. JIM NEWMAN 9801 CAMFIELD AVE FRISCO, TEXAS (972) 335-3334	APPLICANT: SPANISH SCHOOLHOUSE, INC. 2121 W. SPRING CREEK PARKWAY, SUTIE 211 PLANO, TEXAS 75023 MS. VICKIE WILLIAMS (469) 236-6823
SURVEYOR: NORTH TEXAS SURVEYING, INC. 1515 SOUTH McDONALD ST., SUITE 110 McKINNEY, TEXAS 75069 MR. MICHAEL B. ARTHUR (469) 424-2074	ENGINEER: HELMBERGER ASSOCIATES, INC. 1525 BOZMAN ROAD WYLIE, TEXAS 75098 MR. RANDALL T. HELMBERGER, P.E. (972) 442-7459

NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100 YEAR FLOODPLAIN AREA

EXHIBIT A: SUP #12-0014

SPANISH SCHOOLHOUSE OF FRISCO

LOT 7 BLOCK A - LAKES OFFICE PARK AT PRESTON-WADE

1.318 ACRES - JAMES BOLIN SURVEY, ABST No. 32

FRISCO, TEXAS

TBPE REGISTRATION NO. F-000756

HELMBERGER ASSOCIATES, INC.
CIVIL AND ENVIRONMENTAL ENGINEERS
124 HOOPER ROAD, WYLIE, TEXAS 75098 (972) 442-7459

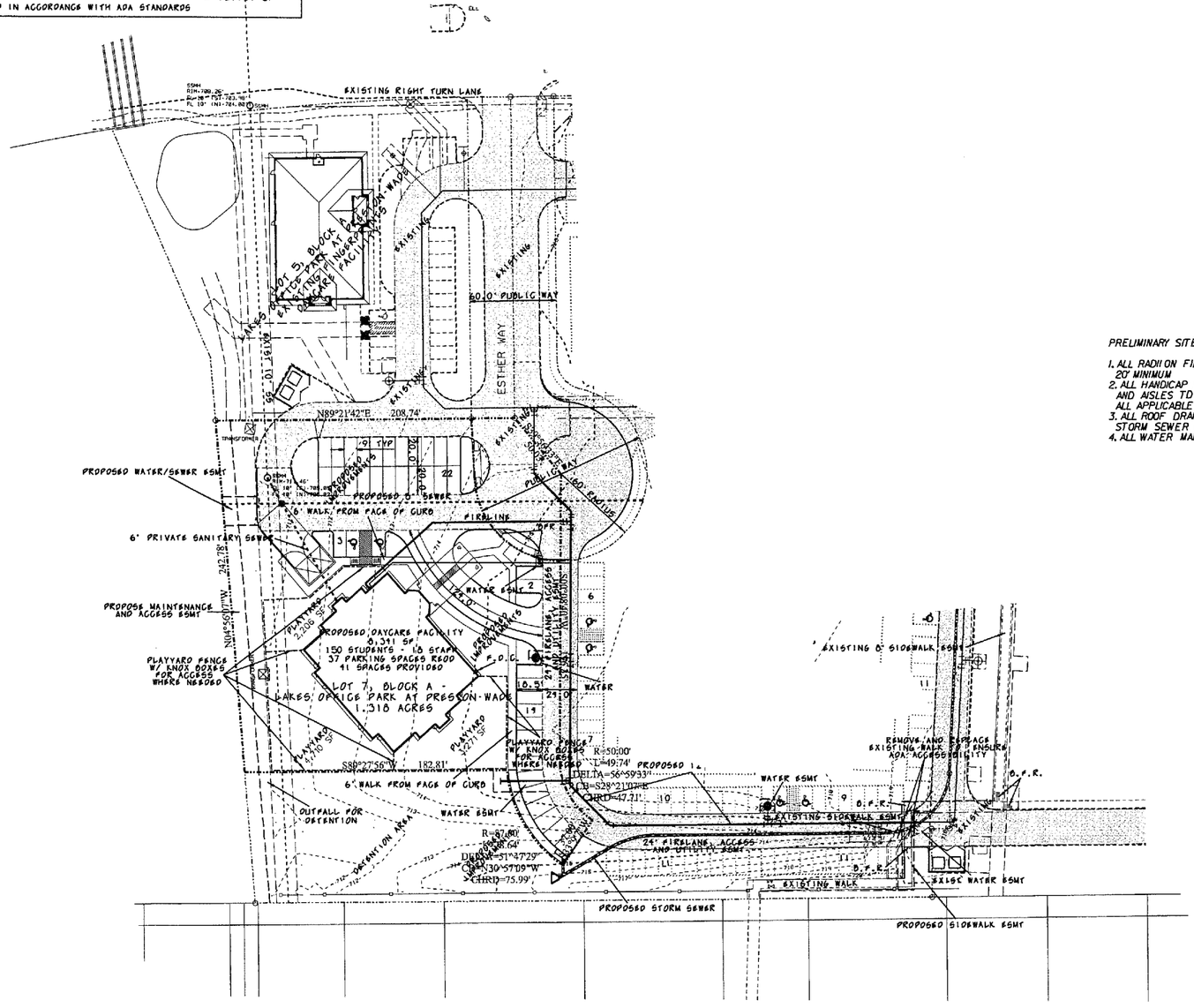
DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
HELM.	CADD	MAY 29TH 2012	1"=30'	EXHIBITA	1221	

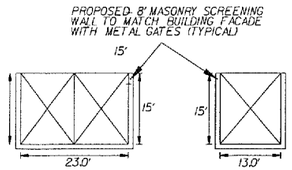
..\EXHIBITA.DGN 6/15/2012 10:16:03 AM

LOT 7, BLOCK A - LAKES OFFICE PARK AT PRESTON-WADE

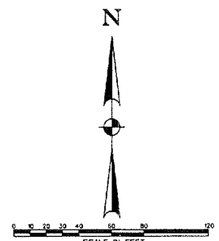
1. ZONING: EXIST I & C-2 - PROPOSED C-2 W/ SUP FOR DAYCARE
2. PROPOSED USE: DAY CARE
3. PROPERTY AREA: 57,389 SF - 1.318 ACRES - NET
4. BUILDING AREA: 8,341 SF
5. BUILDING HEIGHT: 1 - STORY - 33'
6. LOT COVERAGE: 14.5%
   F.A.R. = .15:1
7. PARKING REQUIRED: 1 SPACE/8 STUDENTS (150 STUDENTS) = 19 SPACES
   + 1 SPACE/EMPLOYEE (18 EMPLOYEES) = 18 SPACES
   TOTAL = 37 SPACES
   HANDICAP REQUIRED 1 ACCESSIBLE/25 SPACE PROVIDED = 2 ACCESSIBLE
8. PARKING PROVIDED: 39 SPACES + 2 ACCESSIBLE = 41 SPACES
9. STACKING REQUIRED 1 SPACE / 20 STUDENTS 150/20 = 8 SPACES
   STACKING PROVIDED = 8 SPACES
10. INTERIOR LANDSCAPE REQUIRED: 15 SF/PARKING SPACE = 615 SF
    INTERIOR LANDSCAPE PROVIDED: MORE THAN 615 SF
11. REQUIRED OPEN SPACE - 7% = 4,017 SF
    PROVIDED OPEN SPACE = 13,493 SF
12. TOTAL SQUARE FOOTAGE OF IMPERVIOUS SURFACE: 54,952 SF
13. PLAY AREA REQUIRED (65 SF / STUDENT - 150 STUDENTS) = 9,750 SF
    PLAY AREA PROVIDED = 10,187 SF

HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS

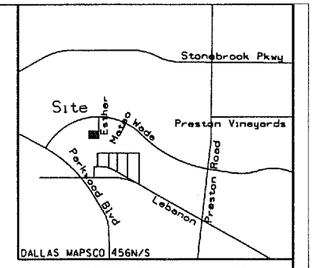




TYPICAL DUMPSTER DETAIL
(PER CITY OF FRISCO STANDARDS)



SCALE: 1" = 40'



VICINITY MAP

NOT TO SCALE

LINE LEGEND:

- PROPERTY LINE
- DRAINAGE FLOW
- PROPOSED 12" WATER LINE
- ROAD CENTER LINE
- PROPOSED STORM SEWER
- PROPOSED STREET
- 610 EXISTING CONTOUR LINE
- 610 PROPOSED CONTOUR LINE
- BUILDING SETBACK LINE
- DRAINAGE EASEMENT
- DRAINAGE DIVIDE LINE
- ROW / LOT LINE

PRELIMINARY SITE PLAN NOTES:

1. ALL RADII ON FIRELANES TO BE 20' MINIMUM
2. ALL HANDICAP STALLS, WALKS, RAMPS AND AISLES TO MEET ADA, TASS AND ALL APPLICABLE STANDARDS.
3. ALL ROOF DRAINS ARE TO BE TIED INTO STORM SEWER PIPING.
4. ALL WATER MAINS SHALL BE 12" MINIMUM

CITY OF FRISCO SITE PLAN NOTES

1. Any revision to this plan will require city approval and will require revisions to any corresponding plans to avoid conflicts between plans.
2. Open storage, where permitted, shall be screened in accordance with the Zoning Ordinance.
3. Buildings with an aggregated sum of 5,000 square feet or greater on a lot shall have automatic fire sprinklers installed throughout all structures. Alternative fire protection measures may be approved by the Fire Department.
4. All signage is subject to Building Inspection Division approval.
5. All fences and retaining walls shall be shown on the site plan and are subject to Building Inspection Division approval.

OWNER: MEVEC, LTD. C/O MR. JIM NEWMAN 9801 CAMPIELO AVE FRISCO, TEXAS (972) 335-3334	APPLICANT: SPANISH SCHOOLHOUSE, INC. 2121 W. SPRING CREEK PARKWAY, SUTIE 211 PLANO, TEXAS 75023 MS. VICKIE WILLIAMS (469) 236-6823
SURVEYOR: NORTH TEXAS SURVEYING, INC. 1515 SOUTH McDONALD ST., SUITE 110 McKINNEY, TEXAS 75069 MR. MICHAEL B. ARTHUR (469) 424-2074	ENGINEER: HELMBERGER ASSOCIATES, INC. 1525 BOZMAN ROAD WYLIE, TEXAS 75098 MR. RANDALL T. HELMBERGER, P.E. (972) 442-7459

EXHIBIT B: SUP #12-0014

SPANISH SCHOOLHOUSE OF FRISCO

LOT 7, BLOCK A - LAKES OFFICE PARK AT PRESTON-WADE

1.318 ACRES

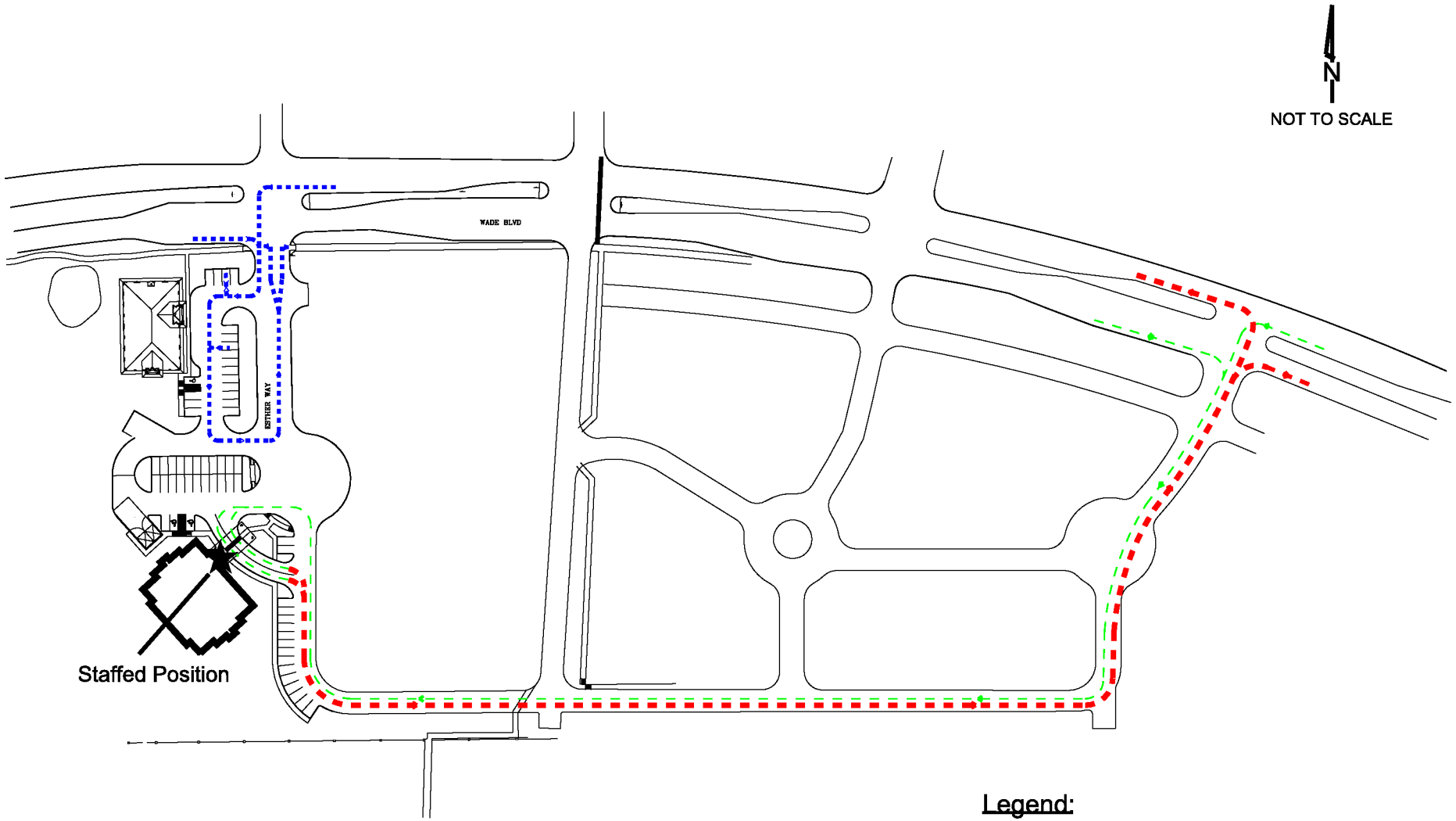
FRISCO, TEXAS

TBPE REGISTRATION NO. F-000756

HELMBERGER ASSOCIATES, INC.
CIVIL AND ENVIRONMENTAL ENGINEERS
124 HOOPER ROAD, WYLIE, TEXAS 75098 (972) 442-7459

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
HELM.	CADD	MAY 2012	1"=40'	PSPLAN	1221	

..\EXHIBITB.DGN 6/15/2012 2:12:12 PM



3030 LBJ FREEWAY
SUITE 1660
DALLAS, TEXAS 75234
972-248-3006 FAX 972-248-3855
LEE ENGINEERING DALLAS - PHOENIX - ALBUQUERQUE

PROPOSED CIRCULATION PATTERNS
SPANISH SCHOOLHOUSE

Figure 9

AGENDA ITEM #16.

Michael Walker

From: John Lettelleir
Sent: Tuesday, July 31, 2012 6:32 PM
To: Michael Walker
Cc: John Webb
Subject: FW: SUP12-0014

For file.

From: John McMichael [mailto:jmc664@airmail.net]
Sent: Monday, July 23, 2012 8:53 AM
To: John Lettelleir
Subject: SUP12-0014

Dear Mr. Lettelleir,

I think we met at the June 26, 2012 at the Planning & Zoning Commission Meeting. We spoke against Agenda Item 21, SUP12-0014 for Child Care Center, Spanish Schoolhouse. Pat Fallon, a current parent of Fingerprints, suggested we reach out to stress the importance and impact your decision will have on our business and as well as all surrounding child care facilities.

My wife and I own Fingerprints Christian Preschool (6181 Esthers Blvd.), adjacent to that piece of property. We have owned and run Fingerprints since 2006 and have work extremely hard to offer a safe, learning environment for many children over the years. We took a risk, put our life savings into the school and wanted to offer Frisco a first class preschool. Having heard Mr. Newman sold the piece of property for a child care facility, frankly, we were very upset and concerned. Healthy competition is sometimes good but another school right next to our school doesn't make sound business sense.

During the meeting we discussed a few major concerns.

1. Traffic. With Spears Elementary School across the street; they have buses, carpool for parents and drop-off and pick up for after school programs; traffic can get very congested. They have 720 students. Fingerprints is licensed for 105. The proposed new school for 150 kids. The traffic on Wade (East and West) as well as on Esthers will be overwhelming and become a safety concern.
   During the meeting no traffic circulation was presented by the Spanish Schoolhouse group.
2. I have gone door to door in the Chapel Creek housing develop (right across the street). Homes run from $800,000 to $4 million. I discussed the SUP and have over a 20 signatures, unhappy with the potential traffic and some questioning the logic of 2 schools together.
3. There are approximately 13 preschools, childcare and Montessori schools in the 75034 & 75035 zip code. This is the area we pull from. I have contacted all of them and not one had heard about the SUP and as any business owner would ask, how will this affect my business? Mr. Richardson brought up the possibility of cannibalization occurring until further growth started again.
4. I brought up that Mr. Newman had already sold the land to Spanish Schoolhouse group even though the SUP was still up for discussion. Mr. Richardson and a few others thought this was a strange business decision.
5. During your July 10, 2012 Planning and Zoning Meeting we saw the board approved an SUP for a new Montessori School near Parkbrook and Stonebrook. Licensed for 309 kids. That would be 450 new children within 2 miles of 5 existing schools.
6. We believe in the development and growth of Frisco that Glenda and a partner opened up a clothing store 3 years ago at 6975 Main St.,Frisco. The Blue Door Boutique.
7. Mr. Williams also was going revisit the definition of a SUP; regarding how it affects morals, general welfare of the neighborhood and being detrimental to adjacent properties.

As I talked with other school owners, no one is at full capacity but see's a bright future for their business. But with the continued expansion of childcare facilities and limited growth in the housing market, Glenda and I ask you to not approve the SUP for the Spanish Schoolhouse project. The Spanish Schoolhouse already operates a facility off of El Dorado.

If you have any questions or concerns, please give us a call

Hope to discuss further July 24, 2012.

Thank You for your consideration.

John and Glenda McMichael
Fingerprints Preschool
6181 Esthers Way
Frisco, TX 75034
G...972-345-8455
J... 214-202-8765

AGENDA ITEM #16.

CHAPEL CREEK

07-24-12P04:38 RCVD

Vote Against the Proposed Special Use Permit for a Child Day Care
Esthers Way and Wade Boulevard Case # SUP12-0014
*** Public Hearing July 24, 2012..6:30pm City Hall 6101 Frisco Square***

Name	Address	Telephone
Brian Jackson	7975 OAK POINT DR.	
Madeline Yates	7849 Oak Point Dr.	
Cynthia Nehls	8058 Oak Point Dr.	
Kim Deaton	8032 Oak Point Dr	
Kim Jost	5902 Aberdeen Place	
Susan Webster	5957 Aberdeen Place	
Mike Casey	5912 Shady Oaks D	
Blank	5973 Shady Oaks Dr	
Jane McMullen	7751 Oak Point Dr.	
Blank	6077 Connely Dr.	
Marc LeCroy	6029 Connely Dr.	Concerned about congestion + Danger on Wade!
Mike Evans	6005 Connely Dr.	
Brian Schreiber	6062 Bellevue	2149078978

Thank You

Chapel Creek

Vote Against the Proposed Special Use Permit for a Child Day Care
Esthers Way and Wade Boulevard Case # SUP12-0014
*** Public Hearing July 24, 2012..6:30pm City Hall 6101 Frisco Square***

Name	Address	Telephone
Kristi Sosa	6797 Reims Ct	972-408-2910
Heather Mahan	6041 Arboretum Dr.	214 280 9580
[signature]	6059 Arboretum	214 240 6513
[signature]	6045 Arboretum	2149189416
Amanda Porter	7941 Oak Point Dr.	214 387 3273
Evan Wilson	6738 Reims Ct	972-377-0500
Coleen [signature]	8277 Stono River DR.	214-799-8921
[signature]	Memorial Dr.	
Wei Tong	6030 Arboretum Dr.	214-417-0283
[signature]	7825 Oak Point Dr	
[signature]	7801 Oak Point Dr	
[signature]	8040 Oak Point Dr.	214 783 0838

Thank You

Businesses Opposed to the Proposed Special Use Permit

for a Child Care Facility

Esthers Way and Wade Blvd.....Case #SUP12-0014

******Public Hearing- July 24, 2012.....6:30.....City Hall

Name	Business Name	Address
John H. Lambert	Lambert & Lambert, P.C.	8501 Wade Blvd Ste 250 Frisco, TX 75034
Dr. Mark W. Taylor	Taylor Family Chiropractic, P.A.	8501 Wade Blvd Ste 240 Frisco, TX 75034
NANCY NEWTON	North Star Diagnostic	8501 Wade #22 Frisco, TX 75034

3

6/25/12

Zoning and Special Use Permit Petition

EFRAIN ZARDUNO

1. 8200 Preston North
   Frisco Tx. 75034
   469 446 4004

2. José O. Diaz
   5872 Kimberlee.
   Frisco, Tx. 75034

3. PROPERTY SOUTH OF

4. proposed School

5.

6.

School	Address	City	Zip	Capacity
Apple Creek Frisco	7797 Stonebrook Pkwy	Frisco	75034	160
Beary Best Academy	7400 Kings Ridge Rd	Frisco	75035	325
Castle Montessori	5050 Legendary Dr	Frisco	75034	194
Creative World School	4915 Coit Rd	Frisco	75035	173
Fingerprints Private School	6181 Esther Way	Frisco	75034	105
Hillcrest Day School	6275 Hillcrest Rd	Frisco	75035	224
Kiddin Around	9377 Lebanon Rd	Frisco	75035	82
Kids R Kids	9155 Preston Vineyard Dr	Frisco	75035	297
Preston Kiddie Kollege	4438 Legendary Dr	Frisco	75034	240
Primrose School	4115 Ohio Dr	Frisco	75035	176
Rosewood Academy	4577 Ohio Dr	Frisco	75035	214
Sunny Days Christian Preschool	8100 Stonebrook Pkwy	Frisco	75034	85
Sunshine House	5925 Hillcrest Rd	Frisco	75035	152
Trent Learning Center	7480 Stonebrook Pkwy	Frisco	75034	100
Warren Montessori	10247 Warren Pkwy	Frisco	75035	225
Total Capacity				**2752**

PROPOSED SUP MONTESSORI — PARKBROOK + STONEBROOK — FRISCO — 75034 — ~~309~~

PROPOSED SUP SPANISH SCHOOL HOUSE — WARE + ESTHER — FRISCO — 75034 — 150

PROPOSED SUP FELLOWSHIP OF FRISCO — COIT + LINKSIDE — FRISCO — ?

5

Child Care Facilities Opposed to the Proposed Special Use Permit
for a Child Care Facility
Esthers Way and Wade Blvd.....Case # SUP12-0014
***Public Hearing – July 24, 2012....6:30pm...City Hall
Fricso Square

Name	Business Name	Address
Maria Seifi	Preston Kiddie Kollege	4438 Legendary Dr Frisco Tx 75034
Sandra Mayhew	Sunny Days	8100 Stoneleaf Ct
Bunny Jaworski	Warren Montessori (Warren Montessori Frisco)	10247 Warren Parkway Frisco, TX, 75035
David Bell	Hillcrest Day School	6205 Hillcrest Rd, Frisco Tx 75035
Vikas Patel	Castle Montessori	5050 Legendary Dr Frisco, TX 75034
Nelson Hewitt	Property Owner	10749 N. County Road

Thank you.

6

Michael Walker

From: John Lettelleir
Sent: Monday, August 06, 2012 1:07 PM
To: Solyman Ashrafi; John Hamilton; Bill Woodard; Rick Williamson; Jeff Trykoski; Will Russell; Clint Richardson; Bryan Dodson
Cc: Maria; Michael Walker
Subject: RE: Opposition to Spanish Schoolhouse - Lot 7, Block A - Lakes Office

Dr. Ashrafi:

Your email will be included in the P&Z packet that will go out later this week. You mentioned the word "confidential" in the fourth paragraph below. Please be advise that emails sent to P&Z and staff concerning cases become public information.

Sincerely,

John Lettelleir
Director of Development Services
City of Frisco, Texas

From: Solyman Ashrafi [mailto:solyman.ashrafi@verizon.net]
Sent: Monday, August 06, 2012 12:49 PM
To: John Lettelleir; John Hamilton; Bill Woodard; Rick Williamson; Jeff Trykoski; Will Russell; Clint Richardson; Bryan Dodson
Cc: Maria; Solyman Verizon
Subject: Opposition to Spanish Schoolhouse - Lot 7, Block A - Lakes Office

Dear Frisco City Council,

This is a note to express my opposition to Spanish Schoolhouse under evaluation by City of Frisco lanning & Zonning Commision on August 14th.

When Preston Kiddie Kollege started back in Nov 2005, we had estimated and built a facility licensed for 240 Kids. We Built a large GYM for our after school kids and estimated 60 kids for afterschool. When we started we had about 140 kids in total.

What we found was that the Frisco ISD was offering After School programs with much lower standard of care compared to daycares and we ended up having ZERO afterschool kids and yet a large unused GYM which we have to keep cool because of the small library in there.

When we launched there were only 3 home daycares in our area. Today we have over 35. We currently have less than 100 (confidential) kids in total and zero after school kids registered. We are rated one of the top preschool/daycars in Frisco based on quality of services, high tech Iris detection for security and reatime webcams for paretns to check their kids via their cell phones.

We do understand that the market dynamics have caused some of the fluctuations in the number of registrations, but the City of Frisco needs to look at this issue very very seriously. I do not think there is a business case that works with any new competitors in the region. I strongly believe that the city has over extended the number of Daycares in the City and any further expansion can cause in collapse of many of these daycares right before our eyes. There are a number of other Daycares who have opposed this initiative as well.

I will be out of town on the day when this will come for evaluation on August 14th, but I humbly request that one of the members would read my opposition to the participants without mentioning the number of kids we currently have.

Thanks

Sincerely Yours,
Dr. Solyman Ashrafi
214-244-6590

DALLAS BIBLE CHURCH

pursuing LIFE together

August 6, 2013

City of Frisco, Tx

To whom it may concern:

Since 2006, Dallas Bible Church has been in a contract lease agreement with Spanish Schoolhouse for the North Dallas location of their preschool. From our knowledge of the nature and purpose of Spanish Schoolhouse Preschool and from our observation of their fulfillment of this purpose in function, we note that the Spanish Schoolhouse clientele is parents that are specifically seeking a Spanish immersion preschool experience for their children. The Spanish Schoolhouse teachers speak Spanish all day and incorporate Spanish culture into the preschool curriculum almost exclusively.

In my opinion, a Spanish Schoolhouse preschool would seek and serve a clientele that is distinct from parents seeking a traditional English-speaking preschool for their children. We operate a Mother's Day Out ministry program on our campus with Spanish Schoolhouse, and have not found our programs to be in conflict because of their language and cultural distinction.

Respectfully,

Robin Dembicki

Director of Children's Ministries

Dallas Bible Church

15765 Hillcrest Road • Dallas, Texas 75248 • 972 770 3500 • www.dallasbible.org

Spanish Schoolhouse

Welcome to Spanish Schoolhouse!

Thank you for considering Spanish Schoolhouse for your child's school. As we start our 12th year of children's education, we invite you to become part of our family!

At Spanish Schoolhouse we truly care about your child's early education. Our focus is providing a solid academic foundation that will prepare your child for future success – both academically and socially. We are passionate about immersing children in the Spanish language and culture while giving them a solid foundation of early learning.

Our goal is to create the love of learning in children, so that they become lifelong learners. What could be better than your child loving to learn, building a strong academic foundation, AND acquiring the Spanish language along the way? Your child can do all of that at Spanish Schoolhouse!

Studies show that children who learn more than one language have many advantages over those who do not. They are more creative and have better problem solving skills. They have a better understanding of other cultures, and increased communication skills. Your child is growing up in a diverse, multi-cultural world, and exposure to other languages and cultures is becoming an invaluable part of education.

We appreciate your interest in our programs and we hope to see you at school!

¡Gracias!

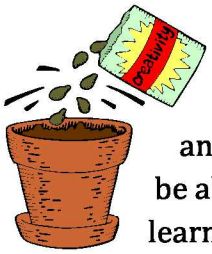
Spanish Schoolhouse

Spanish Schoolhouse

What can I expect for language acquisition?

Spanish Schoolhouse has many goals for your child. In addition to developing Preschool and Kindergarten skills, developing a love for learning and education and developing social skills, our school strives for your child to acquire the Spanish language in a natural, immersion environment. The question many parents ask is: What can I expect for the language learning aspect of the school? To answer this question, we have put together the following basic expectations for your child. However, keep in mind that all children develop and learn at different rates. The outline below is much like the pattern your child followed when learning his/her first language.

Year one: "Planting the seed"



Much like with your child's first language, the goal for the first year is for your child to learn the patterns of the language, build a base of vocabulary, and understand the spoken language. You can expect your child to understand 80% - 100% of the language by the end of the first year. He/she will follow verbal directions, understand the class lessons, and process the language patterns. In addition, your child will have a large vocabulary and be able to use the words either by themselves or in pairs of two or three. Although language learning in the first year is not "seen" as much as in later stages, this first year is VITAL in laying the foundation for speaking the language. You have planted the seed, now watch it grow!

Year two: "The seed sprouts"



The second year is full of repeating, adding vocabulary and beginning to use the language naturally. You will hear your child respond verbally to the teacher using the Spanish language, participate in class lessons using the language, sing songs in the language, and use the language sporadically. Your child understands everything and is thinking in Spanish. You will begin to see all the language skills your child has acquired! Mixing the language is natural as your child begins to think in the language and use it naturally.

Year three: "A flower blooms"



The third year is the magical year! Your child has spent two years learning the patterns and sounds of a new language and is now ready to show you everything in a verbal form! The third year, a child can think in the new language, without translation, and communicate his/her thoughts using the language! Your child can carry on a full conversation in Spanish and will have a perfect accent in Spanish and will sound like a native speaker. In the classroom environment or with other Spanish speakers, your child will think and respond in Spanish without hesitation. The children begin communicating to each other in Spanish and using the language on their own. Your child has acquired a strong base and is ready to take off to complete fluency.

Spanish Schoolhouse

¿Qué hacemos en la clase? What do we do in class?

Spanish Schoolhouse follows a comprehensive, multi-sensory Preschool & Kindergarten curriculum..... we just do it all in the Spanish language! Our Goal at Spanish Schoolhouse is to provide an excellent early childhood education as well as give children the GIFT of the Spanish language and culture. Below are some key areas we work on during our preschool day (all in the Spanish language, of course!)

Fine Motor Skills
- Cut, Glue, Draw, Paint
- String Items, Puzzles, Blocks
- Manipulative toys, Play-Doh
- Writing, Tracing & Drawing

Gross Motor Skills
- Throw , Kick , Catch Balls
- Parachute Play
- Organized PE Games
- Balancing , Running , Climbing

Math Skills
- Count, Sort, Group objects
- Create patterns
- Shape Combinations
- Adding, Taking away

Science Skills
- Weights and Balances
- Measuring
- Magnets
- Life cycles of animals

Self Help and Manners
- Part of our schooling at Spanish Schoolhouse is to encourage the children to learn to take responsibility for themselves. We do this through encouraging independence with toileting, hand washing, and cleaning up after themselves. Children build self-confidence as they become independent.
- Manners are important! Sitting nicely, using table manners and respecting peers are part of a child's education. Children develop self respect and respect of others when manners are a part of their education.

Preschool years are very important! The first five years of a child's life impacts learning potential for the rest of his/her life! Children use every aspect of their senses and bodies to learn about the world in which we live. Therefore, education should be "hands on" and multi sensory. Children will discover and learn through a variety of activities that meet age appropriate physical, emotional, social and cognitive developmental needs. In addition to developing in these areas, the children will also acquire the Spanish language and open their minds to another culture. The knowledge of another language is a life long gift that will open many doors in your child's future!

Spanish Schoolhouse

Learn the language. Create the future.

In today's ever-changing world, speaking multiple languages and understanding different cultures are vital skills.

Spanish Schoolhouse, we teach the Spanish guage in a fun, natural way that allows ldren to absorb the language and culture, d opens doors to their future!

rough hands-on activities, books, play, and eryday conversation, we reach academic d language goals that give children a lifetime vantage.

Science shows that the optimal time for language learning is in the first decade of a child's life. Our programs take advantage of this window and give children an opportunity to learn and use the Spanish language while increasing cognitive, academic and social skills.



Locations

Allen	972-804-4161
Arlington	817-821-5211
Castle Hills/ Carrollton	214-483-6474
Coppell	972-462-1100
Flower Mound	972-539-6204
Frisco	214-619-0737
Keller	817-337-3888
McKinney	214-504-9444
North Dallas	972-716-2054
Rowlett	214-545-2694
Southlake	817-488-0549
The Woodlands	281-292-6116

www.spanishschoolhouse.com

SPANISH IMMERSION

Summer Camps

Spanish Schoolhouse

Learn the language. Create the future.



Cultural Experiences = Summer Fun!

Nothing beats the opportunity for a fun and interactive cultural experience without leaving town! Our summer camps will immerse your child in the Spanish language and culture. Activities include crafts, games, music and fun... all in the Spanish language of course!

ch camp session is based on a theme, so ur child can attend all the camps and get ifferent experience at each. Camps are ailable with full-time or part-time attendance. signed for children ages 3 - 10, you have the tion to choose from 2 day, 3 day, 4 day or 5 y sessions.

ué divertido!

Camp Sessions

What will my child learn?

Our exciting, interactive camps give children "an imaginary trip" through Latin American countries! They'll learn about the people, traditions and celebrations, and explore the exotic wildlife of the rainforest and coastal areas. Your child's imagination and Spanish language skills will be stretched to the highest limits with our hands-on, creative language camps. Fun, educational themes combined with language learning will add new dimensions to your child's summer!

What activities will my child experience?

Your child will participate in science experiments, art projects, cooking demonstrations, instructional games, music and much more while exploring the theme of each camp. Our native Spanish language teachers will guide the activities using the Spanish language so your child will learn the language while experiencing many hands on activities. We make summer learning fun!

"Man's mind stretched to a new idea never goes back to its original dimensions." - Wendell Holmes









SPANISH SCHOOLHOUSE

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The Woodlands	281-292-6116

www.spanishschoolhouse.com

SPANISH IMMERSION

PRESCHOOL

SPANISH SCHOOLHOUSE

Learn the language. Create the future.



Combining Early Childhood Education with Language Learning

Give your child the gift of the Spanish language through our comprehensive, hands-on, academic preschool.

At Spanish Schoolhouse, children experience all the joys of preschool – we just do it all in Spanish! Our unique curriculum teaches ential early childhood skills and prepares ldren for higher education. The children sorb the Spanish language and culture while quiring these skills, therefore having the nefit of both education and language.

What is the Curriculum?

When children are engaged and are having fun, they learn naturally! Our school days are filled with songs, rhymes, motion and hands-on activities. In this interactive environment, children learn academic and social skills that are important for their future success:

- Math, science and literacy skills
- Fine and gross motor skills
- Creative expression - through art, music, dance and stage presentations
- Independence and self-confidence
- Manners and respect for others

To complement our curriculum, the program is enriched with cultural activities and special events throughout the year. These activities include parades, art exhibitions, family picnics, carnivals, Latin cultural celebrations and more!

PART-TIME AND FULL-TIME SCHEDULES AVAILABLE!

VISIT OUR WEBSITE FOR SCHEDULES AND TUITION INFORMATION.

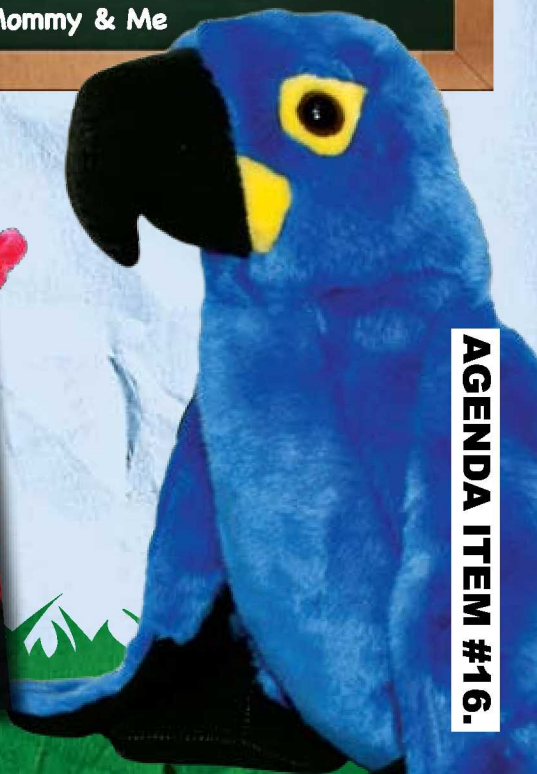
Other Programs For Your Child

Kindergarten • After School Classes • Summer Camp • Mommy & Me









AGENDA ITEM #17.

PROGRESS IN MOTION

Development Services Department
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

Cc: **George A. Purefoy, City Manager**
John Lettelleir, AICP, Director of Development Services
Steve Covington, Chief Building Official

From: **Julie Stallcup, Health & Food Safety**

Date: **8/30/2012**

Agenda Caption: **Consider and Act Upon Establishing the Threshold for Triggers to Initiate Aerial Spraying**

Action Requested: Provide direction as stated in the caption.

Background Information: The City Council at its special called meeting on Monday August 27, 2012 asked staff to provide a recommendation for their consideration on creating and establishing triggers and their thresholds for aerial spraying in the city. The City Council was seeking this recommendation so that the City could respond more quickly without having a special called City Council meeting on aerial spraying.

Staff consulted with Center for Disease Control (CDC), the Department of Health and Human Services, and Collin County and confirmed there are no threshold standards for aerial spraying. The reasons for this are due to multitude of variables in the environment, such as:

- Population density
- Per capita water usage
- County water sources
- Birds habitats
- Mosquito habitats
- Disease ecology
- Drought conditions
- Flora and fauna
- Demographics
- Geographic diversity

Staff understands from Collin County that the CDC is extrapolating data from this year's West Nile Virus (WNV) season of the four county areas of Collin, Dallas, Denton and Tarrant, to develop response plans for future epidemics. Therefore,

staff will likely be modifying the City's response plan for City Council review and action in the future.

With the lack of data for establishing a baseline to initiate aerial spraying, staff is proposing these two trigger points and thresholds for commencing with aerial spraying.

- 10 Cases of WNV per 100,000 population
  Using current population of 127,347, the threshold would be 13 cases total.

- Cases of WNND reaches or exceeds 25 % of Total Cases
  Using current Total Cases, the threshold would be 2 cases of WNND.

The 127,347 population is the estimate for August 1, 2012. This number will be adjusted each month as the population changes. The population increase will increase the trigger point's threshold.

Staff's recommendation is being made to be responsive to City Council's request, and to use data to establish thresholds where aerial spraying has been triggered in the North Texas area. See table below.

ACTUAL REPORTED NUMBERS AS OF 8/30/2012:

County	2012 Total persons	WNV cases	Total WNV cases per 100,000 population	WNF Cases	WNF Cases per 100,000	WNV ND Cases	WNV ND Cases per 100,000 population	DEATHS	Aerial Spraying Y / N
Collin	927,466	49	5.3	34	3.7	15	1.6	1	N
Dallas	2,484,816	300	12.1	149	6.0	151	6.1	13	Y
Denton	770,509	122	15.8	86	11.1	36	4.7	2	Y
Tarrant	1,920,714	231	12.0	169	8.8	62	3.2	4	N
Frisco	127,347	7	5.5	7	5.5	0	0	0	N

WNV – West Nile Virus
WNND – West Nile Neuroinvasive

The aerial spraying may involve multiple sprayings. Staff will work with the contractor to determine the number of sprayings.

Staff will use all of its available resources to inform the public of aerial spraying if the thresholds are met as recommended, unless directed otherwise by City Council.

Board Review/Citizen Input: None.

Alternatives: The City Council can:

- Approve with modification;
- Table for further review; or
- Take no action

Financial Considerations: Staff will work with Finance and Legal on identifying and applying for funding sources for aerial spraying.

Legal Review: Not applicable at this time.

Supporting Documents: None.

Recommendation: Recommend that aerial spraying commence when one of the two thresholds are triggered based on the city's estimated population for that month.

- 10 Cases of WNV per 100,000 population

- Cases of WNND reaches or exceeds 25 % of Total Cases

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AGENDA ITEM #18.

FRISCO
PROGRESS IN MOTION

Department of Financial Services

Memorandum

To: Honorable Mayor Maso and City Council Members

Thru: George Purefoy, City Manager

From: Jennifer Hundt, Assistant Finance Director
Anita Cothran, Director of Financial Services
Nell Lange, Assistant City Manager

Date: August 28, 2012

Subject: Public Hearing: Second Public Hearing on the City of Frisco Fiscal Year 2013 Annual Budget, including Frisco Economic Development Corporation Fiscal Year 2013 Budget and the Frisco Community Development Corporation Fiscal Year 2013 Budget

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Action Requested: The City Council shall hold the second public hearing on the proposed Annual 2013 Budget as previously presented.

Background Information: Article VII, Section 7.05 of the City Charter requires the City Council to conduct a public hearing on the proposed budget. The Council called the public hearings at their meeting on August 6, 2012 and all notices have been published as required. There will be a short presentation on the budget for those that may not have been present at the first public hearing. The first public hearing was held on August 21, 2012. The budget is scheduled for adoption at the regular council meeting on September 18, 2012.

Board/ Citizen Input: A worksession was held on August 13, 2012.

Alternatives: NA

Financial Considerations: None.

Legal Review: None

Supporting Documents: A copy of the Proposed 2013 Budget may be viewed on the City's website. There will be an overview of the budget presented at the meeting.

AGENDA ITEM #19.

FRISCO
PROGRESS IN MOTION

Department of Financial Services
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and City Council Members**

Thru: **George Purefoy, City Manager**

From: **Jennifer Hundt, Assistant Finance Director**
Anita Cothran, Director of Financial Services
Nell Lange, Assistant City Manager

Date: **August 28, 2012**

Subject: **Second Public Hearing on the City of Frisco Proposed FY13 Tax Rate**

Action Requested: City Council shall conduct the second public hearing on the proposed tax rate of $0.461910 per $100 of assessed value. After closing the public hearing the Mayor shall announce the City Council will vote on the fiscal year 2013 tax rate at the September 18, 2012 meeting at 6:30 pm.

Background Information: The Texas Tax Code, Truth-in-Taxation requires the City Council to conduct two public hearings when the proposed tax rate exceeds the lower of the rollback rate or the effective rate. The preliminary budget as presented to the Council has a proposed tax rate of $0.461910. This rate is above the effective tax rate of $0.459411and represents a change of 0.54%. In addition to the two public hearings, the City is required to publish in the paper the attached ad, notifying the citizens of a proposed **effective** tax increase. All requirements for publication in the paper and notification on the website and the cable channel have been met.

House Bill 3195 requires additional language to be added to the ordinance, resolution, or order setting this year's tax rate. The following statement is required by this legislation.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 4.18 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY $9.51.

The total proposed amount of the maintenance and operations revenue increase from FY12 to FY13 is $254,535.

Board/ Citizen Input: None.

Alternatives: City Council could choose to adopt a rate less than the advertised rate of $0.461910.

Financial Considerations: If the City Council chooses to adopt a rate lower than the proposed $0.461910, the FY 2013 Proposed Budget would be amended to accommodate the reduced ad valorem property tax revenue.

Legal Review: None

Supporting Documents: Notice of the Public Hearing and Ad to be published in the newspaper concerning adoption of the tax rate.

Staff Recommendation: Staff has provided information to council concerning adjustments that can be made to the budget. If Council chooses to reduce the tax rate to the effective rate, the attached ad concerning an effective tax increase will not be published. Staff is looking for direction for council at this time. Staff will be present at the meeting to respond to any questions.

Notice of Public Hearing on Tax Increase

The City of Frisco will hold two public hearings on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 0.54 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

The first public hearing will be held on August 27, 2012 at 6:30 PM at George A Purefoy Municipal Center, Council Chambers, 6101 Frisco Square Blvd., Frisco, TX 75034.

The second public hearing will be held on September 4, 2012 at 6:30 PM at George A Purefoy Municipal Center, Council Chambers,6101 Frisco Square Blvd., Frisco, TX 75034.

The members of the governing body voted on the proposal to consider the tax increase as follows:

FOR:	Jeff Cheney Bob Allen Will Sowell	Scott Johnson John Keating
AGAINST:	None	
PRESENT and not voting:	Mayor Maher Maso	
ABSENT:	Tim Nelson	

The average taxable value of a residence homestead in City of Frisco last year was $282,012. Based on last year's tax rate of $0.461910 per $100 of taxable value, the amount of taxes imposed last year on the average home was $1,302.64.

The average taxable value of a residence homestead in City of Frisco this year is $287,800. If the governing body adopts the effective tax rate for this year of $0.459411 per $100 of taxable value, the amount of taxes imposed this year on the average home would be $1,322.18.

If the governing body adopts the proposed tax rate of $0.461910 per $100 of taxable value, the amount of taxes imposed this year on the average home would be $1,329.38.

Members of the public are encouraged to attend the hearings and express their views.

NOTICE
OF TAX REVENUE INCREASE

The City of Frisco conducted public hearings on August 27, 2012 and September 4, 2012 on a proposal to increase the total tax revenues of the City of Frisco from properties on the tax roll in the preceding year by 0.54 percent.

The total tax revenue proposed to be raised last year at last year's tax rate of $0.461910 for each $100 of taxable value was $65,523,027.

The total tax revenue proposed to be raised this year at the proposed tax rate of $0.461910 for each $100 of taxable value, excluding tax revenue to be raised from new property added to the tax roll this year, is $61,543,930.

The total tax revenue proposed to be raised this year at the proposed tax rate of $0.461910 for each $100 of taxable value, including tax revenue to be raised from new property added to the tax roll this year, is $63,666,125.

The Frisco City Council of City of Frisco is scheduled to vote on the tax rate that will result in that tax increase at a public meeting to be held on September 18, 2012 at George A. Purefoy Municipal Center, Council Chambers, 6101 Frisco Square Blvd., Frisco, TX 75034 at 6:30 PM.

AGENDA ITEM #20.

frisco public library
Inspiring Intellect, Curiosity, and Imagination

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

Cc: **George A. Purefoy, City Manager**

Henry J. Hill, Deputy City Manager

From: **Shelley Holley, Library Director**

Date: **August 30, 2012**

Agenda Caption: **Consider and act upon repeal of Resolution No. 01-11-134R, which eliminated the fee requirement for non-residents of the City of Frisco to pay a fee for the issuance of a library card.**

Action Requested: City Council approval of repeal of Resolution No. 01-11-134R, which provided that non-residents were not required to pay a fee for the issuance of a library card and direct staff to bring forward to Council for consideration a fee structure for non-residents to utilize a non-resident library service package as determined by the Frisco Public Library.

Background: Previously, the Frisco Public Library has been financially incentivized by the State of Texas, Denton County, and Collin County to offer library cards at no charge to non-Frisco residents. State funding has been eliminated and county funding has not kept up with the increasing number of county residents using the Frisco Library. Acceptance of funding from the counties require that all card holding users – Frisco resident or not – be treated exactly the same.

Over the last 5 years Frisco Public Library has experienced some of the highest increases in library usage in the North Texas area with limited increase in materials, staffing, or space. Currently, 30% of active library cardholders are not Frisco residents, thus increasing competition for library resources for Frisco residents. It is estimated that 15% to 25% of library materials and 25% to 35% of e-Books are used by non-Frisco residents. Further, publishers are restricting eBook access for libraries that provide library cards with eBook access to nonresidents; thus opening the door to increasing restricted access to eBooks to Frisco residents.

Frisco does benefit from access to other area libraries which are comparable to our own. It is proposed that reciprocal arrangements be established with those libraries on a limited fee basis (no fee for library card, but charge for interlibrary loans).

Based on cost of service and the rates for non-residents being charged in other cities, it is suggested that Frisco establish a $50 annual fee for non-resident cards.

The Frisco Public Library proposes that effective October 1, 2012 the library recognize three groups of library users:

1) Frisco residents for whom nothing would change.

2) Reciprocal city users which would be able to get a library card at no charge but would not have access to downloadable items and would have to pay $2.50 for interlibrary loans.

3) Nonresident users would have to pay for a library card, and would then have the same access as reciprocal city users.

Alternatives: Council could:

- Approve as submitted
- Choose to continue to offer library cards to non-residents at no charge and accept Denton and Collin County monies.
- Deny approval of the Resolution and send back to staff with direction.

Financial Considerations: Denton and Collin counties funding will be eliminated for fiscal year 2013 (approximately $80,000).

Legal Review: City Attorney Rebecca Brewer drafted the proposed Resolution.

Supporting Documents: Resolution attached.

Staff Recommendation: Staff recommends approval of repeal of Resolution No. 01-11-134R and that staff be directed to bring forward a fee for non-residents to utilize a non-resident library service package in the Fee Ordinance being prepared for the September 18 Council Meeting.

CITY OF FRISCO, TEXAS **RESOLUTION NO. _____(R)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, HEREBY REPEALING RESOLUTION NO. 01-11-134R, WHICH ELIMINATED THE REQUIREMENT FOR NON-RESIDENTS OF THE CITY OF FRISCO TO PAY A FEE FOR THE ISSUANCE OF A LIBRARY CARD; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") passed and approved Resolution No. 01-11-134R on November 6, 2001, which eliminated the requirement for non-residents of the City of Frisco, Texas ("Frisco") to pay a fee for the issuance of a library card ("Prior Resolution"); and

WHEREAS, the City Council has investigated and determined that approximately ten percent (10%) to fifteen percent (15%) of materials checked out from the Frisco public library ("Library") are by non-residents of Frisco; and

WHEREAS, the City Council has further investigated and determined that approximately twenty-five percent (25%) to thirty-five percent (35%) of the online items (*i.e.* Ebooks) offered by the Library are accessed and utilized by non-residents of Frisco; and

WHEREAS, the City Council has further investigated and determined that not requiring non-residents of Frisco to pay a Library fee has negatively impacted Frisco's annual budget; and

WHEREAS, the City Council has further investigated and determined that in order to promote the effective and efficient operations of the Library and reduce the negative impact on Frisco's annual budget, it is necessary to repeal the Prior Resolution and require non-residents of Frisco to pay a fee, except as otherwise provided below; and

WHEREAS, the City Council hereby directs Frisco City Staff to recommend, for the City Council's consideration at a later meeting, a reasonable fee ("Fee") to impose, except as provided below, said Fee to become effective October 1, 2012 on non-residents of Frisco in order for said non-residents to utilize, check-out and access via the internet the materials offered by the Library; and

WHEREAS, the City Council has further investigated and determined that it is in the best interest of Frisco and its citizens to repeal the Prior Resolution in its entirety as set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2: Repeal of Prior Resolution. The City Council hereby repeals the Prior Resolution, in its entirety.

SECTION 3: Imposition of Library Fee on Non-Residents of Frisco. In order to promote the effective and efficient operations of the Library and to reduce the negative impact on Frisco's annual budget, the City Council hereby directs Frisco City Staff to recommend, for the City Council's consideration at a later meeting, a Fee to impose, except as provided below, on non-residents of Frisco in order for said non-residents a non-resident library service package as determined by the library. Said Fee to become effective October 1, 2012.

SECTION 4: Reciprocal Materials Lending Contract. In the event Frisco enters into a Reciprocal Materials Lending Contract with another municipality regarding the use of the respective municipality's library resources, as authorized under Frisco Resolution No. 03-01-105R, the Fee for such other municipality's citizens shall not apply for their use of the Library and the resources and materials offered by the same.

SECTION 5: Savings/Repealing Clause. All provisions of any resolution in conflict with this Resolution are hereby repealed; but such repeal shall not abate any pending matters of the repealed resolution. Any remaining portions of conflicting resolutions shall remain in full force an effect.

SECTION 6: Severability. Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. Frisco hereby declares that it would have passed this Resolution, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 5: Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

RESOLVED THIS the ____ day of September, 2012.

_____
MAHER MASO, Mayor

ATTEST TO:

_____
JENNY PAGE, City Secretary

AGENDA ITEM #21.

FRISCO
PROGRESS IN MOTION

City Secretary's Office
City of Frisco, Texas

Memorandum

To: **Honorable Mayor Maso and Members of the Frisco City Council**

Cc: **George A. Purefoy, City Manager**

From: **Jenny Page, City Secretary**

Date: **9/4/2012**

Agenda Caption: **Consider and act upon approval of rescheduling Regular City Council meetings and scheduling Work Session meetings during the months of November, December, and January.**

Action Requested: Reschedule the November, December and January council meetings to accommodate the holidays and schedule the Mid-Winter work session for January.

Background Information: At the August 21, 2012 council meeting, staff was asked to place a discussion item on this agenda to schedule meetings during the holiday months. Below is a summary by month of suggested dates.

November 20, 2012 Regular City Council Meeting

Some council members have expressed a desire to reschedule this meeting since it falls on the week of Thanksgiving. Development Services has recommended either November 14th or 15th or wait until November 26th or 27th to provide P & Z time to meet on November 13th at its regular meeting and present recommendation to council.

December 4, 2012 Regular City Council Meeting

Pursuant to the last Charter Review, December is one of the two months that council may hold only one meeting. December 4th is the 1st Regular meeting of the month and staff recommends keeping this date as is and taking the rest of the month off. This date may be rescheduled to a more convenient date if council desires.

January 1, 2012 Regular City Council Meeting

This meeting falls on New Year's Day and staff recommends rescheduling the meeting to Wednesday, January 2nd.

January 2012 Mid-Winter Work Session

The January calendar looks uneventful at the moment and staff is recommending the week of January 24 – 26, 2012 for the Mid-Winter Work Session. This has typically been the week this type work session has been planned.

Alternatives: Council could change any of the dates to a more agreeable date and time.

Staff Recommendation: Staff recommends the dates mentioned above that best fit council schedules.